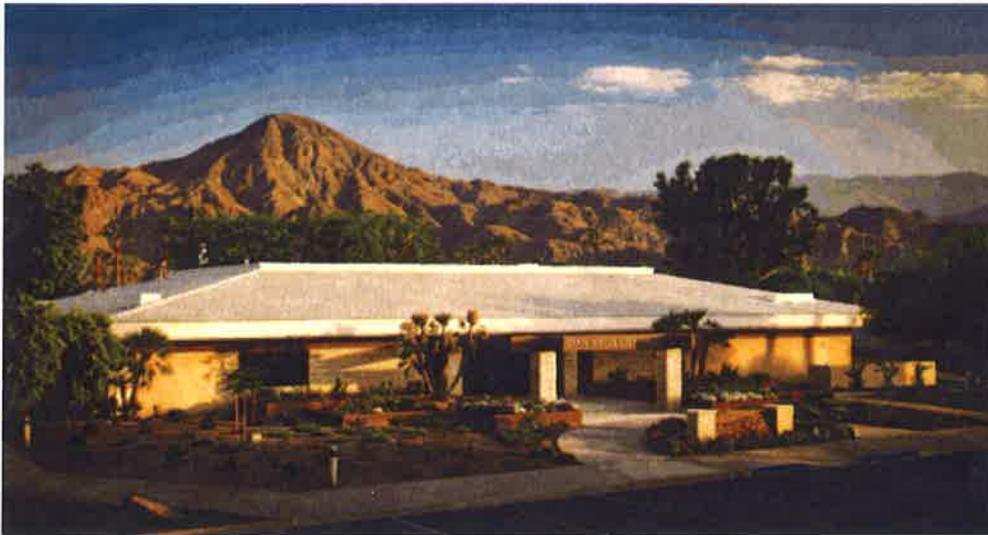

City Council

Meeting Agenda

Thursday, May 7, 2015

1:30 PM

City Hall Council Chambers



Welcome to a meeting of the City Council. All persons wishing to address the City Council should fill out a blue public comment form before the meeting begins and give it to the Clerk. When the Mayor has recognized you, please come forward to the podium and state your name for the record. Council policy is a 3-minute time limit. Please note that you may address the City Council on an agenda item at the time it is discussed, but only after being recognized by the Mayor. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

1. RECONVENE THE CITY COUNCIL, PLEDGE OF ALLEGIANCE AND ROLL CALL

MAYOR TY PEABODY
MAYOR PRO TEM DANA REED
COUNCIL MEMBER RICHARD BALOCCO
COUNCIL MEMBER DOUGLAS HANSON
COUNCIL MEMBER TED MERTENS

2. APPROVAL OF THE FINAL AGENDA**3. APPROVAL OF MEETING MINUTES****A. April 16, 2015 Special Meeting Minutes**

Attachments: 04-16-15 Special Meeting Minutes

B. April 16, 2015 City Council Meeting Minutes

Attachments: 04-16-15 City Council Minutes

4. PUBLIC COMMENTS

All persons wishing to address the City Council should fill out a Blue Public Comment Request form in advance and hand it to the City Clerk. At the appropriate time, please come forward to the podium and state your name for the record. Speakers are limited to three minutes. Parties are encouraged to submit their comments in writing with any attachments or exhibits they wish for the Council to review, preferably 24 hours prior to the meeting. Speakers can then use their three-minutes to summarize the key points of their comments. Please note that you may address the City Council on an agenda item at the time it is discussed, but only after being recognized by the Mayor.

Under the Brown Act, the Council should not take action on or discuss matters raised during the public comment portion of the agenda which are not listed on the agenda. Council Members may refer such matters to staff for factual information or to be placed on a subsequent agenda for consideration. Notwithstanding the foregoing, Council Members and staff may briefly respond to statements made or questions posed during public comment, as long as such responses do not constitute any deliberation of the item.

A. PUBLIC COMMENTS**B. RESPONSE TO PRIOR PUBLIC COMMENTS**

5. PUBLIC HEARINGS

Anyone who challenges any hearing matter in court may be limited to raising only those issues he/she or someone else raised at the Public Hearing described herein, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

- A. Adopt Resolution Approving Conditional Use Permit No. 2014-05 for 19,150 Square Foot Indian Point Shopping Center located at the Northwest Corner of Washington Street and Miles Avenue; Finding the Project is in Substantial Conformance with the Indian Wells Garden of Champions Tournament Center and Indian Wells Town Center Project Final Environmental Impact Report (SCH No. 2006111097)**

RECOMMENDED ACTIONS:

Council OPENS the Public Hearing, takes any public testimony, CLOSES the Public Hearing; and

FINDS the project is in substantial conformance with the previously certified Final EIR for Indian Wells Garden of Champions Tournament Center and the Indian Wells Town Center Project (SCH No. 2006111097); and

ADOPTS Resolution Bill No. 2015-19 approving Conditional Use Permit No. 2014-05 for the construction of a 19,150 square foot commercial development known as the Indian Point Shopping Center, located at the northwest corner of Washington Street and Miles Avenue within Planning Area 4 of the approved Town Center Specific Plan.

Attachments: Resolution Bill No. 2015-19

Aerial Vicinity Map

Site Plan

Landscape Plans

Architectural Plans

Color Materials Exhibit

IWTG Final PEIR 1998

IWTG Final SEIR 2008

IWTG EIR Addendum 2013

6. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the City Council or audience request that specific items be removed from the Consent Calendar for separate discussion and action. If you wish to address the City Council, please fill out a Public Comment Request form in advance and hand it to the City Clerk. Please state your name for the public record. Financial matters will be indicated as budgeted or non-budgeted below.

A. Adopt Resolution Supporting SB 821 Bicycle and Pedestrian Grant Application and Approving Matching Funds for Washington Street Sidewalk Project

RECOMMENDED ACTIONS:

Council ADOPTS Resolution Bill No. 2015-24 supporting the City's Senate Bill 821 (SB 821) grant application and matching funds for the construction of sidewalk along Washington Avenue between Miles Avenue and the Whitewater River Bridge; and

APPROVES a supplemental appropriation in the amount of \$20,000 to the 2014-15 Fiscal Year Capital Improvement Program as 50% matching funds to the City's SB 821 grant application.

Attachments: Resolution Bill No. 2015-24
SB 821 Application

B. Approve Resolutions Initiating Proceedings, Preliminarily Approving the Annual Levy Report, and Declaring Intention to Order the Levy and Collection of Assessments for Annual Levy for City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council ADOPTS Resolution Bill No. 2015-10 initiating proceedings for annual levy and collection of assessments for Fiscal Year 2015-16 for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 pursuant to the Benefit Assessment Act of 1982; and

SCHEDULES a noticed Public Hearing on May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-11 preliminarily approving the annual engineer's report regarding the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 and the levy and collection of assessments for Fiscal Year 2015-16 pursuant to the provisions of the Benefit Assessment Act of 1982; and

ADOPTS Resolution Bill No. 2015-12 declaring its intention to order the levy and collection of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2015-16 pursuant to the Benefit Assessment Act of 1982.

- Attachments:*** Resolution Bill No. 2015-10
Resolution Bill No. 2015-11
Resolution Bill No. 2015-12

C. Approve Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council ADOPTS Resolution Bill No. 2015-15 initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16; pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

SCHEDULES a noticed Public Hearing on May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-16 preliminarily approving the annual engineer's report regarding the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16.

Attachments: Resolution Bill No. 2015-15
Resolution Bill No. 2015-16

D. Initiate Proceedings for Annual Levy of Landscape and Lighting District No. 91-1 and Declaring Intention to Order the Levy and Collection of Assessments for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council ADOPTS Resolution Bill No. 2015-21 initiating the proceedings for the annual levy and collection of assessments for Fiscal Year 2015-16 for the Landscape and Lighting District No. 91-1 No. 1 and declaring intention to order the levy and collection of assessments; and

SCHEDULES a noticed Public Hearing on May 21, 2015 to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-22 preliminarily approving the annual engineer's report regarding the Landscape and Lighting District No. 91-1 for fiscal year 2015/16

Attachments: Resolution Bill No. 2015-21
Resolution Bill No. 2015-22

E. Receive and File the City Treasurer's Report for March 2015

RECOMMENDED ACTION:

Council RECEIVES and FILES the City Treasurer's Report for the month of March 2015.

Attachments: Treasurer's Report March 2015

F. FAMD Warrants and Demands

RECOMMENDED ACTION:

Council APPROVES the May 7, 2015 FAMD Warrants and Demands.

Attachments: May 7, 2015 FAMD Warrants

G. City Warrants and Demands

RECOMMENDED ACTION:

Council APPROVES the May 7, 2015 City Warrants and Demands.

Attachments: May 7, 2015 City Warrants

7. GENERAL BUSINESS

A. Appointments to City Commissions, Committees and Boards

RECOMMENDED ACTION:

Council APPOINTS two qualified residents for two-year terms to the Palm Springs International Airport Commission and the Architecture and Landscape Committee beginning July 1, 2015 and ending June 30, 2017.

Attachments: June 2, 2004 Memorandum
Applicants and voter status matrix

B. Request from the City of Palm Desert to Sponsor their Annual Independence Day Celebration

RECOMMENDED ACTION:

Council CONSIDERS funding request from the City of Palm Desert for the 2015 Palm Desert Independence Day celebration.

Attachments: Palm Desert's Letter

C. Adopt Resolution Amending the City Council Policy Manual

RECOMMENDATION:

Council ADOPTS Resolution Bill No. 2015-20 amending the City Council Policy Manual.

Attachments: Resolution Bill No. 2015-20

8. SUCCESSOR AGENCY GENERAL BUSINESS

A. Adopt Resolution Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Dissolved Redevelopment Agency of the City of Indian Wells

RECOMMENDED ACTIONS:

Successor Agency ADOPTS Resolution Bill SA No. 2015-02 approving the Issuance of Refunding Bonds in order to Refund Certain Outstanding Bonds of the Dissolved Redevelopment Agency of the City of Indian Wells; and

APPROVES the Execution and Delivery of an Indenture of Trust Relating Thereto, and

REQUESTS Oversight Board Approval of the Issuance of the Refunding Bonds; and

PROVIDES for Other Matters Properly Relating Thereto

- Attachments:** Resolution SA Bill No. 2015-02
First Supplemental Indenture of Trust
Bond Purchase Agreement
Irrevocable Refunding Instruction 2005A
Irrevocable Refunding Instruction 2006A
Bond Refunding Plan
Preliminary 2015 Tax Allocation Refunding Bond Schedule

9. CITY MANAGER'S REPORTS/COMMENTS AND MATTERS FROM STAFF

10. COUNCIL MEMBERS' REPORTS AND COMMENTS

A. Council Member Mertens

- Cove Communities Services Commision
- CVAG Public Safety
- Indian Wells Golf Resort Advisory Committee
- Indian Wells Finance and Legal Services Oversight Committee
- Indian Wells Public Safety Committee
- Tee Commitee

B. Council Member Hanson

California Joint Powers Insurance Authority
Riverside Local Agency Formation Commission
CVAG Transportation
Indian Wells Golf Resort Advisory Committee
Indian Wells Marketing Committee
Indian Wells Finance and Legal Services Oversight Committee
Tee Committee

C. Council Member Balocco

Cove Communities Services Commission
CVAG Coachella Valley Conservation Commission
CVAG Energy
Greater Palm Springs Convention and Visitors Bureau
Indian Wells Public Safety Committee

D. Mayor Pro Tem Reed

Coachella Valley Mountains Conservancy
Jacueline Cochran Regional Airport Commission
Riverside County Transportation Commission
CVAG Homelessness
Indian Wells Marketing Committee
Indian Wells Personnel Committee

E. Mayor Peabody

Coachella Valley Animal Campus
CVAG Executive Committee
Sunline Transit Agency
Indian Wells Community Activities Committee
Indian Wells Grants in Aid Committee
Indian Wells Personnel Committee

11. CITY ATTORNEY REPORTS AND COMMENTS

12. CLOSED SESSION

- A. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employees Association.**

13. ADJOURNMENT

To a special meeting of the City Council to be held at 10:00 a.m. on May 21, 2015 in the City Hall Council Chambers/Executive Conference Room; and thereafter to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on May 21, 2015 in the City Hall Council Chambers.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Chief Deputy City Clerk at (760) 346-2489. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. 128 CFR 35.102.35.104 ADA Title III

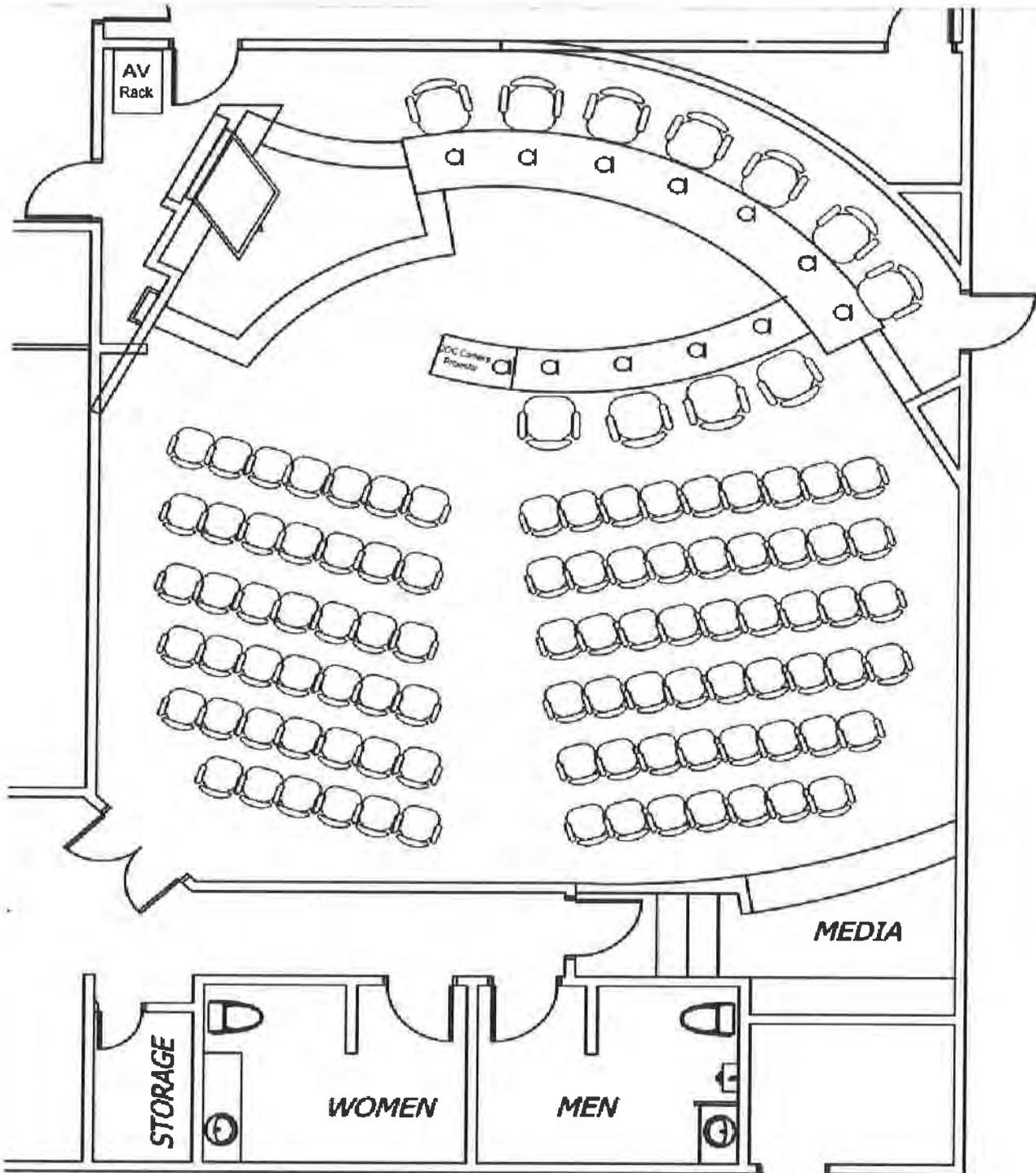
Affidavit of Posting

I, Anna Grandys, certify that on May 1, 2015, I caused to be posted a notice of a City Council Meeting to be held on May 7, 2015 at 1:30 p.m. in the City Hall Council Chambers.

Notices were posted at Indian Wells Civic Center, Village 1 [Ralph's], and Indian Wells Plaza [Indian Wells Chamber of Commerce].

A handwritten signature in black ink, appearing to read "Anna Grandys, Chief Deputy". The signature is written in a cursive style and is positioned above the printed name and title.

Anna Grandys
Chief Deputy City Clerk



Special Council

Meeting Minutes

Thursday, April 16, 2015

12:00 PM

City Hall Executive Conference Room

Unofficial



Welcome to a meeting of the City Council. All persons wishing to address the City Council should fill out a blue public comment form before the meeting begins and give it to the Clerk. When the Mayor has recognized you, please come forward to the podium and state your name for the record. Council policy is a 3-minute time limit. Please note that you may address the City Council on an agenda item at the time it is discussed, but only after being recognized by the Mayor. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

1. CONVENE THE CITY COUNCIL, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Peabody convened the Special Meeting of the City Council of the City of Indian Wells at 12:03 p.m. on April 16, 2015 in the City Hall Executive Conference Room.

Present: 5 - Mayor Peabody, Mayor Pro Tem Reed, Council Member Balocco, Council Member Hanson, Council Member Mertens

2. APPROVAL OF THE FINAL AGENDA

A motion was made by Council Member Balocco, seconded by Council Member Mertens, that this be Approve the Agenda as Submitted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

3. PUBLIC COMMENTS

None.

4. CLOSED SESSION

At 12:04 p.m. Mayor Peabody stated the City Council would hold a Closed Session to discuss the following agenda items.

A. Conference with Legal Counsel Regarding Anticipated Litigation Pursuant to Government Code Section 54956.9(b)(1): Claimant: Evelyn Narino.

At 3:49 p.m. City Attorney Stephen Deitsch stated this Closed Session item was regarding a claim concerning vehicular damage and there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

B. Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): City of Indian Wells v. Verizon California, Inc. (U1002C), Public Utilities Commission, Case No. (C.) 15-03-006.

At 3:49 p.m. City Attorney Stephen Deitsch stated there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

- C. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employee Association.**

At 3:49 p.m. City Attorney Stephen Deitsch stated there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

5. ADJOURNMENT

At 1:24 p.m. Mayor Peabody ADJOURNED to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on April 16, 2015 in the City Hall Council Chambers.

Respectfully submitted,

Wade G. McKinney, City Manager/City Clerk

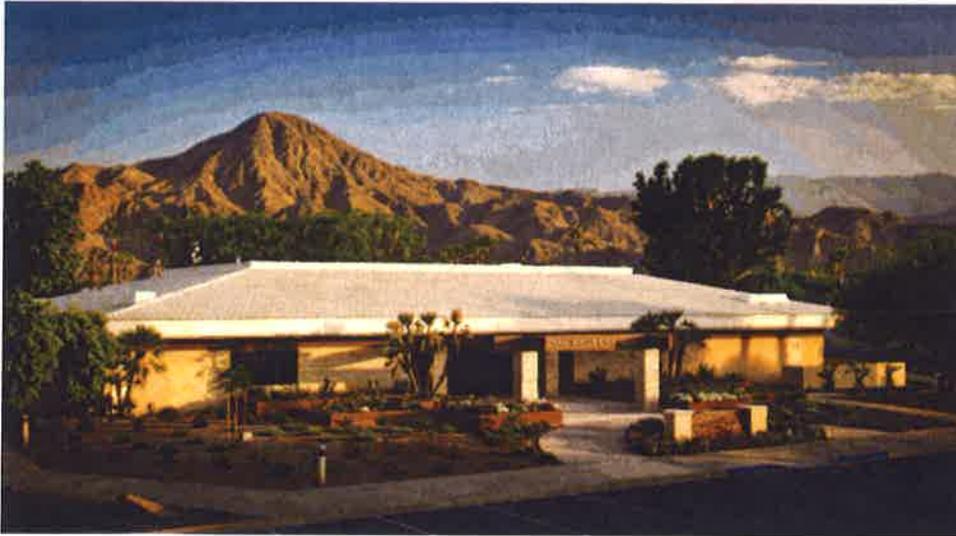
City Council

Meeting Minutes

Thursday, April 16, 2015

1:30 PM

City Hall Council Chambers



Welcome to a meeting of the City Council. All persons wishing to address the City Council should fill out a blue public comment form before the meeting begins and give it to the Clerk. When the Mayor has recognized you, please come forward to the podium and state your name for the record. Council policy is a 3-minute time limit. Please note that you may address the City Council on an agenda item at the time it is discussed, but only after being recognized by the Mayor. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

1. RECONVENE THE CITY COUNCIL, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Peabody convened the City Council of the City of Indian Wells at 1:30 p.m. on April 16, 2015 in the City Hall Council Chambers.

Present: 5 - Mayor Peabody, Mayor Pro Tem Reed, Council Member Balocco, Council Member Hanson, Council Member Mertens

2. APPROVAL OF THE FINAL AGENDA

A motion was made by Council Member Balocco, seconded by Council Member Mertens, to Approve the Agenda as Submitted. The motion passed by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

3. APPROVAL OF MEETING MINUTES

A. April 1, 2015 Special City Council Meeting Minutes

A motion was made by Mayor Pro Tem Reed, seconded by Council Member Balocco, the Minutes be Approved as Submitted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

4. PROCLAMATIONS AND PRESENTATIONS

A. Proclamation Recognizing May 2015 as Mental Health Month

Mr. Floyd Rhodes accepted the Mental Health proclamation and thanked the City Council for this recognition stating there are mental health services available in the Coachella Valley. Mr. Rhodes further stated there will be an Art Show at the Coachella Valley Rescue Mission on May 14, 2015 and encouraged all to attend.

B. Presentation by Douglas Gordon City Representative to the Palm Springs Airport Commission

The City's Representative for Palm Springs International Airport Commission Doug Gordon updated the Council on the Airport stating revenue is up an additional \$1 million from the last years \$35 million and the passenger count coming through the Palm Springs Airport last year was 1.95 million. Mr. Gordon reported the Palm Springs Airport is noted as being the most passenger friendly airport in the country. Mr. Gordon informed the Council the Palm Springs Air Museum is currently requesting approval for a new hanger which will be just south of their current building and will be used as the primary exhibition area. Mayor Peabody thanked Mr. Gordon for his service on this Commission.

C. Presentation by PS Cruisin' Regarding Dr. George Car Show

Mr. Tim Smart, Chairman of Dr. George Car show, stated that the car show was held at the Indian Wells Tennis Garden. He further stated the car show raised \$65,000 for the Desert Cancer Foundation, and over a 13 year period, \$600,000 has been raised.

5. PUBLIC COMMENTS

Mr. Denny Booth, resident, made a suggestion for tonight's State of the City event.

Mr. Randy Nolan, resident, spoke on Mayor Peabody's uninvited visit to his home regarding the 2012 election. Mr. Nolan read a portion of the transcript of the Peabody/Nolan case and requested this matter be agendized.

6. PUBLIC HEARINGS

A. Introduce Ordinance Amending Municipal Code Chapter 5.20 Regarding Short-Term Residential Rentals and Adopt Interim Urgency Ordinance Extending Moratorium on Short-term Residential Rentals

Mayor Peabody opened the public hearing at 1:56 p.m. to hear testimony in favor of or against Ordinance Bill No. 2015-06. Mr. John Burton, resident, stated during the past year he has spoken with staff and council regarding this issue and remarked, a ballot initiative is forthcoming.

Ms. Pat Fredericks, resident, stated there will be an adverse effect on property values because of vacation rentals and requested that Council keep the City as a residential community.

Mr. Pat Baldwin, resident, stated during the past council election two candidates promised to support a 30 day rental minimum. Mr. Baldwin further stated a ballot initiative on this matter is forthcoming.

Mr. Larry Bonafide, resident and FAMD Board member, suggested a modification which would set a cap of 1 or 2 rentals a month with no minimum days and that the registration requirement be put back into this ordinance.

Mr. John Schwarzlose, resident, stated property values have been shown to be negatively effected and asked that it be determined of those speaking on this subject, who is a City of Indian Wells registered voter and who is not.

Mr. Roger Pilley, resident and Cove HOA president, questioned what happens when there are weekend rentals and City Hall is closed. Mr. Pilley reported they recently had an incident in their area during the weekend and found the police were unable to help with the noise and excessive cars parked in the area.

Ms. Jennifer Vorser, resident, asked for nothing less than a rental minimum of one month.

Ms. Meredith Asher, resident, stated she believes in the good intentions of the City Council and asked that they do the right thing and vote for a 30 day minimum rental.

Mr. John Romer, resident, urged the Council to be forward thinking and stated the city is a resort city with a residential component.

Ms. Rocky Randall, resident, stated she cannot understand how full-time residents can rent their residence and further stated that real estate agents should tell potential purchasers of property, that they can not rent their home.

Ms. Carolyn Romer, resident, stated rentals increase property values and the city has many

part-time owners from other states as well as Canada. Mayor Peabody closed the Public Hearing at 2:26 p.m.

Mayor Peabody made a motion to require registration, limit rentals to twice a calendar month and include the other regulations as presented in the staff report.

It was CONSENSUS of the Council since they were unable to move forward with introduction of Ordinance Bill No. 2015-06 today, the matter will be scheduled for a future study session to enable Council to discuss at length the many options and suggestions that were brought up at today's meeting.

A motion was made by Council Member Hanson, seconded by Mayor Pro Tem Reed, that staff schedule a study session at some future date to allow Council to review and discuss all the options mentioned at today's meeting. The motion carried unanimously.

It was determined to ADOPT Interim Urgency Ordinance No. 688 [Ordinance Bill No. 2015-05] extending the Moratorium on Short-term Residential rentals for an additional one year through May 4, 2016 pending further study and adoption of final regulatory and zoning standards.

Interim Urgency Ordinance No. 688

AN INTERIM URGENCY ORDINANCE OF THE CITY OF INDIAN WELLS, CALIFORNIA, MAKING FINDINGS AND EXTENDING THE MORATORIUM ON SHORT-TERM RESIDENTIAL RENTALS FOR AN ADDITIONAL ONE YEAR THROUGH MAY 4, 2016 PENDING FURTHER STUDY AND ADOPTION OF FINAL REGULATORY AND ZONING STANDARDS

A motion was made by Mayor Pro Tem Reed, seconded by Council Member Mertens, that this Ordinance be Adopted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

B. Receive and File Report Describing Measures Taken to Alleviate the Condition Which Led to the Adoption of Urgency Ordinance No. 677 and Justification for Extension

It was determined to RECEIVE and FILE the compilation of staff reports describing measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. 677 and justification for extension.

A motion was made by Mayor Pro Tem Reed, seconded by Council Member Hanson, that this Recommendation be Approved. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

C. Adopt Resolution Approving Modification of Conditional Use Permit No. 2000-04 and Final EIR Addendum to Replace Existing Tennis Court Used as a Seasonal Temporary Bleacher-style Tennis Stadium with a New Permanent Bowl-style Tennis Stadium at the Indian Wells Tennis Garden Located at 78-200 Miles Avenue

Mayor Peabody called for a five minute recess at 3:12 p.m. Mayor Peabody reconvened the City Council meeting at 3:18 p.m.

Mr. Paul DePalatis, MSA Consulting; Gary Wiggle, Architect; as well as Dick Oliphant, representative for the IW Tennis Gardens; presented the project to the City Council stating they would break ground on this project either this year or next year.

Mayor Peabody opened the Public Hearing at 3:42 p.m. to hear testimony in favor of or against Resolution Bill No. 2015-18. Mr. Bob Mitchell, resident, urged the Council to approve the Project. Mayor Peabody closed the Public Hearing at 3:43 p.m.

It was determined to FIND the project to be consistent with the provisions of the California Environmental Quality Act ("CEQA") and ADOPT the Indian Wells Tennis Garden Stadium 3 Project Addendum and associated Mitigation Monitoring Plan to the Final EIR for the Garden of Champions Tournament Center (SCH No. 1998041039) for the Modified Project pursuant CEQA Guideline 15164; and

to ADOPT Resolution No. 2015-09 [Resolution Bill No. 2015-18] to read as follows:

RESOLUTION NO. 2015-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING AN ADDENDUM TO THE CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 98041039) AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2006111097), AS AMENDED BY THE 2013 ADDENDUM, AND APPROVING THE MODIFICATION TO CONDITIONAL USE PERMIT (CUP) NO. 2000-04 CONCERNING THE INDIAN WELLS TENNIS GARDEN STADIUM 3 RECONSTRUCTION PROJECT LOCATED AT 78-200 MILES AVENUE, IN INDIAN WELLS, CALIFORNIA

A motion was made by Council Member Hanson, seconded by Council Member Balocco, that this Resolution be Adopted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

D. Adopt Resolution Approving the Annual Levy of the Special Fire Tax Standby and Availability Charges for Fiscal Year 2015-16

Mayor Peabody opened the Public Hearing at 3:45 p.m. to hear testimony in favor of or against Resolution Bill No. 2015-07; hearing none, the public hearing was closed.

It was determined to ORDER the Special Fire Tax Levy to be placed on the Fiscal Year 2015-16 Riverside County tax roll; and

to ADOPT Resolution No. 2015-07 [Resolution Bill No. 2015-07] to read as follows:

RESOLUTION NO. 2015-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS FIRE TAX STANDBY AND AVAILABILITY CHARGES PURSUANT TO CITY ORDINANCE NO. 170

A motion was made by Mayor Pro Tem Reed, seconded by Council Member Mertens, that this Resolution be Adopted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

E. Adopt Resolution Approving the Annual Levy and Collection of Assessments in the Fire Access Maintenance District No. 1 for Fiscal Year 2015-16

Mayor Peabody opened the Public Hearing at 3:47 p.m. to hear testimony in favor of or against Resolution Bill No. 2015-06; hearing none, the public hearing was closed.

It was determined to ORDER the Fire Access Maintenance District No. 1 Levy on the Fiscal Year 2015-16 Riverside County tax roll; and

to ADOPT Resolution No. 2015-08 [Resolution Bill No. 2015-06] to read as follows:

RESOLUTION NO. 2015-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF A SPECIAL TAX FOR THE CITY OF INDIAN WELLS FIRE ACCESS MAINTENANCE DISTRICT NO. 1.

A motion was made by Mayor Pro Tem Reed, seconded by Council Member Balocco, that this Resolution be Adopted. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

7. CONSENT CALENDAR

Council Member Hanson requested that Consent Calendar Item #7D be pulled.

A. Annual Review and Adoption of City's Investment Policy

It was determined to ADOPT the City's Statement of Investment Policy.

This Recommendation was Approved.

B. Receive and File the City Treasurer's Report for February 2015

It was determined to RECEIVE and FILE the City Treasurer's Report for the month of February 2015.

This Recommendation was Approved.

C. FAMD Warrants and Demands.

It was determined to APPROVE the April 16, 2015 FAMD Warrants and Demands.

This Recommendation was Approved.

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

D. City Warrants and Demands.

Mayor Pro Tem Reed stated he will recuse himself from voting on the City Warrants and Demands because one or more of the payees are clients of his law firm and therefore, are a source of income to him. Mayor Pro Tem Reed left the Chambers at 3:46 p.m.

It was determined to APPROVE the April 16, 2015 City Warrants and Demands.

A motion was made by Council Member Balocco, seconded by Council Member Mertens, that this Warrants and Demands be Approved. The motion carried by the following vote:

AYES: 3 - Peabody, Balocco, Mertens

NOES: 1 - Hanson

ABSTAIN: 1 - Reed

8. GENERAL BUSINESS

A. Approve City Goals and Action Plans for Budget Years 2015-17

Mayor Pro Tem Reed returned to the Chambers at 3:48 p.m.

It was determined to APPROVE the City Goals and Action Plans for budget years 2015-17.

A motion was made by Council Member Mertens, seconded by Council Member Balocco, that this Recommendation be Approved. The motion carried by the following vote:

AYES: 5 - Peabody, Reed, Balocco, Hanson, Mertens

NOES: 0

9. CITY MANAGER'S REPORTS/COMMENTS AND MATTERS FROM STAFF

City Attorney Stephen Deitsch reported that at last week's meeting of the FAMD No. 1, he provided a brief report regarding the claims that were filed on March 9 and 10, 2015 by several properties owners within the FAMD area relating to the September 2014 flooding. Mr. Deitsch stated he reported to the FAMD Board that the California Joint Powers Insurance Authority (CalJPIA) will cover these claims and any resulting litigation. Mr. Deitsch further stated he has had communications with CalJPIA's special legal counsel on this subject. It was further reported that the FAMD Board had previously contracted for hydrology studies and issue a report which would contain an analysis of hydrology and possibly remedial measures. Mr. Deitsch stated that because claims have been filed as well as anticipated litigation, information coming from these studies and reports are now deemed privileged until the CalJPIA's legal council determines it to be public documents. Mr. Deitsch finally stated he does anticipate future closed sessions with the City Council and the FAMD No. 1 Board.

10. COUNCIL MEMBERS' REPORTS AND COMMENTS

Mayor Peabody stated because of the State of the City event after this meeting, the City Council agreed to not individually report on meetings that they have recently attended.

A. Council Member Mertens

No report.

B. Council Member Hanson

No report.

C. Council Member Balocco

No report.

D. Mayor Pro Tem Reed

No report.

E. Mayor Peabody

No report.

11. CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Stephen Deitsch stated the City Council met this morning during a Special Meeting to consider Closed Session Items #A, #B and #C.

12. CLOSED SESSION

At 12:04 p.m. Mayor Peabody stated the City Council would hold a Closed Session to discuss the following agenda items.

- A. Conference with Legal Counsel Regarding Anticipated Litigation Pursuant to Government Code Section 54956.9(b)(1): Claimant: Evelyn Narino.**

At 3:49 p.m. City Attorney Stephen Deitsch stated this Closed Session item was regarding a claim concerning vehicular damage and there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

- B. Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): City of Indian Wells v. Verizon California, Inc. (U1002C), Public Utilities Commission, Case No. (C.) 15-03-006.**

At 3:49 p.m. City Attorney Stephen Deitsch stated there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

- C. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employee Association.**

At 3:49 p.m. City Attorney Stephen Deitsch stated there was no action taken on this item which, under the Brown Act, would be required to be publicly reported.

13. ADJOURNMENT

At 3:52 p.m. Mayor Peabody ADJOURNED to a special meeting of the City Council to be held at 10:00 a.m. on May 7, 2015 in the City Hall Council Chambers/Executive Conference Room; and thereafter to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on May 7, 2015 in the City Hall Council Chambers.

Respectfully submitted,

Wade G. McKinney, City Manager/City Clerk

RN comments to IW City Council

5/7/15

City Council – My name is Randy Nolen.

Councilman Mertens - As you know, after the last council meeting, I had a conversation with your wife, JL Mertens. I asked her if she would give me a copy of her “review” of the 2012 anonymous mailers that she apparently completed just two days after the uninvited visit to my home by Mayor Ty Peabody and former councilman Bill Powers . We now know, your wife sent three emails immediately after the incident that verify that she did, in fact, conduct a review.*One email said: “*My review was separate from the FPPC’s and mine is much more extensive. It indicates others culpable not listed or exposed by the FPPC...*”. Sadly, your wife’s response to my request for a copy of the review was: “I don’t know what you are talking about”.

Mr. Mertens, at the August council meeting last summer, as Mayor, from the dais, you said:

“In December of 2013, I was sworn in as Mayor of Indian Wells. I answered the questions: What do I stand for? What I am I hoping to accomplish? Eight months later my answer is still the same. I want to continue to rebuild the public’s trust in our city’s local government – our city of Indian Wells. Moving forward with city business is **impossible** unless we have a complete openness in our city. Transparency and accountability cannot be selective when it suits one to use these words to his or her benefit”.

Mr. Mertens, one week after the incident in our home, Mr. Powers left a voice mail stating: “*I think some of my intel was not correct*”. Mayor Peabody while under oath at a Restraining Order Hearing last September said about the visit ~~to our home~~: “*I had a folder in my hand for sure. And it had a whole bunch of documents, including a witness list, accusing Mr. Nolen...*”.

SEE
* ATTACHED EMAILS

Mr. Mertens, were you and your wife the source of Mayor Peabody's *witness list* **and** the incorrect *intel* that Mr. Powers referred to in his apology?

As a former Chief of Police and a career law enforcement officer, *you especially* know the fundamental principle of *due process of law* – the right of the accused to confront his or her accusers.

Now, it is time **for you** to live up to **your commitment** to “*rebuild the public trust*” - through your own *complete openness, transparency and accountability*. Please immediately send me a copy of your wife's review so that I may be able to confront my accusers, defend myself, prove my innocence and restore my good name.

Again, I ask this council to immediately agendize this matter, authorize a full, fair and complete investigation into all of the matters related to the uninvited visit to my home, and appropriately censure Mayor Peabody based upon the findings of the investigation.

From: JL Mertens [mailto:startswimming2@yahoo.com]
Sent: Monday, June 16, 2014 2:56 PM
To: [REDACTED]
Subject: FPPC Matter

Hi [REDACTED]

Here is a copy of an e-mail you sent to me back on March 19, 2013.

I have completed my review of the mailings of the four "hit pieces" received by 10,993 residents during the campaign of 2012. I am sure you read the article in *The Desert Sun* citing the proposed FPPC's agenda for the June 19th meeting in Sacramento.

The newspaper article left out many facts. And, the FPPC's stipulation appeared limited to me. My review was separate from the FPPC's and mine is much more extensive. It indicates others culpable not listed or exposed by FPPC's Libby's Stipulation and Exhibit 1. Have you received a copy? It is on-line at the FPPC website. The statute of limitations is 5 years so I am not sure what will happen if anything.

Hope this answers your questions. [REDACTED]

JL

From: JL Mertens [mailto:startswimming2@yahoo.com]
Sent: Tuesday, June 17, 2014 7:44 AM
To: [REDACTED]
Subject: Re: FPPC Matter

Hi [REDACTED]

In TDS article, did you read Steffani Miller's name along with Ed Carter and Haddon Libby? One has to read Exhibit 1 included in the Stipulation to see the names mentioned by the FPPC.

I am not sure what you "heard" or to what you are referring. Sometimes rumors and/or speculation may be overlooked as NOT being factual when one is determined to believe otherwise. This was a long, detailed review process and I hope you keep an open mind.

It is important to me that this type of campaigning never happens to Indian Wells residents again. I am sure you will agree.

By the way, my review of these anonymous mailings and my supporting evidence is credible and I stand by it.

Again, hi to [REDACTED]

JL

From: JL Mertens [mailto:startswimming2@yahoo.com]
Sent: Tuesday, June 17, 2014 5:08 PM
To: [REDACTED]
Subject: Reduced comfort level

[REDACTED]

The FPPC is limited in enforcing our California Codes in regards to the Political Reform Act. I know what I am doing and my review and scope of information is different from the FPPC's. It doesn't mean they need to be privy to my work product. It doesn't mean their facts are wrong or incomplete either. Please don't put words in my mouth. It simply means I have more. The time will come on my terms.

And, I have no involvement or interest in your concerns about our City Government as you wrote in paragraph 4 of your last e-mail. Please keep me out of it and do what you want to do. After our talk at tennis in 2013, I thought we were on the same page. Unfortunately, I may have misjudged that talk. I am so sorry but I am no longer comfortable communicating with you by e-mail.

JL

COUNCIL MEETING MAY 7, 2015

COUNCIL MEMBERS

1. The city owns a building with a magnificent panoramic view of the southern mountains. It is the PAVILLION located across wash.
2. It is part of the Indian Wells Golf Resort.
3. The construction of it was proposed by General Manager Steve Rosen. It was to be used for special events - conventions, weddings, parties, etc.
4. The sitting council at the time, including Douglas Hanson in July 2012 approved spending \$1.0 million dollars to build it. And the construction of it was completed December of that year. It opened for business in 2013.
5. It has become a success with booking as far out as the year 2018 and a wedding in 2017.
6. There are two continuing problems with the Pavillion that will negatively affect future bookings. And that can be easily corrected this year at a cost less than the \$99 thousand dollars you are going to spend on the Carl Bray Monument.
- 7, The minor problem being the excessive noise factor at times because there is no carpeting.
8. The main one - no restrooms attached to the Pavillion. And which again can easily be constructed this year.
9. For the present, attendees at events have to go outside to use the Golfers (both males and females) Rest Rooms on the grounds, where the Pavillion is located. The facilities are neither heated or air conditioned. Nor are there sufficient commodes for large drinking gatherings. Plus people are exposed to the elements - extreme heat, cold and in rare cases rain!

My recommendation to you is CORRECT the problem this year. You can find the money. Perhaps delay the Carl Bray project until sometime in the future.

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED REC/FILE CONT.
OTHER _____
VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

May 7, 2015

Staff Report – Community Development

Adopt Resolution Approving Conditional Use Permit No. 2014-05 for 19,150 Square Foot Indian Point Shopping Center located at the Northwest Corner of Washington Street and Miles Avenue; Finding the Project is in Substantial Conformance with the Indian Wells Garden of Champions Tournament Center and Indian Wells Town Center Project Final Environmental Impact Report (SCH No. 2006111097)

RECOMMENDED ACTIONS:

Council **OPENS** the Public Hearing, takes any public testimony, **CLOSES** the Public Hearing; and

FINDS the project is in substantial conformance with the previously certified Final EIR for Indian Wells Garden of Champions Tournament Center and the Indian Wells Town Center Project (SCH No. 2006111097); and

ADOPTS Resolution Bill No. 2015-19 approving Conditional Use Permit No. 2014-05 for the construction of a 19,150 square foot commercial development known as the Indian Point Shopping Center, located at the northwest corner of Washington Street and Miles Avenue within Planning Area 4 of the approved Town Center Specific Plan.

DISCUSSION:

Background

The Indian Point Shopping Center site was included in the approved Indian Wells Town Center Specific Plan (IWTCSPP) in 2008 that envisioned a large commercial center at the northwest corner of Washington Street and Miles Avenue. Due to unfavorable market conditions, the Indian Wells Town Center was never constructed. In 2013, the Garden of Champions expanded the tennis facility to include a second permanent stadium and grass parking area in place of the proposed commercial center development. The remaining vacant land is the Indian Point Shopping Center site and is subject to the provisions of the IWTCSPP.

Project Description

The Haagen Company, LLC ("Applicant") is requesting approval of a Conditional Use Permit to construct a 19,150 square-foot commercial development, known as the Indian Point Shopping Center ("Project"). The Project is comprised of a 10,000 square foot restaurant and 9,150 square foot retail building on 2.65 acres of vacant land located at the northwest corner of Washington Street and Miles Avenue. (Attachment 3). The Project is within Planning Area 4 of the City's previously approved IWTCSPP.

Indian Point Shopping Center - Design



Both the Architecture & Landscape Committee by a 4-1(Kaladjian) vote and the Planning Commission by a 4-0-1(Easton) vote have reviewed the project and recommended approval at their February 3 and March 26, 2015, respective meetings.

Analysis: Architecture/Site Design

The proposed commercial development has a Tuscan-Mediterranean architectural style that includes stone veneer, painted exterior plaster, clay roof tiles, precast concrete elements and decorative windows that are consistent with the provisions set forth in the IWTCSPP Design Guidelines.

The restaurant building is located at the southeast corner of the site (Pad A) and includes an 800 square-foot outdoor dining area between the building and adjacent roadways. The outdoor area is protected from vehicle noise and the exterior climate by a 6-foot wall, overhead trellis feature, and decorative perimeter landscaping. Located on the north end of the site, the retail building (Pad B) also includes an outdoor area at the front of the building. Similar to the restaurant, the outdoor area includes an overhead trellis feature to provide shade protection.

The Project is designed with parking between the two commercial buildings. The Project meets the required site design standards identified in the IWTCSPP, including setbacks, number of parking spaces, lighting and landscaping.

Analysis: Street Improvements

Access to the site is available from both Washington Street and Miles Avenue (Attachments 2 & 3), both access points allow for right turn movements in and out of the site, with a left turn in also allowed from Miles Avenue (Attachment 3).

Washington Street is classified a major arterial roadway in the City's General Plan Circulation Element designed for 6-lanes and a median to accommodate a high volume of cars and semi-tractor trailers connecting Interstate-10 to the cities of Palm Desert, La Quinta and Indian Wells. Miles Avenue is a primary arterial roadway and provides 4-lanes of access between La Quinta and Highway 111. Both streets are designated truck routes in the City's General Plan with speed limits of 50 MPH.

Indian Point Center – Ingress & Egress



Washington Street and Miles Avenue are built to their full-required widths, except for the turn radius on the northwest corner of the intersection that was improved to an interim curb location by the Tennis Garden in 2013. Since both streets are designated truck routes, Staff originally conditioned the Applicant to relocate the curb at the corner of Washington Street and Miles Avenue to its full right-of-way width as identified in the City's General Plan (Attachment 8). Requiring developers to complete full street improvements to roadways adjacent to their projects is a standard requirement for all new development in the City.

At the time of the Architecture & Landscape Committee (ALC) and Planning Commission meetings, Staff believed that relocating the curb as part of development of the site would provide safe truck turning movements and meet the City's standard for major and primary arterial roadways. While both the ALC and Planning Commission recommended approval of the project with the curb relocation condition in place, the Planning Commission expressed a concern that requiring the Applicant to reconstruct the curb return was beyond the impacts of the project. Hearing the Planning Commission's concern, Staff researched the accident history of the Washington Street and Miles Avenue intersection and found a minimum number of vehicle incidents. Based on this data, there is no urgency to support additional intersection improvements at this time. Consequently, Staff has modified Condition of Approval No. 44 requiring

the Applicant to dedicate sufficient right-of-way at the northwest corner of Washington Street and Miles Avenue to accommodate the expanded curb radius should it become necessary.

Environmental

The project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed Project was evaluated in the previously certified Indian Wells Garden of Champions Tournament Center and the Indian Wells Town Center Project Environmental Impact Report (State Clearinghouse Number 2006111097). The IWTCSP was adopted by the City, based in part, on information from the certified EIR. The Project is part of the IWTCSP and with mitigation identified in the EIR Mitigation Monitoring Program, the Project will have no significant effect on the environment.

ATTACHMENTS:

1. Resolution Bill No. 2015-19
2. Aerial Vicinity Map
3. Site Plan/Photos
4. Landscape Plans
5. Architectural Plans
6. Color and Materials Exhibit

On Disk

7. Environmental Public Record (1998 PEIR, 2006 SEIR, 2013 EIR Addendum)

RESOLUTION BILL NO. 2015-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 2014-05 FOR THE PROPOSED INDIAN POINT SHOPPING CENTER LOCATED AT THE NORTHWEST CORNER OF WASHINGTON STREET AND MILES AVENUE, AND FINDING THE PROJECT IS IN CONFORMANCE WITH THE INDIAN WELLS GARDEN OF CHAMPIONS TOURNAMENT CENTER AND INDIAN WELLS TOWN CENTER PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2006111097)

WHEREAS, the Haagen Company (the "Applicant") has filed an application with the City of Indian Wells (the "City") for approval of a Conditional Use Permit (CUP) No. 2014-05 to allow development of a 19,150 square foot commercial development located on a vacant 2.6 acre site located at the northwest corner of Washington Street and Miles Avenue (the "Indian Point Project" or "Project"); and

WHEREAS, in 1998, in accordance with the California Environmental Quality Act (CEQA), the County of Riverside approved the Garden of Champions project for the development of approximately 184 acres with a tennis complex consisting of three stadiums tournament/practice courts, restaurant, outdoor exhibit, food service area, clubhouse, offices, and parking lots, and certified a Program Environmental Impact Report ("PEIR"), State Clearinghouse No. 98041039; and

WHEREAS, in 2008, pursuant to CEQA, Title 14 of the California Code of Regulations section 15000 et seq. ("State CEQA Guidelines"), and the City's Local Guidelines for Implementation of CEQA ("Local CEQA Guidelines"), the City prepared and certified a Supplemental Environmental Impact Report SCH #2006111097 ("SEIR") to the PEIR for the Indian Wells Town Center Project. As approved, the Town Center Project included a new development proposal on the remaining undeveloped portions of vacant land within the Garden of Champions project area, including Subarea 4 of the Town Center Specific Plan, which addressed the proposed commercial development of the 2.6 acre subject property. The Town Center Project is situated east and south of the Tennis Garden facility that had been constructed; and

WHEREAS, around the time of the 2008 approvals, the state and national economy experienced an unprecedented and rapid decline. Consequently, no portion of the Town Center Project was constructed; and

WHEREAS, in 2013, the City approved a project to enable the Garden of Champions, LLC to expand onto the remaining approximately 30 acres of vacant land immediately east of the Tennis Garden complex (the "Stadium 2 Project"). The Stadium 2 Project was evaluated pursuant to the approved 2013 Addendum to the PEIR and SEIR ("2013 Addendum"); and

WHEREAS, because the PEIR and the Subsequent EIR, as modified by the 2013 Addendum, and all associated underlying entitlements were not challenged, pursuant to Public Resources Code section 21167.2, the PEIR, the SEIR, and the 2013 Addendum are presumed valid; and

WHEREAS, the scope of the Indian Point Commercial Center was evaluated in the Garden of Champions and Indian Wells Town Center PEIR, Subsequent EIR and 2013 Addendum; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

WHEREAS, staff evaluated the Indian Point Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162; and

WHEREAS, based on that evaluation, staff concluded the Indian Point Project is consistent with the land use, design and scope identified with Subarea 4 of the Town Center Specific Plan and the PEIR Subsequent EIR and 2013 Addendum fully analyzed and mitigated all potentially significant environmental impacts, if any, that would result from the Indian Point Project, and therefore, no subsequent EIR or mitigated negative declaration is required; and

WHEREAS, based on that evaluation, staff also concluded the Indian Point Project is consistent with the goals, policies, objectives and regulations of the City's General Plan, Municipal Code, and all applicable mitigation measures identified in the PEIR and Subsequent EIR and adopted pursuant to the approval of the Garden of Champions and Indian Wells Town Center Projects; and

WHEREAS, on March 26, 2015, the Planning Commission held a duly noticed public hearing on the Indian Point Project in conformance with Government Code and Municipal Code sections and adopted Resolution No. PC 2015-04 recommending that the City Council approve the Indian Point Project; and

WHEREAS, the City Council has reviewed the Indian Point Project in connection with the PEIR, the Subsequent EIR and the 2013 Addendum; and

WHEREAS, the PEIR and Subsequent EIR and 2013 Addendum are incorporated herein by this reference, and are available for inspection at City Hall; and

WHEREAS, the CUP was properly noticed and notice of the public hearing by the City Council was provided in accordance with applicable law; and

WHEREAS, on May 7, 2015, a duly noticed public hearing on the Indian Point Project was held by the City Council at which the Council considered the PEIR, the Subsequent EIR, and the 2013 Addendum, and accepted oral and written testimony from interested persons; and

WHEREAS, the City Council carefully considered all information pertaining to the Indian Point Project, including the staff report, the PEIR, the Subsequent EIR, and the 2013 Addendum, and all of the information, evidence, and testimony presented at its public hearing; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

Conditional Use Permit:

1. The proposed location of the conditional use is in accord with the objectives of this Zoning Code and the purpose of the General Plan and zoning land use category in which the site is located.

FACT: The Project is consistent with the adopted Town Center Specific Plan (amended February 21, 2013) because the commercial center is within Planning Area 4 that allows for the proposed site design and the proposed retail and restaurant uses, as outlined on Page 3.4-1 of the Specific Plan. In addition, the Project is in conformance with all the applicable Zoning and General Plan land use categories.

2. The proposed conditional use will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

FACT: The proposed conditional use permit will allow for commercial activities at the junction of Washington Street and Miles Avenue, two major arterial roadways. To the north, south and west is the same Recreational zoning that includes parking fields for the Garden of Champions tennis facility. The site is separated to the east from existing residences in La Quinta by Washington Street. As such, the conditional use permit would not be detrimental to the public health, safety or welfare or injurious to adjacent properties.

3. The proposed conditional use will comply with each of the applicable provisions of this Zoning Code.

FACT: The proposed CUP is in compliance with the applicable provisions of the City Zoning Code and Town Center Specific Plan (amended February 21, 2013) including land use, building heights, and setbacks and requires no variances because the proposed Project consists of commercial development contemplated within Planning Area 4, as outlined on Page 3.4-1.

Environmental Findings:

4. The Project will have no significant effect on the environment and is consistent with the provisions of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code and CEQA Guidelines.

FACT: The Project falls within the scope of the Indian Wells Garden of Champions Tournament Center and the Indian Wells Town Center Project PEIR, Subsequent EIR, and 2013 Addendum (State Clearinghouse Number 2006111097). The Indian Point Project is consistent with all applicable mitigation measures identified in the PEIR and Subsequent EIR and adopted pursuant to the approval of the Garden of Champions and Indian Wells Town Center Projects. The PEIR Subsequent EIR and 2013 Addendum fully analyzed and mitigated all potentially significant environmental impacts, if any, that would result from the Indian Point Project, and therefore, no Subsequent EIR or mitigated negative declaration is required.

NOW, THEREFORE, the City Council of the City of Indian Wells **RESOLVES** as follows:

SECTION 1. The City Council **FINDS** the Indian Point Project falls within the scope of the Indian Wells Garden of Champions Tournament Center and the Indian Wells Town Center Project PEIR, Subsequent EIR, and 2013 Addendum (State Clearinghouse Number 2006111097).

SECTION 2. The City Council **ADOPTS** Resolution Bill No. 2015-19 approving Conditional Use Permit (CUP) No. 2014-05 in support of the proposed Indian Point Project subject to the Conditions of Approval listed on Exhibit "A" and Mitigation Monitoring & Reporting Program listed on Exhibit "B", attached hereto and by this reference incorporated herein. Mitigation Measure PS-4 and UTL-10 must be completed prior to the issuance of building.

SECTION 3. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May, 2015.

TY PEABODY
MAYOR

CERTIFICATION FOR RESOLUTION BILL NO. 2015-19

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells on the 7th day of May, 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

WADE G. MCKINNEY
CITY MANAGER/CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"

**Conditions of Approval for
Conditional Use Permit (CUP) No. 2014-05**

May 7, 2015

GENERAL:

1. The Applicant shall defend, indemnify, and hold harmless the City of Indian Wells and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Indian Wells, its officers, employees, or agents to attack, set aside, void, or annul any approval, conditional approval or condition of approval of the City of Indian Wells concerning this project, including but not limited to any approval, conditional approval or condition of approval by the Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter, provided that the Applicant pay all reasonable fees and costs incurred by the City in doing so. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.
2. In the event that any condition contained herein is determined to be invalid or legally unenforceable, then all remaining conditions shall remain in force.
3. The Project shall be developed in accordance with the approved plans, and failure to comply with any conditions of approval shall be deemed just cause for revocation of project approval by the City Council. However, the Community Development Director or designee shall have the authority to approve minor deviations in the conditions of approval, and all plans including the construction drawings, if deemed necessary by both the Applicant and the City to implement the Project as approved.
4. All plans shall be coordinated for consistency.
5. The Applicant shall pay development impact fees at the established rates. Such fees may include, but not be limited to, new construction fee, park or open space fees, school fees, drainage fees, sewer fees, TUMF fee, local CVMSHCP development impact fee, building permit and plan check fees.

6. This approval of CUP No. 2014-05 shall be used within one (1) year after final approval or it shall become null and void unless the time limit is extended by the City Council per Municipal Code Section 21.06.040(e). The phrase "be used" above for the proposed Project shall mean the application and approval of all applicable building permits. In addition, this approval of CUP No. 2014-05 shall become null and void if any such building permit no longer remains in effect due to its lapse, if such occurs following the foregoing on year permit.
7. Approval of this application shall not waive compliance with all applicable sections of the Indian Wells Municipal Code, all other applicable City ordinances, and applicable specific plans.
8. Construction shall occur between the hours of 7:00 am and 5:00 pm, Monday through Friday, 8:00 am and 5:00 pm, Saturday and no construction on Sunday or national holidays per Municipal Code Section 9.06.047. The Community Development Director may grant a temporary waiver from these hours in limited circumstances where special need is demonstrated. Any such waiver request shall be made by the Applicant in advance.
9. Approval of a Planned Sign Program shall be required prior to the installation of building wall or monument signs.
10. Upon submittal of construction drawings to the Building Division for plan check review, all departmental conditions of approval for the project shall be included on the sheet following the title sheet, or the first sheet of the plans. A site plan shall also be attached to all sets of construction drawings. This condition shall be a minimum requirement for acceptance of construction drawings for the Building Division plan check review.
11. The Applicant must obtain written verification from the Community Development Director, Public Works Director, Building Official and Fire Marshal, or designees, of compliance with all Conditions of Approval and Code requirements, prior to commencement of operations of the new entrance and driveway.
12. Within fifteen (15) days of final approval by the City Council, the Applicant shall submit in writing a statement indicating that the Applicant has read and agrees to the conditions imposed herein. Approvals of land use and related applications hereunder shall become void, and any privilege, permit, or other authorization granted shall be deemed to have terminated, if compliance with this condition has not been completed within the specified time limits.

13. The total required parking for the site is 145 parking stalls to accommodate the proposed 10,000 square foot freestanding restaurant Pad and 9,150 square foot retail pad. Any future change to the retail pad to include in-line restaurant or food court uses shall be limited as to not exceed the total available parking on the site. Parking ratios for the site are as follows:

| Use | Ratio |
|------------------------------------|-----------------------|
| Free Standing Restaurants | 1 per 100 square feet |
| In-line Restaurant and Food Courts | 1 per 66 square feet |
| Retail | 1 per 250 square feet |

ENVIRONMENTAL:

14. Pursuant to Public Resources Code Section 21089 and Fish and Game Code Section 711.4, the Applicant shall provide those fees marked [X] below in the form of a check made payable to the **Riverside County Clerk** within 5 days of City Council approval. Project approval shall not be complete until the required fee(s) is (are) paid:

[X] \$ 50 - "Administrative Fee" to file the Notice of Determination

15. The original SEIR prepared in support of this Project includes a Mitigation Monitoring and Report Program. The Applicant is responsible for the cost of implementing required environmental Mitigation Measures, included in the Project's Mitigation Monitoring and Reporting Program (Exhibit "B").

SITE IMPROVEMENTS/ARCHITECTURE:

16. The Development shall conform to all of the City's Indian Wells Town Center Specific Plan development standards as appropriate.
17. A precise wall plan indicating the design, location and construction details of all new walls and fences shall be submitted to the Community Development Director for review and approval by the Planning and Building Departments. All perimeter and street-facing walls, including retaining walls, shall be decorative in nature and in substantial conformance to the approved conceptual landscape plans attached to the Project Staff Report.
18. Any roof mounted equipment including but not limited to heating, venting, cooling and radio/antenna shall be fully concealed from grade elevation view by architecturally integrated means subject to review and approval by the Community Development Director, or designee.

19. All outdoor dining/patio columns for the restaurant shall meet the required building setback. The flatwork, walls and fireplace may reside within the setback area as shown on the approved site plan.

LANDSCAPING:

20. The irrigation system shall include provisions for design features that conserve water, such as controlled irrigation systems, which employ drip irrigation, soil moisture sensors, and automatic systems that minimize runoff and evaporation, supplemental hand watering, and the use of mulch on top of soil to improve water-holding capacity as approved by the Community Development Director.
21. Detailed landscaping and irrigation plans shall be submitted for approval by the Community Development Director and the Coachella Valley Water District. The plans shall be certified by a landscape architect and shall provide permanent, automatic irrigation systems, which shall be installed on all landscaped areas requiring irrigation and be in full compliance with the adopted Landscape Guidelines and Design Specifications. Final landscape, hardscape and lighting plans shall be subject to approval by the Community Development Director and Public Works Director or designees prior to installation of those improvements.
22. Above ground-mounted utility locations shall require approval by the Community Development Director. All detector check and backflow assemblies shall be located in planting areas.
23. The detector check/backflow devices shall be painted a neutral/earth tone color and any pipes extending above ground shall be finished and painted to match the device.
24. All ground-mounted utility appurtenances shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming and/or landscaping to the satisfaction of the Community Development Director.
25. All plant materials within landscaped areas, including areas within the Public Right-of-Way shall be maintained in a viable growth condition throughout the life of this approval.
26. Landscaping shall be located so as not to interfere with sight distance from driveways.
27. All landscaping and irrigation shall be installed in accordance with plans on file with the Community Development Department, and irrigation systems fully operational. Furthermore, all landscaped areas shall be free of trash and debris.

28. The Applicant shall retain the project landscape architect to conduct a final field inspection and prepare a certificate of substantial completion, which shall be filed with the Community Development Director prior to certificate of occupancy. The certificate of completion shall specifically indicate that all plant material was installed as specified by the landscape design plan, that the irrigation system was installed as designed, and that the irrigation system is fully operational. The certificate shall also include a list of any identified installation deficiencies, or changes subject to review and approval by the Community Development Director or designee.

LIGHTING:

29. Prior to the issuance of building permits, the Applicant shall submit to the Community Development Director for approval, a detailed on-site lighting plan indicating the style, illumination, height and method of shielding for all permanent light fixtures proposed for the Project. The plan shall include a photometric diagram depicting illumination levels.
30. Project lighting shall, in general, be as subdued as possible, avoiding excessive light spillage outside the property boundary. Outdoor lighting shall be shielded sufficiently to not adversely impact surrounding uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash or oscillate.
31. Landscape lighting shall be indirect; non-glare lights, positioned to light tree canopies, paths and walkways, or walls, as appropriate, and avoid light spillage outside of the Project area. Up-lights in turf areas shall be in light wells only. Up lights in planters must have j-boxes below grade (or screened as approved by the Community Development Department), light fixtures must be screened with landscaping, etc.
32. All exterior lighting fixtures shall be installed in accordance with plans on file with the Community Development Department, and shall be fully operational prior to occupancy.
33. All building-mounted light fixtures within public areas shall be decorative in nature and architecturally compatible with the building. Building-mounted light fixtures shall be reviewed and approved by the Community Development Director, or designee prior to installation.

PUBLIC WORKS/ENGINEERING:

34. All private streets and driveways shall be constructed in accordance with City of Indian Wells Standard Plans unless otherwise approved by the Public Works Director. All proposed street and driveway improvements shall be shown on a Precise Grading Plan, and shall be reviewed and approved by the Public Works Director prior to issuance of a Precise Grading Permit. A Precise Grading Permit shall be obtained prior to commencement of any improvement work. All work shall be inspected by the City. All appropriate fees for review of plans, issuance of a Precise Grading Permit, and inspection shall be submitted to the City. A Record (as-built) Precise Grading Plan shall be submitted to the City for review and approval prior to final acceptance of improvements.
35. Prior to issuance of a Precise Grading Permit, the Applicant shall submit and obtain approval of all of the following:
 - A. Precise Grading Plan that shall be prepared by a qualified Engineer, and shall conform to the recommendations contained in a Preliminary Geotechnical Report(s).
 - B. Fugitive Dust Control Application and Plan.
 - C. Refundable dust deposit in the amount of \$2,000 per acre.
36. Prior to construction on the site, a six foot (6') temporary chain-link fence shall be erected on any portion of the property that is exposed to public access and connected to any block walls surrounding the property. This will deter theft of and vandalism to construction materials and equipment on the property during construction. All construction fencing shall have a screen mesh so as to conceal construction activity from public view.
37. Landscaping plans for trees, shrubs, walls, fences or other structures at or near intersections must conform to Indian Wells Municipal Code sight distance standards and Public Works public street standards for areas accessing public right-of-ways. Plans for improvements that may impact sight distance must be submitted to and approved by the City Engineer prior to the issuance of building permits or implementation of landscape improvements.
38. Where proposed, off-site improvements, including but not limited to streets, slopes, public utilities and drainage facilities, are to be constructed by the Applicant at his own expense. All necessary off-site easements or other interest in real property shall be dedicated to the City of Indian Wells by a Grant of Easement. The Applicant shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of respective improvements. Additionally, the City may, at its sole discretion, require that the Applicant obtain, at its sole expense, a

title policy insuring title for the easement or other interest in real property vested in the City of Indian Wells or other agency, or the Applicant, as applicable.

39. In accordance with the requirements of the Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (MS4 Permit) No. CAS617002 (Order No. R7-2008-0001) adopted on May 25, 2008 by the State Regional Water Quality Control Board, a final, project-specific Water Quality Management Plan (WQMP) shall be submitted by the Applicant to the City for review and approval prior to issuance of any building or grading permits. The WQMP shall substantially conform to the requirements of the latest edition of the "Whitewater River Region Water Quality Management Plan for Urban Runoff". The property owner shall record a "Water Quality Management Plan and Stormwater BMP Maintenance and Right of Entry Agreement" with the County-Clerk Recorder to enforce said WQMP and BMP's and to inform future property owners of the requirement to implement the approved project-specific WQMP.
40. Prior to grading permit issuance, the Applicant shall file for a National Pollutant Discharge Elimination System (NPDES) permit with the California State Water Resources Control Board and abide by the conditions of the permit as issued. A copy of the NOI, Storm Water Pollution Prevention Plan (SWPPP), and Monitoring Plan shall be submitted to the Public Works Department a minimum of thirty (30) days prior to commencing grading operations.
41. The Applicant shall install landscaping and irrigation between the Project boundary and the Washington Street and Miles Avenue curb line (the "Project Landscaping") and repair any center street medians and median landscaping damaged during any of the project construction activities. The perpetual maintenance of the Project Landscaping, including all landscaping within the public right-of-way shall be the responsibility of the Applicant.
42. The existing parkway landscaping and irrigation system materials on Miles Avenue within the public right-of-way adjacent to the Project is owned by the City. The Applicant shall coordinate removal and disposal of all existing parkway landscaping and irrigation system with the Public Works Department. If requested by the City, the applicant shall salvage and deliver materials to the Public Works Maintenance Facility.
43. All driveways accessing the Project site from Washington Street or Miles Avenue shall conform to County of Riverside Standard Plan No. 207A, Commercial Driveway.

44. The Applicant shall dedicate sufficient right-of-way at the northwest corner of Washington Street and Miles Avenue to accommodate the turning radius of a Double Trailer Combination Truck with a 67-foot wheelbase (WB67D) and the City Standard 208 Case B Access Ramp. The Right-of-way dedication shall be submitted for approval as a separate plat map and legal description document. The dedication submittal shall be validated by a California licensed Land Surveyor.
45. The Miles Avenue median may be modified to provide an eastbound left turn in only lane. Said modification shall be shown on a Street Improvement Plan, and shall be reviewed and approved by the Public Works Department.
46. All existing public improvements intended to be protected in place, including but not limited to curb, sidewalk, and traffic signal appurtenances, shall be shown and labeled on the improvement plans as "protect in place". Any said existing improvements damaged or destroyed as a result of this Project shall be repaired or replaced as directed by the City's representative.
47. All existing regulatory, warning, and guide signs disturbed by this Project shall be replaced with new signs as directed by the City's representative.

FIRE DEPARTMENT:

48. The Fire Department requires the following fire protection measures be provided by the Applicant in accordance with City Municipal Code, NFPA, CFC, and CBC or any recognized Fire Protection Standards. The Fire Department is required to set a minimum fire flow for the remodel or construction of all buildings per UFC article 87. As a result, the Applicant shall meet the following requirements:
49. A fire flow of 1500 gallons per minute (gpm) for a 1-hour duration at 20 psi residual pressure must be available before any combustible material is placed on the job site.
50. The Applicant shall provide or show there exists a water system capable of providing a flow of 3,000 gpm for commercial buildings.
51. The required fire flow shall be available from a wet barrel Super Hydrant(s) 4"x 2 1/2" x 2 1/2", located not less than 25' nor more than 150' from any portion of a commercial building measured via vehicular travelway.
52. Water plans must be approved by the Fire Marshal and include verification that the water system will produce the required fire flow.

53. The Applicant shall install a complete NFPA 13 fire sprinkler system. This applies to all buildings with a 3,000 square foot total cumulative floor area. The Applicant shall obtain Fire Marshal approval of the locations of all post indicator valves and fire department connections. All valves and connections shall not be less than 25' from the building and within 50' of an approved hydrant.
54. All valves controlling the water supply for automatic sprinkler systems and Water -flow switches shall be monitored and alarmed per CBC Chapter 9.
55. The Applicant shall install a fire alarm system as required by the NFPA 72.
56. The Applicant shall install portable fire extinguishers per UL 300, but not less than one 2A10BC extinguisher per 3,000 square feet and not over 75' walking distance. A "K" type fire extinguisher is required in all commercial kitchens.
57. The Applicant shall install a Hood/Duct automatic fire extinguishing system per NFPA 96 in all public and private cooking operations.
58. The new commercial development shall have address identification as approved by the Director of Community Development.
59. All fire sprinkler systems, fixed fire suppression systems and alarm plans must be submitted separately to the Fire Marshal for approval prior to construction.
60. All elevators shall be minimum gurney size.
61. Conditions are subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within twelve months.

RECYCLING:

62. The Applicant shall comply with the provisions of the City of Indian Wells' Construction & Demolition Debris Management Plan and the Indian Wells Municipal Code Chapter 16.75.
63. Approval of the Construction & Demolition Debris Management Plan by the City is required before issuing a demolition and building permit and beginning of demolition and on-site mobilization work.
64. Any recyclable materials shall be removed from the premises by a licensed contractor as an incidental part of a total construction, remodeling or demolition services offered by that contractor who will certify in writing that accepted construction and demolition debris will be diverted from that accepted construction and demolition debris will be diverted from landfill, not dumped illegally or dumped at sea.

65. Any reusable materials removed from site by a not for profit organization shall certify in writing that the accepted construction and demolition debris will be diverted from landfill, not dumped illegally, or dumped at sea.
66. The Applicant shall develop a plan for diverting a minimum of fifty percent (50%) of construction and demolition debris from landfill and how it will be diverted from landfills.
67. The Applicant shall furnish copies of the Construction & Demolition Debris Management Plan to all on-site supervisors, each subcontractor, the Owner and the Architect.
68. The Applicant shall minimize the creation of construction and demolition waste on the job site.
69. The Applicant shall reuse, salvage or recycle as much of the inevitable waste that is generated from the construction or demolition as is feasible.
70. Within ten (10) calendar days after receipt of Notice of Award of Bid, or prior to any waste removal, whichever occurs sooner, the contractor shall submit to the Owner and Architect, a City of Indian Wells Construction and Demolition Debris Management Plan.
71. The contractor shall provide copies of the Indian Wells Construction & Demolition Debris Management Plan to the job site foreman, each subcontractor, the Owner and the Architect.
72. Hazardous wastes shall be separated, stored and disposed of according to local regulations
73. The contractor shall conduct Construction Waste Management meetings. Meetings shall include subcontractors affected by the Waste Reduction and Recycling Plan. At a minimum, waste management goals and issues shall be discussed at the following meetings:
 - Pre-bid meetings.
 - Pre-construction meeting.
 - Regularly scheduled job-site meetings.

CONSERVATION:

74. The Applicant shall use, to the extent practicable, native and water efficient landscaping. The installation of water conservation devices in development and irrigation systems shall be explored and used to the extent appropriate and reasonably feasible.
75. If rooftop telecommunication arrays are proposed, they shall be screened from view or incorporated into building facade.
76. The Applicant shall consider sustainable site and building design techniques, which may include, but are not limited to, the following:
 - On-site generation of renewable energy through the use of solar power.
 - On-site generation of renewable energy through photovoltaic techniques and usage of photovoltaic cells.
 - Use of natural, plentiful or renewable materials in building construction.
 - Low or non-toxic materials shall be utilized with minimal VOC-producing compounds.
 - Use of materials, components and systems that help reduce energy consumption to buildings and facilities.
 - Where possible, design buildings that exceed California's Title 24 energy efficiency standards by at least fifteen percent (15%).
 - A weather based satellite irrigation system.
 - Strategic orientation and configuration of buildings and shading elements to passively heat and cool spaces.
 - Designated carpool parking areas.
 - Use of energy-efficient and automated controls for air-conditioning units and lighting to reduce electricity consumption and associated emissions.
77. The Project shall include provisions for design features that conserve water including low-flush toilets, low-flow faucets, and inclusion of water conserving irrigation practices.

78. The Applicant shall incorporate energy conservation measures into building design in accordance with energy conservation requirements imposed by the California Energy Commission and Title 24 of the California Administrative Code. Architectural and landscape design plans shall promote, to the maximum extent feasible, design strategies to maximize shading and natural cooling.

UTILITIES:

79. The conduit system for any electrical service, with associated concrete manholes and vaults, shall be installed underground in accordance with utility company requirements and those that may be imposed by the City.
80. Utility transformers and other appurtenances shall be placed according to the requirements of the applicable utility purveyor.
81. Unless otherwise approved by the City and/or specified by the Southern California Edison Company and/or Imperial Irrigation District, the Applicant shall be financially responsible for the design and construction of all on-site infrastructure improvements for power transmission lines necessary to serve the site. The Applicant shall dedicate and record any right-of-way and maintenance easements, as may be required by the Southern California Edison Company and/or Imperial Irrigation District, for the purpose of constructing and maintaining electrical system improvements.

COACHELLA VALLEY WATER DISTRICT (CVWD):

82. As required by CVWD, prior to the issuance of building permit approval, the Applicant shall prepare detailed water system improvement plans for the project that shall be submitted and approved by CVWD. Improvements identified in the plans shall be installed by the Applicant and be in place prior to occupancy and permit issuance.
83. The Applicant shall pay all fees required by CVWD.
84. Prior to the issuance of building permits, the Applicant shall obtain approval from the Coachella Valley Water District indicating that adequate sewer capacity exists to service site development. The Coachella Valley Water District's approval of signed sewer plans for the Project shall suffice as such approval.
85. All water system improvements shall be closely coordinated with, and shall be subject to review and final approval by the Coachella Valley Water District.

86. The Applicant in accordance with current district regulations shall incur fees for domestic water and sanitation service in accordance with current district regulations.

SOUTHERN CALIFORNIA EDISON (SCE) OR IMPERIAL IRRIGATION DISTRICT (IID):

87. The Applicant shall contact SCE and/or IID to discuss energy conserving measures including day lighting, thermal storage and passive solar applications. The Applicant shall provide the Community Development Director with a letter from SCE or IID confirming that this discussion has occurred and listing any recommended measures. The Community Development Director shall evaluate the letter and determine the appropriate level of implementation prior to issuance of building occupancy permits.
88. Extension and related improvements to the natural gas system shall be installed as development occurs.

SOUTHERN CALIFORNIA GAS COMPANY:

89. The Applicant shall contact the Southern California Gas Company to discuss the most effective applications of energy conservation techniques for this Project. The Applicant shall provide the Community Development Director with a letter from SCG confirming that this discussion has occurred and listing any recommended techniques. The Community Development Director shall evaluate the letter and determine the appropriate level of implementation prior to issuance of building occupancy permits.
90. Prior to the issuance of building permits, the Applicant shall provide the City and the Coachella Valley Water District (CVWD), as required, and shall receive approval by the City and CVWD, information regarding the design of the water system servicing the Project, addressing facility sizing and location (e.g. primary mains, special facilities, storage, facilities and transmission mains), projected water demands based upon hydraulic analysis for the proposed system under average day, and maximum day and peak-hour demands.
91. Relocation of facilities on the project site (if any), which facilities exist by right of easement or otherwise, the Owner/Applicant will provide Southern California Edison or other agency with suitable replacement rights. Any costs and replacement rights are required prior to the performance of the relocation.

BUILDING AND SAFETY:

92. A pre-construction meeting, scheduled with the Building Division, shall be held with all applicable City staff members, Applicant, contractor, superintendent, and all subcontractors prior to start of construction.
93. Prior to the issuance of a building permit for construction, the Applicant shall first obtain and present to the Building Department permits and/or clearances from the following agencies/individuals:
 - City Fire Marshal
 - City Public Works Director
 - Community Development Director
 - CVWD
94. Seismic design consideration shall be in accordance with the provisions of the current California Building Code and the seismic design parameters of the Structural Engineers Association of California.
95. Upon final building and planning inspection of site development, all street signage and building signage, as may be required by the City and/or recommended by the Riverside County Sheriff's Department and Fire Department, shall be installed in accordance with the City specifications.
96. Development within the Project site will be designed in accordance with the energy conservation requirements imposed by the California Energy Commission and Title 24 of the California Administrative Code.
97. The Project shall comply with all applicable provisions of the Americans with Disabilities Act (ADA).
98. The Project is to be built according to Building and Safety Standards and comply with any applicable City of Indian Wells Municipal Code Regulation.
99. Any temporary sales and/or construction office buildings/trailers shall be removed from the site prior to issuance of a certificate of occupancy.
100. The Project site shall be clean and free of trash and construction debris, and all construction equipment shall be removed from the site prior to issuance of a certificate of occupancy.

END OF CONDITIONS

EXHIBIT "B"

TABLE 5.1 MITIGATION MONITORING AND REPORTING PLAN

The California Environmental Quality Act (CEQA) requires that agencies adopting environmental impact reports ascertain that feasible mitigation measures are implemented, subsequent to project approval. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during applicable project timing, e.g. design, construction, or operation (Public Resource Code Section 21081.6).

Mitigations were originally developed under three related CEQA documents that apply to the Indian Wells Tennis Garden. These include the 1998 Garden of Champions Program EIR (1998 PEIR), the 2008 Indian Wells Town Center Supplemental EIR (2008 SEIR), and the 2013 Indian Wells Tennis Garden Improvement Project EIR Addendum (2013 Addendum). The 2008 SEIR included the latest list of comprehensive mitigation measures from the associated CEQA documents. The table below lists these in their entirety.

The Indian Wells Shopping Center Project readopts those mitigations relevant to the commercial/retail portion of the comprehensive project (1998 PEIR; 2008 SEIR; and 2013 Addendum). To maintain consistency of numbering, all mitigations for the 2008 SEIR project are included in the following table. The mitigation measures applicable to the Indian Wells Shopping Center Project are shown in black text. Those which do not apply have been grayed and ~~struck-out~~.

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|--|---|--------------|
| AESTHETICS | | | |
| <p>AES 1: Prior to issuance of building permits, the project shall demonstrate that the hotel has been designed to incorporate a "terraced" design to minimize building bulk and massing and that building placement provides a view corridor through the site.</p> | Not Applicable | Not Applicable | |
| <p>AES-2: Equipment storage and soil stockpiling shall be at least 100 feet from adjacent property lines.</p> | City of Indian Wells Community Development Department | During Construction | |
| <p>AES 3: Construction related rubbish and debris shall be removed as required by the City of Indian Wells Building and Safety Department Inspectors.</p> | City of Indian Wells Community Development Department | During Construction | |
| <p>AES 4: Prior to the issuance of building permits an outdoor lighting plan for the project shall be approved by the Community Development Director which contains the following provisions:</p> <ul style="list-style-type: none"> • Use of low pressure sodium lights or current appropriate lighting technology for parking areas; • Exterior lighting shall be fully shielded and directed away from adjoining properties; • Architectural and accent lighting shall be turned off between 11:00 PM and sunrise except for approved events; and • Parking lot lighting shall not exceed 25 feet in height. | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|--|--------------------------|--------------|
| AESTHETICS | | | |
| AES 5: Construction and security lighting shall adhere to the City of Indian Wells Lighting Standards, which specifies the usage of low pressure sodium lighting for security purposes. | City of Indian Wells Community Development Department | During Construction | |
| AIR QUALITY | | | |
| AQ-1: The Proposed Project shall comply with City of Indian Wells conditions to prevent dust and blowsand as follows: <ul style="list-style-type: none"> • Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blowsand nuisance, and shall be planted either with interim landscaping or provided with other wind and water erosion control measures as approved by the Director of Building and Safety and the state air quality management standards. • Notwithstanding any section of the ordinance to the contrary, the permit holder(s) shall comply with the requirements of City of Indian Wells Municipal Code Section 8.20 (Fugitive Dust). | City of Indian Wells Community Development Department | During Construction | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|----------------------------|--------------|
| AIR QUALITY | | | |
| <p>AQ-2: In accordance with City of Indian Wells conditions, all necessary measures to control dust shall be implemented during grading. Such measures shall include the following:</p> <ul style="list-style-type: none"> • The project shall comply with State, County and UBC dust control regulations, so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. • SCAQMD Rule 403.1 as amended shall be adhered to, ensuring the clean up on the construction related dirt on approach routes to the site, and the application of water and/or chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the Community Development Director. This shall include covering, watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days). • Any vegetative ground cover to be utilized onsite will be planted as soon as possible to reduce the amount of open space subject to wind erosion; irrigation will be installed as soon as | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |

| | | | |
|--|--|--|--|
| <p>possible to maintain the ground cover and minimize blowsand.</p> <ul style="list-style-type: none"> • Grading activity will be suspended when local winds exceed 30 mile per hour and during first and second state smog alerts. • All trucks hauling dirt, soil or other loose dirt material will be covered. • Pursuant to City of Indian Wells Municipal Code Section 8.24 (Blowing Sand and Dirt) blowsand shall be controlled by the measures contained in Section 8.24. Furthermore, pursuant to the Coachella Valley Fugitive Dust Control Handbook, measures to control PM 10 shall be approved by the Community of Development. | | | |
| <p>AQ-3: In order to reduce emissions from the power plant providing electricity to the site and from natural gas consumed by the projects users, on-site buildings shall at a minimum, be constructed to comply with State Energy Efficiency Standards.</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |
| <p>AQ-4: Reduce the maximum acreage graded on any one day to 20 acres.</p> | <p>Not Applicable</p> | <p>Not Applicable</p> | |
| <p>AQ-5: During project construction, onsite electrical hook ups shall be provided for electric construction tools including saws, drills and compressors, to eliminate the need for diesel powered electric generators. Contractors shall include equipment from Table 1 of the SCAQMD Air Quality Guidance Handbook, Mitigation Measures and Control Efficiencies for off-road engines.</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|---|--------------|
| AIR QUALITY | | | |
| AQ-6: During project construction, the developer shall require all contractors not to idle construction equipment onsite for more than 5 minutes. | City of Indian Wells Community Development Department | During Construction | |
| AQ-7: During project construction, the developer shall require all contractors not to idle construction equipment onsite for more than 5 minutes. | Not Applicable | Not Applicable | |
| AQ-8: A minimum of three Transportation Demand Management (TDM) measures shall be implemented. TDMs may include having showers and locker facilities for employees, providing a least one secure bike rack parking spot for every 20 vehicle parking spaces, providing preferential parking for carpool/van pool vehicles, and installing kiosks with alternative transit information. | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |
| BIOLOGICAL RESOURCES | | | |
| BIO-1: Prior to issuance of a grading permit, the applicant shall pay the CVMSHCP mitigation fee to the Coachella Valley Association of Governments (CVAG). | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| BIOLOGICAL RESOURCES | | | |
| <p>BIO-2: A pre-grading survey shall be conducted on the project site and the area for the concrete lining and access road within the CVSC right-of-way within 30 days prior to any ground disturbance to avoid a direct take of burrowing owls (BUOW). The biologist conducting the 30-day pre-construction BUOW survey must submit a letter report to the City of Indian Wells documenting the results of the survey</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>BIO-3: Prior to the disturbance of any land within the Coachella Valley Storm Drain Channel, the project shall secure any necessary permits from Army Corps of Engineers and the California Department of Fish and Game. The project will be required to mitigate any impacts to jurisdictional waters at a ratio of 1:1. This can be accomplished by purchasing local mitigation credits or funding creation of a comparable amount of habitat. This amount of mitigation is the City's baseline requirement, but the City will accept a greater mitigation ratio if required by the responsible regulatory agency.</p> | <p>Not Applicable</p> | <p>Not Applicable</p> | |
| <p>BIO-4: If tree or shrub removal will occur during the bird nesting season (March 1 to September 15) a nesting bird survey shall be conducted by a qualified biologist prior to cutting trees or shrubs down</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Grading</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| CULTURAL RESOURCES | | | |
| <p>CUL-1: Prior to issuance of grading permits, a qualified paleontologist shall be retained by the developer to monitor onsite grading, especially in the vicinity of CA-RIV- 5876. Any fossiliferous materials found during excavation shall be retained and curated in an appropriate manner at an appropriate facility. The recovery of any fossils shall be coordinated with the County Archaeological Information Center. This measure shall be implemented to the satisfaction of the Community Development Director.</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>CUL-2: Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the applicant to monitor earth grading or any ground disturbance activities to ensure protection of significant cultural resources. A report of findings shall be prepared and the City shall require that the report have a peer review by an archaeologist qualified to meet the requirements established by the California Secretary of the Interior' Standards and Guidelines. The report and the peer review of the report shall be submitted to the Eastern Information Center, University of California Riverside and the Aqua Caliente Band of Cahuilla Indians or any other Native American Tribe identified during the SB 18 consultation if requested by said tribe(s).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| CULTURAL RESOURCES | | | |
| <p>CUL-3: During grading, a qualified archaeologist shall be retained by the applicant to monitor onsite grading. The monitor(s) shall have the authority to temporarily halt work until the artifacts can be surveyed, recovered, and/or handled in an appropriate manner. If archaeological resources are discovered, all work in that area shall be halted and qualified personnel shall be retained to examine, evaluate, and determine the most appropriate disposition of the resource(s). This measure shall be implemented to the satisfaction of the City's Community Development Director in consultation with the Archaeological Information Center (AIC) at UCR.</p> <p>If artifacts of Native American (NA) origin are discovered, official representatives of the NA group shall be consulted to determine the most appropriate disposition of the artifacts, to the satisfaction of the AIC and the NA group. If fossils are found onsite, the AIC shall be contacted to determine disposition, to be funded by the developer.</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| CULTURAL RESOURCES | | | |
| <p>CUL-4: The project applicant shall enter into a Pre-Excavation Agreement with the most appropriate local Native American (NA) group to fund up to 2 NA representatives to have access to the site during grading activities. The designation of monitors shall be coordinated with the following Tribes: Augustine Band of Cahuilla Mission Indians, Aqua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, and Soboba Band of Luiseno. It is the intent of this Mitigation Measure to avoid duplication of monitoring efforts and to designate the most appropriate Tribe to conduct the monitoring.</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--------------------------|--------------|
| CULTURAL RESOURCES | | | |
| <p>CUL-5: If human remains are found during excavation, work shall be halted and the appropriate local Native American (NA) group shall be contacted. If the County Coroner's office determines the remains to be Native American, and it is determined by the Native American Heritage Commission that member(s) of the local NA group is (are) the most likely descendants, the applicant shall allow reburial of the remains and associated goods at an appropriate offsite location which shall be "capped" to prevent further disturbances in the future. The site of such burial shall not be disclosed to the public, pursuant to Government Code §6254. Details of the reburial shall be negotiated between the applicant and the appropriate representatives of the local NA group.</p> <p>If human remains are found, and not determined by the County Coroner's office to be Native American, but believed by the local NA group to be so, the applicant shall be required to pay reasonable costs to determine whether the remains are, Native American. All NA cultural items and associated grave goods found on site, other than human remains, are to be avoided, relocated, salvaged, returned to the NA group, or any other option decided by the NA group to be appropriate, before development of the area in which the item was found is resumed.</p> <p>The applicant shall provide for NA tribal archaeological monitors to be present during any Phase II and potential Phase III surveys of all sites within the project.</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Grading</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| GEOLOGY AND SOILS | | | |
| <p>GEO-1: Geotechnical/soils reports shall be submitted to the Engineering Department for approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by the Engineering Department. Recommendations to be addressed within the geotechnical/soils report shall address, at minimum the following issue areas. The geotechnical study shall be approved by the Engineering Department, and applicable recommendations shall be incorporated into the final grading plan, including:</p> <ul style="list-style-type: none"> • Site Clearing and Preparation; • Seismic Design Criteria; • Over-excavation, Re-compaction and Fill Placement; • Foundation Design, and • Retaining Walls, Utility Trench Backfill and Drainage (Ref. 1998 5.5-2a). | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|---|--------------|
| GEOLOGY AND SOILS | | | |
| <p>GEO-2: An Erosion Control Plan shall be submitted for approval to the City Engineer, prior to issuance of a grading permit. The Erosion Control Plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site. The erosion control measures may include one or more of the following:</p> <ul style="list-style-type: none"> • Placing sandbags along the perimeter of the project site prior to initial grading if grading is to be undertaken during the rainy season (October to March). • Minimizing the length of time that soils lie exposed after grading. • Landscaping, hydro seeding, or any other method of providing soil stabilization to graded areas, in a manner approved by the City of Engineer if determined to be required for erosion control in areas not planned for development until subsequent phases. Landscaping and hydro seeding should be under the direction of a licensed landscape architect and approved by the Community Development Department. (Ref. 1998-5.5-2b). | City of Indian Wells Engineering Department | Prior to the issuance of building permits | |
| <p>GEO-3: Prior to issuance of a grading permit, the project applicant shall comply with the City of Indian Wells Municipal Code to control erosion. (Ref. 1998 5.5-2c).</p> | City of Indian Wells Engineering Department | Prior to the issuance of building permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|--|--------------|
| GEOLOGY AND SOILS | | | |
| <p>GEO-4: Due to the potential for ground shaking in a seismic event, the applicant shall comply with the standards set forth in the Uniform Building Code to assure seismic safety to the satisfaction of the Community Development Director. (Ref. 1998 5.5-3a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>GEO-5: A structural engineer, civil engineer or architect experienced with earthquake-resistant design shall approve all building plans to determine the adequacy of seismic criteria for project structures, and to recommend appropriate design changes, if needed prior to issuance of building permits. The building plans shall incorporate design measures outlined within the Geotechnical/Soils Report prepared for the project site. (Ref. 1998 5.5-3b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|--|---|--------------|
| HAZARDS AND HAZARDOUS MATERIALS | | | |
| <p>HAZ-1: If waste materials are spilled during construction by the contractor and are believed to involve hazardous waste materials, the contractor shall:</p> <ul style="list-style-type: none"> • Immediately stop work in the vicinity of the suspected contaminant, remove workers and the public from the area; • Notify the City of Indian Wells Building and Significant Safety Official; • Secure the area as directed by the City of Indian Wells Building and Safety Official, and • Notify the Director, Riverside County Environmental Health. Division (or designee) or appropriate approval authority. The Director shall follow procedures for site assessment, initiate coordination with local, State and regulatory agencies as required, and take remedial action as appropriate. (Ref. 1998 5.1-11). | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |
| HYDROLOGY AND WATER QUALITY | | | |
| <p>HWQ-1: Refer to mitigation measures GEO-2 and GEO-3 identified in Section 3.6 Geology and Soils. (Ref. 1998 5.3-1a).</p> | City of Indian Wells Engineering Department | Prior to the issuance of building permits | |
| <p>HWQ-2: Prior to grading within the CVWD Whitewater River easement area, the applicant shall obtain an encroachment permit from CVWD. (Ref. 5.3-1b).</p> | City of Indian Wells Community Development Department | Prior to the issuance of grading permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|--|--------------|
| HYDROLOGY AND WATER QUALITY | | | |
| <p>HWQ-3: Drainage improvements shall be required pursuant to Coachella Valley Water District and/or City of Indian Wells requirements, as appropriate. All required drainage improvements, including the retention basins, shall be designed by a California Registered Engineer and shall be submitted for approval to Coachella Valley Water District and/or City of Indian Wells as appropriate, prior to issuance of grading permits. (Ref. 1998 5.3-2a).</p> | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>HWQ-4: Prior to grading permit issuance, drainage hydrology and hydraulic calculations shall be prepared in accordance with City of Indian Wells' conditions, in order to ensure that post-project runoff does not exceed existing site runoff velocities. (Ref. 1998 5.3-2b).</p> | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>HWQ-5: In order to prevent exposed soil from erosion during periods of heavy rainfall, the project applicant shall be required to meet all erosion control measures to the satisfaction of the City of Indian Wells Building and Safety Department. (Ref. 1998 5.3-2c).</p> | <p>City of Indian Wells Building and Safety Department</p> | <p>During Construction</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|--|--------------|
| HYDROLOGY AND WATER QUALITY | | | |
| <p>HWQ-6: The project is required to meet Storm Water Management regulations. In accordance with City of Indian Wells' conditions, prior to grading permit issuance, the project applicant shall file for a National Pollutant Discharge Elimination System (NPDES) permit with the California State Water Resources Control Board and abide by the conditions of the permit as issued. A copy of the NOI, Storm Water Pollution Prevention Plan, and Monitoring Plan shall be submitted to the Engineering Department a minimum of thirty (30) days prior to commencing grading operations. (Ref. 1998 5.3-3a).</p> | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>HWQ-7: The project applicant shall be required to comply with the City of Indian Wells Engineering Director requirements contained in the conditions of approval on file in the Community Development Department with respect to urban and general construction stormwater management. (Ref. 1998 5.3-3b).</p> | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|----------------------------|--------------|
| NOISE | | | |
| <p>NOI-1: Construction activities shall comply with City of Indian Wells Noise Chapter 9.06 relating to construction noise. If problems arise from construction noise, enforcement of the City's Municipal Code relating to construction-related noise discernible at residential boundaries will help minimize any potential noise impacts. Such noise is prohibited between the hours of Monday through Friday 7:00 am to 5:00 pm, Saturday 8:00 am to 5:00 p.m., and no Sundays or national holidays, unless a temporary waiver is granted by the Community Development Director. (Ref. 1998 5.6-1a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |
| <p>NOI-2: All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, to the satisfaction of the Community Development Director (Ref. 1998 5.6-1b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |
| <p>NOI-3: Stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers, to the satisfaction of the Community Development Director. (Ref. 1998 5.6-1b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |
| <p>NOI-4: Stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors during construction activities, to the satisfaction of the Community Development Director. (Ref. 1998 5.6 1d).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| NOISE | | | |
| <p>NOI-5: Noise related to the Tennis Garden shall be regulated by Indian Wells City Council Resolution No. 2001-38 which provides for noise monitoring through the temporary use permit process to ensure that noise from events does not exceed City Noise Standards.</p> | <p>Not Applicable</p> | <p>Not Applicable</p> | |
| <p>NOI-6: Construction activities shall comply with City of Indian Wells Noise Chapter 9.06 relating to construction noise. If problems arise from construction noise, enforcement of the City's Municipal Code relating to construction-related noise discernible at residential boundaries will help minimize any potential noise impacts. Such noise is prohibited between the hours of Monday through Friday 7:00 am to 5:00 pm, Saturday 8:00 am to 5:00 p.m., and no Sundays or national holidays, unless a temporary waiver is granted by the Community Development Director. (Ref. 1998 5.6-1a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| PUBLIC SERVICE | | | |
| <p>PS-1: Prior to issuance of building permits, the applicant, and City of Indian Wells Police Department shall agree upon the procedures required to provide adequate police service to the project. (Ref. 1998 5.4-1).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|--|--------------|
| PUBLIC SERVICE | | | |
| <p>PS-2: The applicant shall comply with the existing City of Indian Wells Development Impact Fees for fire protection prior to the issuance of building permits. These funds are to be used for the purchase of land and to build, equip, or remodel fire stations when necessary as development occurs. (Ref. 1998 5.4-3a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>PS-3: The project applicant shall comply with all applicable sections of the City of Indian Wells Municipal Code for construction, access, water mains, fire flows, and fire hydrants, as required, subject to approval by the Fire Department. (Ref. 1998 5.4-3b).</p> | <p>City of Indian Wells Fire Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>PS-4: Prior to recordation of a final tract/parcel map (except for a conveyance map), water improvement plans shall be submitted to and approved by the Fire Department for adequate fire protection and financial security posted for the installation. The adequacy and reliability of water system design, location of valves, and the distribution of fire hydrants is to be evaluated and approved by the Fire Department. (Ref. 1998 5.4-3c).</p> | <p>City of Indian Wells Fire Department</p> | <p>Prior to the recordation of a final parcel or tract map</p> | |
| <p>PS-5: Prior to the issuance of building permits, a construction phasing plan shall be submitted to and approved by the Fire Department. The purpose of this review is to evaluate the adequacy of emergency vehicle access for the type of land use served. (REF.5.4-3d).</p> | <p>City of Indian Wells Fire Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|---|--------------|
| PUBLIC SERVICE | | | |
| PS-6: Prior to the issuance of any certificates of use and occupancy, all fire hydrants shall have a "Blue Reflective Pavement Marker" indicating its location per Fire Department Standards. (Ref. 1998 5.4-3e). | City of Indian Wells Fire Department | Prior to the issuance of building permits | |
| PS-7: Prior to final building inspection, the applicant shall satisfy all Fire Department requirements regarding sprinkler systems, fire lanes and extinguishers. (Ref. 5.4-3f). | City of Indian Wells Fire Department | Prior to the issuance of Certificate of Occupancy | |
| PS-8: The Proposed Project shall be in compliance with the City requirements and Fire Department requirements regarding hazardous materials as contained in the conditions of approval on file in the Community Development Department. (Ref. 5.3 3g). | City of Indian Wells Fire Department | Prior to the issuance of building permits | |
| PS-9: The applicant shall pay the prevailing school assessment mitigation fees pursuant to California State Law, prior to issuance of building permits. (Ref. 1998 5.4-21). | City of Indian Wells Community Development Department/Desert Sands Unified School District | Prior to the issuance of building permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-1: Prior to the issuance of building permits, the developer shall pay the TUMF to fund its fair share contributions for the following improvements.</p> <ul style="list-style-type: none"> • Washington St. at Fred Waring: add a westbound right turn lane on Fred Waring Dr., an additional southbound right turn lane on Fred Waring Dr., an additional southbound through lane on Washington Street, and an additional eastbound through lane of Fred Waring Dr.. (With regard to the eastbound through lane, the City of Indian Wells is currently completing a street improvement project for Fred Waring Dr. that will be adding an eastbound through lane). • Washington St. at Miles Avenue: Add an additional southbound left turn lane on Washington Street and a westbound right turn lane on Miles Avenue. • Washington St. at Hwy. 111: Add a southbound right turn lane on Washington. • Washington St. at Avenue 48: Add a northbound right turn lane on Washington Street. • Adams St. at Hwy. 111: Add an additional westbound left turn lane and an additional eastbound left turn lane on Highway 111. | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-2: A Construction Traffic Management Plan (TMP) shall be prepared and implemented to the satisfaction of the Community Development Director and Public Works Director. The TMP shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> • Provision of continued access to residential properties adjacent to the construction site. • Provide alternate bicycle routes where existing bicycle routes are disrupted by construction activities. • Submit a truck routing plan, for approval by the City of Indian Wells and other responsible public agencies in order to minimize impacts from truck traffic during material delivery and disposal. • The TMP will demonstrate that all inbound vehicle stacking is accommodated on-site with no spill-over onto Miles Avenue, and that outbound traffic peaks can be moderated to such an extent that the Level of Service (LOS) does not deteriorate below LOS "E" for more than 30 consecutive minutes per day. (Ref. 1998 5.2-1a). | <p>City of Indian Wells Engineering Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>TT-3: Construction related activities will be subject to, and comply with, standard street use requirements imposed by the City of Indian Wells and other public agencies, including the use of flag men to assist with haul truck ingress and egress of construction areas and limiting of large size vehicles to off-peak commute traffic periods. (Ref. 1998 5.2-1b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-4: During periods of heavy equipment access or truck hauling, the project contractor will provide construction traffic signage and a construction traffic flag man to control construction and general project traffic at points of ingress and egress. (Ref. 1998 5.2-1c).</p> | <p>City of Indian Wells Community Development Department</p> | <p>During Construction</p> | |
| <p>TT-5: Existing Plus Phase 1 Project Conditions assume improvement of the currently deficient Fred Waring Drive/Washington Street intersection to LOS D operation through the addition of two southbound through lanes on Washington Street and none northbound through lane on Washington Street. As such, the project applicant shall pay a fair share of the costs of the Fred Waring drive/Washington Street intersection improvements through the payment of TUMF traffic impact mitigation fees for Existing Plus Phase 1 Project Conditions.</p> <ul style="list-style-type: none"> • Fred Waring Drive/Washington Street – fair share payment of TUMF traffic mitigation fees for the addition of two southbound through lanes on Washington Street and none northbound through lane on Washington Street due to existing deficient condition, (Ref. 1998 5.2-2a). | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-6: Existing Plus Phase 1 Project Plus Cumulative Conditions assume improvement of the currently deficient Fred Waring Drive/Washington Street intersection to LOS D operation. Despite the implementation of the improvements required for the existing deficiency at the Fred Waring Drive/Washington Street intersection, additional mitigation is required for Existing Plus Phase 1 Project Plus Cumulative Conditions. As such, the project applicant shall pay a fair share of the costs of the following improvements at the Fred Waring/Washington Street intersection through payment of TUMF traffic impact mitigation fees for Existing Plus Project Plus Phase 1 project Plus Cumulative Conditions.</p> <ul style="list-style-type: none"> • Fred Waring Drive/Washington Street – fair share payment of TUMF traffic mitigation fees for an addition north bound left turn lane on Washington Street, an addition southbound left turn lane on Washington Street, and an additional northbound through lane on Washington Street for Existing Plus Phase 1 Project Plus Cumulative Condition. (Ref. 1998 5.2-2b). | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|--|---|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-7: The Highway 111/Cook Street intersection is forecast to operate deficiently with the addition of project and cumulative traffic growth for Existing Plus Phase 1 Project Plus Cumulative Conditions. As such, the project applicant shall pay a fair share of the costs of the Highway 111/Cook Street intersection improvement through the payment of TUMF traffic impact mitigation fees for Existing Plus Phase 1 Project Plus Cumulative Conditions.</p> <ul style="list-style-type: none"> Highway 111/Cook Street – fair share payment of TUMF traffic mitigation fees for the addition of an eastbound right turn lane on Highway 111 at Cook Street due Existing Plus Phase 1 Project Plus Cumulative Conditions. (Ref. 1998 5-2.2c). | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |
| <p>TT-8: Existing Plus Phase 1 Project Annual tennis Event Conditions: "Special Event" coordination between the project applicant and the affected agencies is recommended, including the use of temporary signage, flagmen, and shuttle systems. (Ref. 1998 5.2.2d).</p> | Not Applicable | Not Applicable | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|-------------------|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-9: Existing Plus Project Buildout Conditions assume improvement of the Fred Waring Drive/Washington Street intersection and Highway 111/Cook Street intersection for Existing Conditions and Existing Plus Phase 1 Plus Cumulative Conditions as discussed above. The Miles Avenue/Highway 111 intersection is forecast to operate deficiently for existing Plus Project Buildout Conditions. As such, the project applicant shall pay a fair share of the costs of the Miles Avenue/Washington Street intersection improvement through payment of TUMF traffic impact mitigation fees for Existing Plus project Buildout Conditions.</p> <ul style="list-style-type: none"> Miles Avenue/Washington Street – fair share payment of TUMF traffic mitigation fees for the addition of a southbound through lane and southbound right turn lane on Washington Street at Miles Avenue at Washington Street, for existing plus project buildout conditions. (Ref. 1998 5.2-3a). | | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-10: Existing Plus Project Buildout Plus Cumulative Conditions assume improvements of the Fred Waring drive/Washington Street intersection recommended for Existing Conditions and for Existing Plus Phase 1 Plus Cumulative Conditions as discussed in TT-9 above. Existing Plus project Buildout Plus Cumulative Conditions result in a forecast deficiency at the Highway 111/Cook Street intersection. As such, the project applicant shall pay a fair share of the costs of the Highway 111/Cook Street intersection improvement through payment of TUMF traffic impact mitigation fees for Existing Plus Project Buildout Plus Cumulative Conditions:</p> <ul style="list-style-type: none"> Highway 111/Cook Street – fair share payment of TUMF traffic mitigation fees for conversion of the eastbound right turn lane added on Highway 111 at Cook Street for existing plus phase 1 project plus cumulative conditions to an eastbound through lane. Additionally, fair share payment of TUMF traffic mitigation fees for an additional northbound left turn lane on Cook Street, an additional southbound left turn lane on Cook Street, an additional eastbound left turn lane on Highway 111, an additional westbound left turn lane on Highway 111, an additional eastbound through lane on Highway 111, and an additional westbound through lane on Highway 111. (Ref. 1998 5.2-3b). | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|---|--|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-11: The 42nd Avenue/Highway 111 intersection is forecast to operate deficiently for Existing Plus Project Buildout Plus Cumulative Conditions. The project applicant shall pay a fair share of the costs of an additional southbound left run lane on Washington Street at 42nd Avenue, and restriping of northbound Washington Street at 42nd Avenue to one northbound left turn lane and two northbound through lanes, through payment of TUMF traffic impact mitigation fees for Existing Plus project buildout Plus Cumulative Conditions:</p> <ul style="list-style-type: none"> 42nd Avenue/Washington Street – fair share payment of TYMF traffic mitigation fees for the additional southbound left turn lane on Washington Street at 42nd Avenue, and restriping of northbound Washington Street at 42nd Avenue, and restriping of northbound Washington Street at 42nd Avenue to one left turn lane and two through lanes, for existing plus project buildout plus cumulative conditions. (Ref. 1998 5.2-3c). | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|---|--|---|--------------|
| TRAFFIC AND TRANSPORTATION | | | |
| <p>TT-12: The Miles Avenue/Jefferson Street intersection is forecast to operate deficiently for Existing Plus Project Buildout Plus Cumulative Conditions. The project applicant shall pay a fair share of the costs of an additional northbound left turn lane on Jefferson Street at Miles Avenue, and re-striping of southbound Jefferson Street at Miles Avenue to one southbound left run lane and one southbound through/right turn lane, through payment of TUMF traffic impact mitigation fees for Existing Plus project Buildout Plus Cumulative Conditions:</p> <ul style="list-style-type: none"> Miles Avenue/Jefferson Street – fair share payment of TUMF mitigation fees for the additional northbound left turn lane on Jefferson Street at Miles Avenue, and restriping of southbound Jefferson Street at Miles Avenue to one left turn lane and one through/right turn lane, for existing plus project buildout plus cumulative conditions. (REF. 1998 5.2-3d). | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |
| <p>TT-13: Existing Plus Project Buildout Annual Tennis Event Conditions: Refer to Mitigation Measure No. TT-8. (Ref. 1998 5.2-4).</p> | Not Applicable | Not Applicable | |
| <p>TT-14: Existing Plus Project Buildout Annual Tennis Event Plus Cumulative Conditions: Refer to Mitigation Measure No. TT-7 (Ref. 1998 5.2-2d).</p> | City of Indian Wells Community Development Department | Prior to the issuance of building permits | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|--|--|--------------|
| UTILITIES | | | |
| <p>UTL-1: All final development plans shall be conditioned to require that all services and facilities shall be built in accordance with applicable Imperial Irrigation District (IID) and/or Southern California Edison (SCE) policies and extension rules on file with the California Public Utilities Commission. (Ref. 19987 5.4-6a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>UTL-2: All building plans shall comply with the Energy Conservation Standards set forth in Title 24 of the California Administrative Code and local building and safety codes. (Ref. 1998 5.4-6b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>UTL-3: The developer shall consult with IID and SCE regarding participation in programs designed to increase the efficiency of operation and decrease energy costs. These programs may include new construction programs and off-peak cooling/thermal storage. Design criteria shall include the utilization of energy-efficient architectural and landscaping design concepts that would contribute to a reduction in the demand for energy. These concepts may include natural heating and/or cooling through sun and wind exposure and solar energy collection systems. (Ref. 1998 5.4-6c).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>UTL-4: Water system design and all public water mains, meters, and appurtenances shall be installed and constructed in compliance with the applicable standards, specifications, policies, and regulations of the CVWD and a construction phasing plan shall be approved, prior to project final or occupancy permits. (Ref. 1998 5.412a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of Certificate of Occupancy</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| UTILITIES | | | |
| <p>UTL-5: All water mains shall be sized to convey peak hour demands or maximum day demands with fire flows, prior to occupancy permits. All public streets and easements must be capable of containing and conveying the design fire flow capacity, as determined by the Fire Department. (Ref. 1998 5.4-12b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of Certificate of Occupancy</p> | |
| <p>UTL-6: Prior to building permit issuance, signed plans from the Coachella Valley Water District shall be provided to the Community Development Director verifying compliance with the conditions as follows: water and sewer utility clearance, and low water efficient landscaping and irrigation. (Ref. 1998 5.4-12c).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

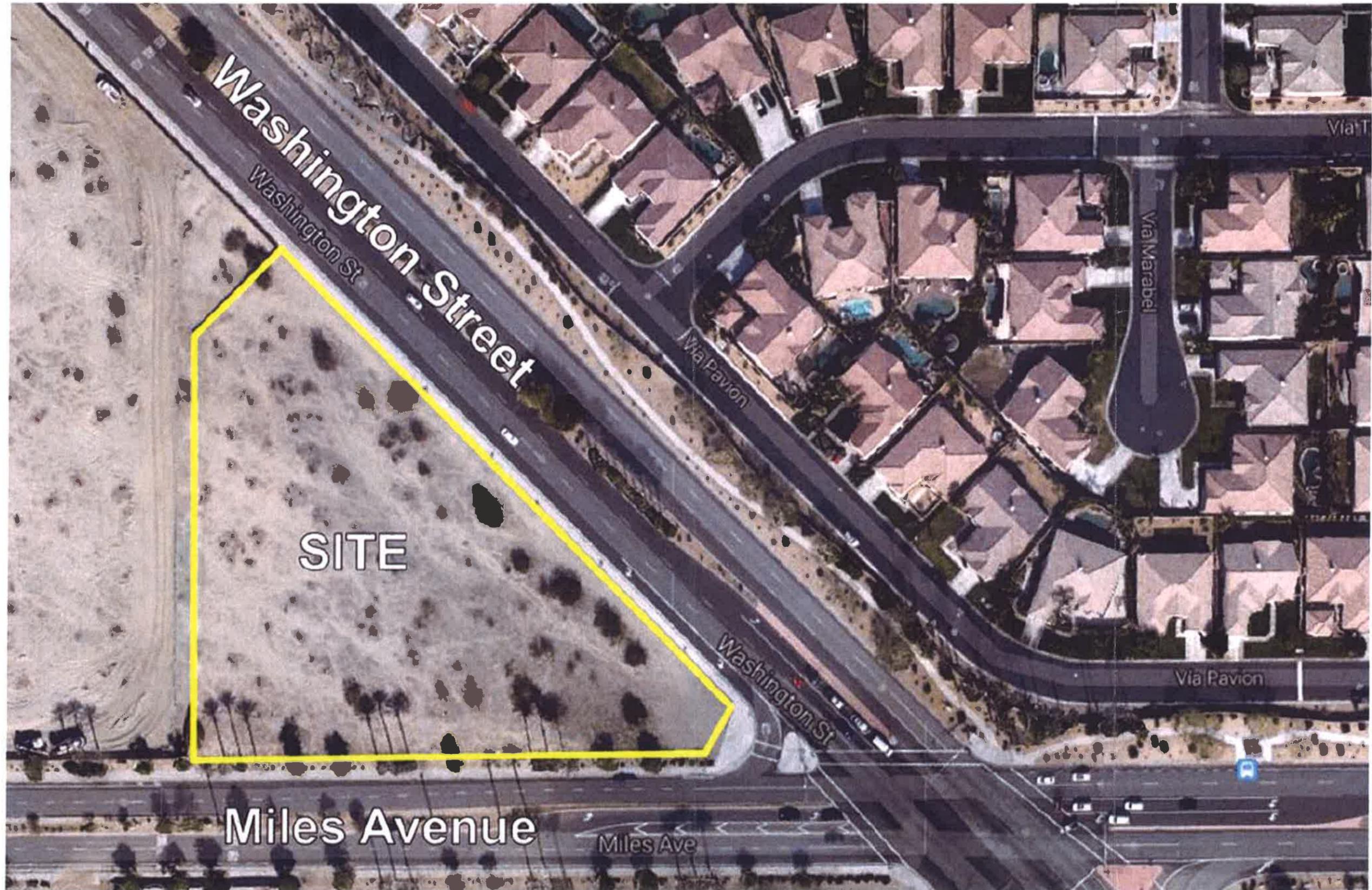
| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| UTILITIES | | | |
| <p>UTL-7: Prior to the issuance of building permits, the applicant shall demonstrate use of low water use fixtures, plumbing fixtures and appliances, to the satisfaction of the Community Development Director and CVWD, which may include the following:</p> <p>Interior:</p> <ul style="list-style-type: none"> • Supply line pressure: Reduce water pressure greater than 60 psi to 60 psi or less by means of a pressure-reducing valve. • Drinking fountains: Equip drinking fountains with self-closing valves. • Ultra-low flush toilets: Install 1.6 gallon per flush toilets in all new construction. <p>Exterior:</p> <ul style="list-style-type: none"> • Landscape with low water-consuming plants wherever feasible. • Minimize use of lawn by limiting it to lawn-dependent uses. • Group plants of similar water use to reduce over irrigation of low-water-using plants. • Use mulch extensively in all landscaped areas. Mulch applied on top of soil would improve the water-holding capacity of the soil by reducing evaporation and soil compaction. • Install efficient irrigation systems which minimize runoff and evaporation, and maximize the water which would reach the plant roots. Drip irrigation, soil moisture sensors, and automatic | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| | | | |
|---|--|---|--|
| <p>irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.</p> <ul style="list-style-type: none"> • Use pervious paving material whenever feasible to reduce surface water runoff. • Investigate the feasibility of utilizing reclaimed wastewater, stored rain water, or gray water for irrigation. (Ref. 1998 5.4-12d). | | | |
| <p>UTL-8: The project, applicant shall comply with the CVWD requirements for water service. (Ref. 1998 5.4-12e).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>UTL-9: The applicant shall submit a construction phasing plan for review and approval by the Community Development Department prior to final design plan approval. (Ref. 1998 5.4-14a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |
| <p>UTL-10: Prior to map recordation the applicant shall comply with City of Indian Wells Municipal Code Chapter 14.04 (Sewage System) and CVWD requirements as contained within the conditions of approval on file in the Community Development Director for sewer service. (Ref. 1998 5.4-14b).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the recordation of a final parcel/tract map</p> | |
| <p>UTL-11: Prior to issuance of occupancy permits, the project applicant shall provide the Community Development Director with evidence of compliance with guidelines set forth by the State of California accordance with the California Integrated Waste Management Act of 1989 (AS 939), which requires jurisdictions to divert 50 percent of solid waste from landfills. This shall include consideration for offering marketable materials, such as concrete, asphalt and steel, to recyclables. (Ref. 1998 5.4-16a).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

| MITIGATION MEASURE | RESPONSIBLE PARTY | TIMING OF IMPLEMENTATION | VERIFICATION |
|--|---|--|--------------|
| UTILITIES | | | |
| <p>UTL-12: Prior to issuance of building permits, the applicant shall submit 3 copies of a site plan, which includes the final design for the recyclable collection and storage area to Community Development Director review and approval. The storage area for recyclable materials shall comply with the following standards:</p> <ul style="list-style-type: none"> • The design, construction and location of recycling areas shall not conflict with any applicable federal, state or local laws relating to fire, building access, transportation, circulation or safety and shall be designed to be architecturally compatible with affected structures and existing topography; • The recycling storage areas shall be conveniently located at or near solid waste collection areas, where feasible, but maintain adequate separation, fencing and landscaping to ensure that adjacent areas are not impacted by any associated noise, odor, vectors or glare for the storage areas; • The recycling storage areas, bins and containers shall be adequate in capacity number and distribution to achieve fifty-percent recycling of the total waste generated by the project; • The recycling storage areas shall be sufficiently protected from rain which might render the collected materials unmarketable and shall be secure from theft; • Collection vehicles and personnel shall have unobstructed access to the storage area, and | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of certificate of occupancy</p> | |

| | | | |
|---|--|--|--|
| <ul style="list-style-type: none"> All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin. (Ref. 1998 5.4-16c). | | | |
| <p>UTL -13: Items to be collected for recycling from a residential or commercial establishment depend on the types of materials available for recycling and the hauler's collection system. The project applicant should work with his permitted refuse hauler to identify which materials may be collected for recycling and on what schedule. (Ref. 1998 5.4-16c).</p> | <p>City of Indian Wells Community Development Department</p> | <p>Prior to the issuance of building permits</p> | |

AERIAL VICINITY MAP



ASSESSOR PARCEL NUMBER (APN) : 633-360-024-1

LEGAL DESCRIPTION :

That portion shown as remainder parcel of parcel map no. 28833 on file in Book 195 Pages 10 through 15 of Parcel Maps, records of Riverside County, California

ZONE : RC (Resort Commercial)

PROJECT SUMMARY

SITE AREA : 115,419 SF± (2.649 AC)

BUILDING AREAS:

| | |
|--------------------------|---------------------|
| PAD 'A' | 10,000 S.F. |
| Outdoor Seating & Dining | ±800 S.F. |
| PAD 'B' | ±9,150 S.F. |
| Total G.L.A. | ±19,150 S.F. |

Building Coverage : ±19,150 SF = ±16.59%

Impervious Surface : ±63,159 SF = ±54.72%

Landscaped Coverage : ±33,110 SF = ±28.68%

PARKING REQUIRED: 145 CARS

RETAIL (9,150 s.f./250) 37 cars

FOOD USE (10,000 s.f./ 100) 100 cars

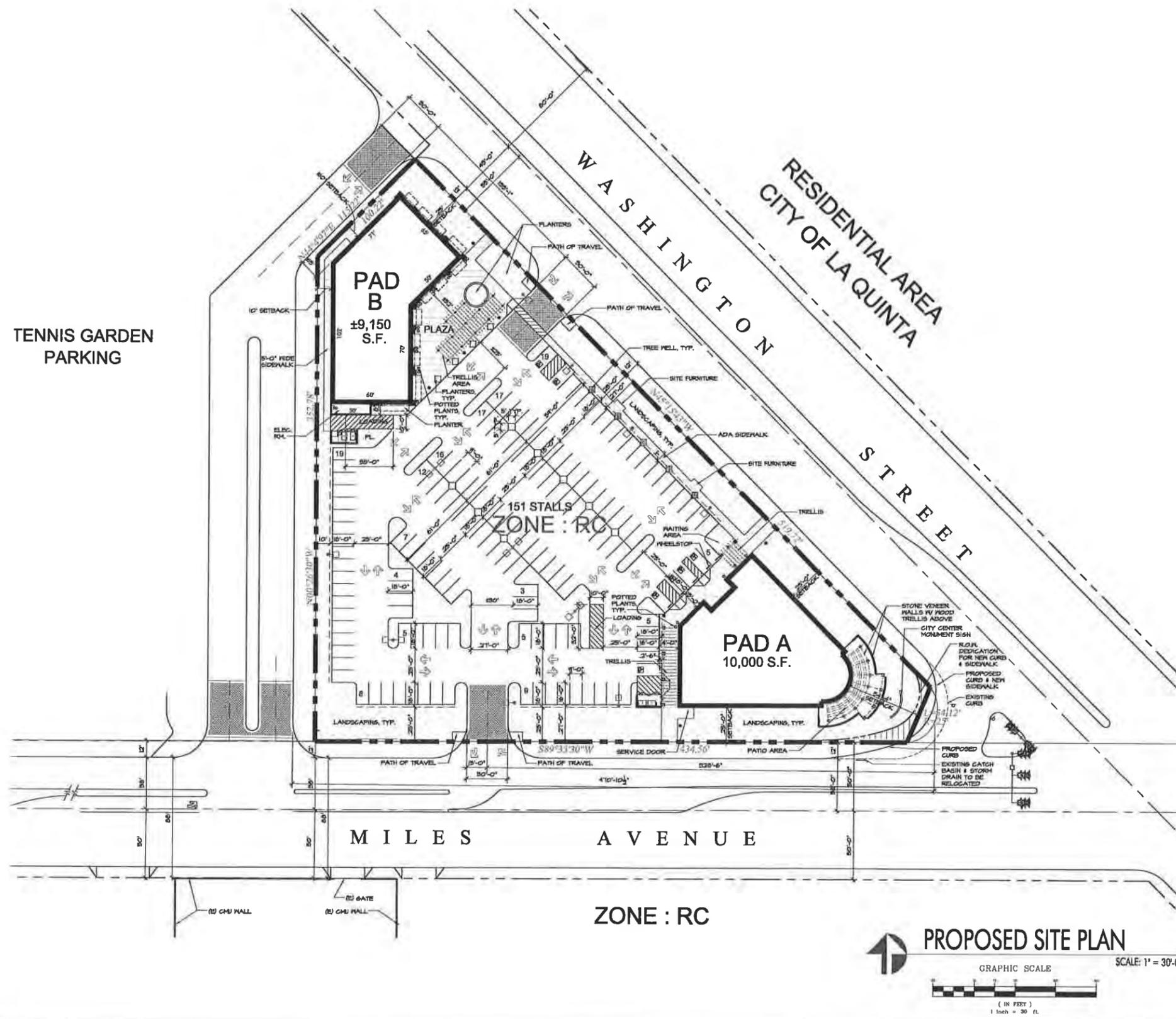
Outdoor Seating & Dining (800 s.f./ 100) 8 cars

PARKING PROVIDED : 151 CARS

(9' X 18' Standard Stalls) 145 stalls

(9' X 18' Handicap Stalls) 5 stalls

(9' X 18' Handicap Stall-Van) 1 stalls



LEGEND:

-  Pedestrian Light Fixture
-  Single and double parking light fixture
-  Trash Enclosure - 8' high decorative split face CMU with wood beam roof structure
-  Landscaping
-  Enhanced Drive aisles
-  Enhanced Hardscape
-  Traffic Signal Lights
-  Yield Sign

PRELIMINARY SITE PLAN SUBJECT TO CHANGE

HAAGEN COMPANY, LLC.
12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER
NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

Attachment #3

McKenty Malak
ARCHITECTS
35 Hugus Alley, Suite 200
Pasadena, California 91103-3648
TEL 626.583.8348 FAX 626.583.8387

PRELIMINARY SITE PLAN
12.15.14 13045MMA

SP-01

Based on scheme SP-05



PROJECT SUMMARY

SITE AREA : 115,419 SF± (2.649 AC)
 Landscaped Coverage : 33,110 SF± (28.68%)



PLANT SCHEDULE

| TREES | CODE | BOTANICAL NAME / COMMON NAME | CONT | QTY |
|-------|---------|---|-------------------------|-----|
| | CER | Cercidurum 'AZT' AZT Thornless Palo Verde / AZT Thornless Palo Verde Low Branching Tree | 36" Box Multi Trunk | 8 |
| | OLE | Olea europaea 'Wilson' / Wilson Olive Low Branching | 60" box | 1 |
| | PHO | Phoenix dactylopera / Date Palm | 22" Brown Trunk Skinned | 13 |
| | PHL | Phoenix dactylopera / Date Palm Existing City Parkway Tree | 6" x 8" g | 7 |
| | TIE | Tipton's syc / Tipu Tree | 36" box | 53 |
| | WAS | Washingtonia filifera / California Fan Palm | 18" Brown Trunk Skinned | 53 |
| | CODE | BOTANICAL NAME / COMMON NAME | CONT | QTY |
| | AGA AME | Agave americana / Century Plant | 15 gal | 14 |
| | BOU OO2 | Bougainvillea hybrid 'Do-La-La' / Do-La-La Bougainvillea | 5 gal | 101 |
| | CAL CAL | Calliandra californica / Red Baja Fairy Duster | 6 gal | 72 |
| | CAS ART | Cassia adenita oides / Feather Cassia | 5 gal | 4 |
| | CIS PUR | Cistus x purpureus / Orchid Rockrose In pots | 5 gal | 10 |
| | DAS WHE | Dasyatis wheeleri / Gray Desert Spoon | 5 gal | 86 |
| | FOU SPL | Fouquieria splendens / Occotillo | 5 gal | 7 |
| | HES PAR | Hesperaloe parviflora / Red Yucca | 5 gal | 87 |
| | LAN WH2 | Lantana montevidensis 'White Light' / Trailing Lantana | 5 gal | 32 |
| | LEU WH1 | Leucophyllum frutescens 'White Cloud' / White Cloud Texas Ranger | 5 gal | 80 |
| | PHO MA2 | Prunum (var) 'Mini Queen' / New Zealand Flax In Pots | 5 gal | 10 |
| | ROB ICE | Rosa adiculata 'Iceberg' / Iceberg Rose | 5 gal | 25 |

REFERENCE NOTES SCHEDULE

- SYMBOL DESCRIPTION**
- 1 Landscape Forms Steelhead Perfected 42in Round Top, No Umbrella Hole, Chrome Freestanding Support
 - 2 Landscape Forms Catalina Chair
 - 3 Landscape Forms Emerson 8'x6' Rack
 - 4 Landscape Forms Malibu Backless Bench
 - 5 Landscape Forms Malibu 7' Bench
 - 6 Landscape Forms P6e Side Opening Receptacle, 34 Gallon, etc, with lock
 - 7 2" Layer Talcite Ties 3/16" Minus Stabilized Decomposed Granite from DES 800 698 1878. Install with DSS. Install 1" below hardscape in all landscape areas
 - 8 Ironman ADA-A1836 Tree Grate
 - 9 Outkroze Sevanan Pot 32x28 - Dark Gray Color

M I L E S A V E N U E



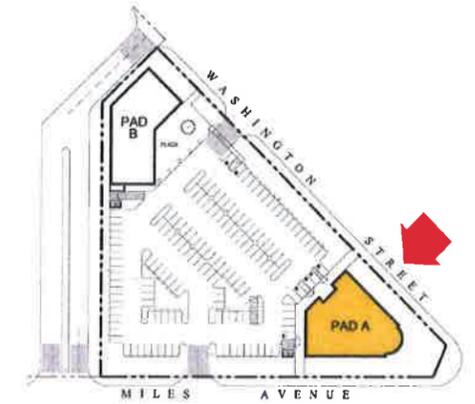
HAAGEN COMPANY, LLC.
 12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
 TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER
 NWC WASHINGTON STREET & MILES AVENUE
 INDIAN WELLS, CALIFORNIA

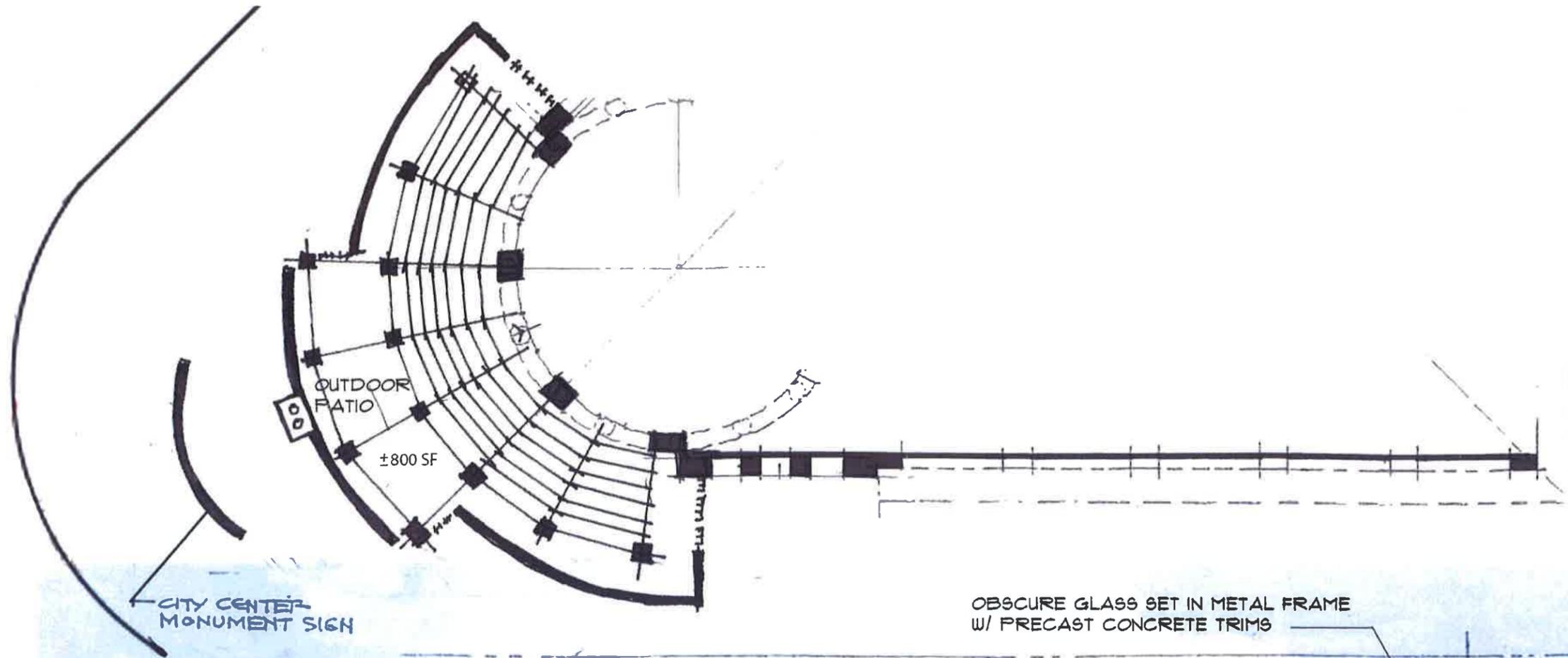
CCA INC
 CUNNINGHAM CURLEY AND ASSOCIATES, INC.
 3833 LONG BEACH BOULEVARD, SUITE 300
 LONG BEACH, CALIFORNIA 90807
 TEL. 562.424.8182
 CA 0562 AE 201200 PG 5/16 CLASH 01/9

McKently Malak
 ARCHITECTS
 35 Hugue Alley, Suite 200
 Pasadena, California 91103-3648
 TEL 626.583.8348 FAX 626.583.8387

PRELIMINARY
 LANDSCAPE PLAN
 12.17.14 1304544A
 SL-01.1



KEY PLAN



Northeast Elevation - Pad "A"

JAAGEN COMPANY, LLC.

12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER

NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

Attachment #5

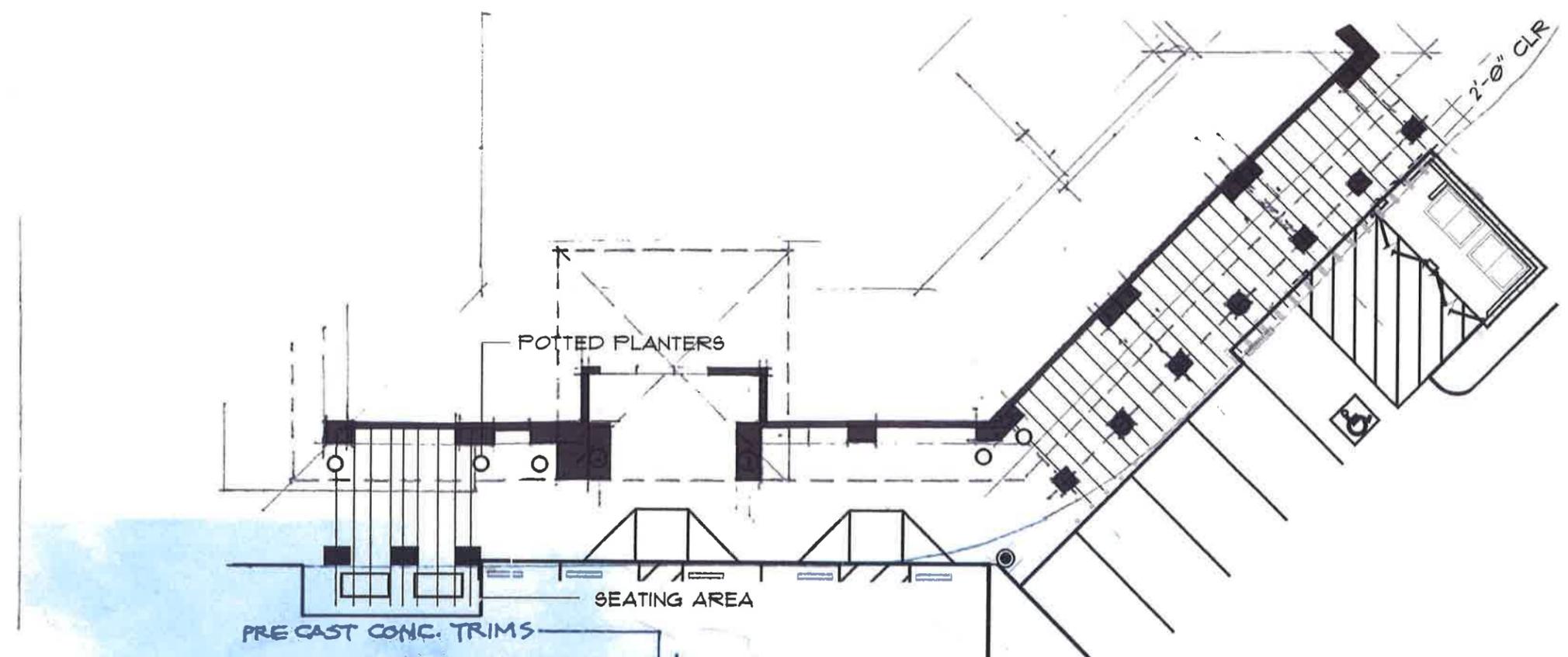
**McKently
Malak**
ARCHITECTS

35 Hugus Alley, Suite 200
Pasadena, California 91103-3648
TEL 626.583.8348 FAX 626.583.8387

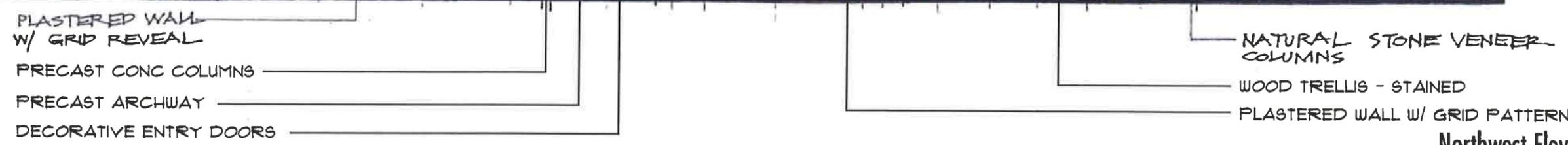
ELEVATION

12.15.14 13045MMA

EL-01



KEY PLAN



Northwest Elevation - Pad "A"

AAGEN COMPANY, LLC.

12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER

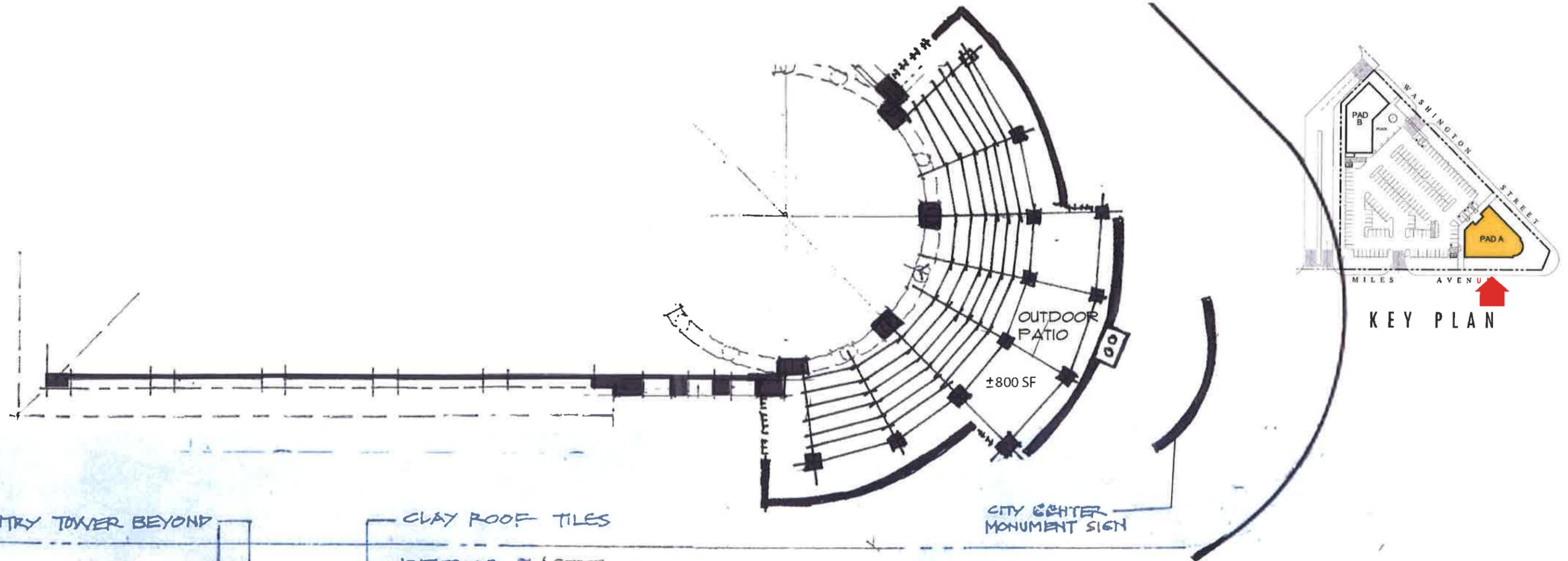
NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

**McKently
Malak**
ARCHITECTS

ELEVATION
12.15.14 13045MMA

35 HUGUS ALLEY, SUITE 200
PASADENA, CALIFORNIA 91103-3648
TEL 626.583.8348 FAX 626.583.8387

EL-02
126



South Elevation - Pad "A"

JAAGEN COMPANY, LLC.

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TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER

NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

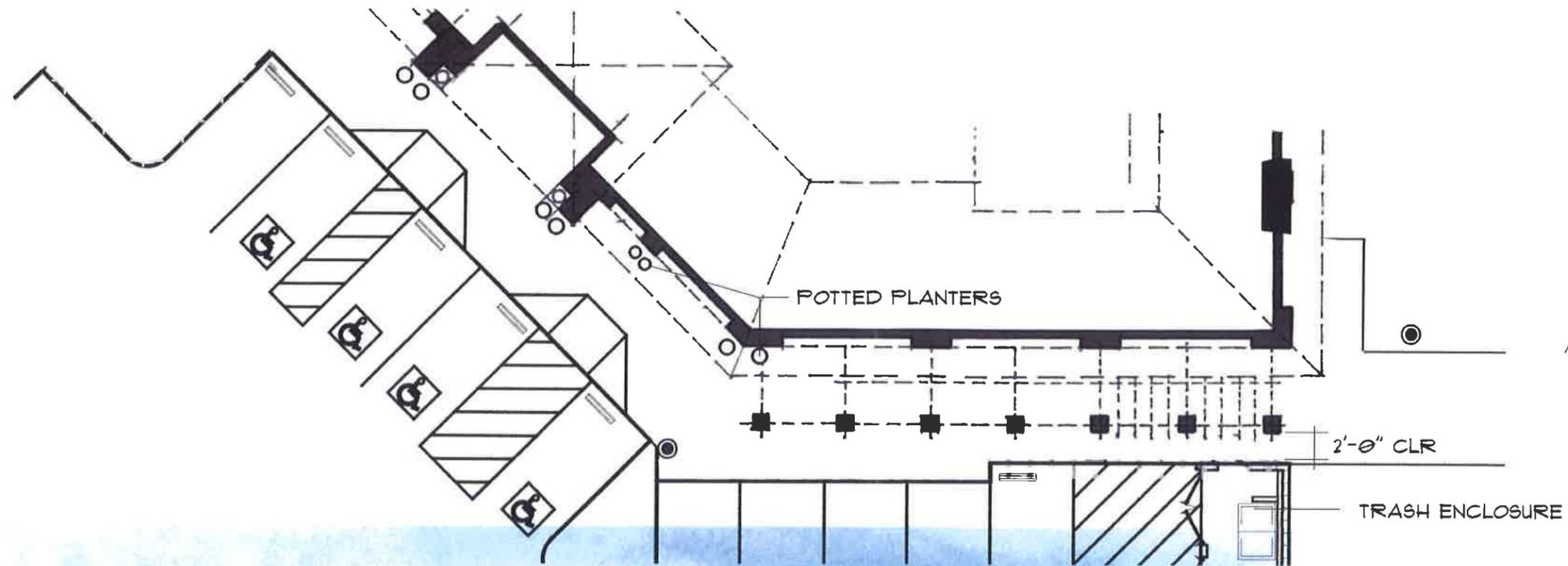
**McKently
Malak**
ARCHITECTS

35 HUGUS ALLEY, SUITE 200
PASADENA, CALIFORNIA 91103-3648
TEL 626.583.0348 FAX 626.583.0387

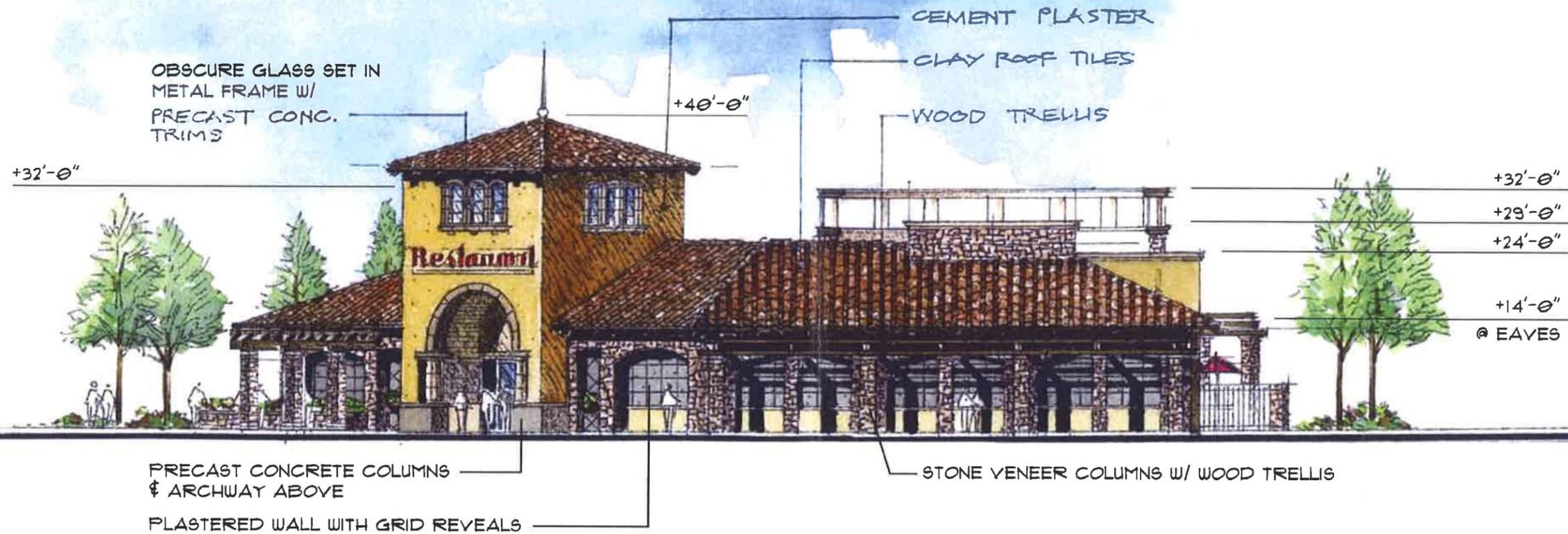
ELEVATION

12.15.14 13045MMA

EL-03
127



KEY PLAN



West Elevation - Pad "A"

IAAGEN COMPANY, LLC.

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INDIAN POINT SHOPPING CENTER

NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

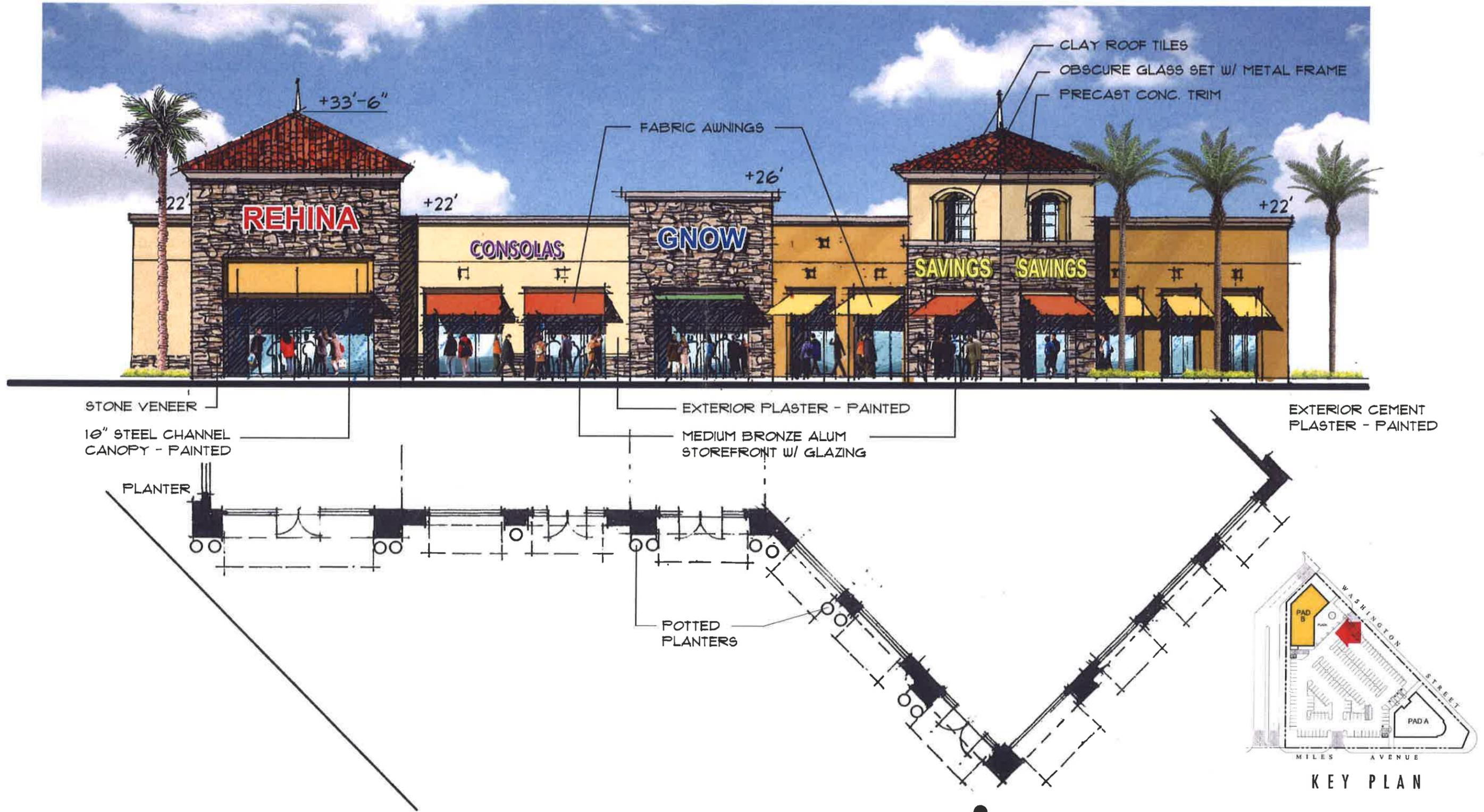
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ELEVATION

12.15.14 13045MMA

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EL-04 128



CLAY ROOF TILES
 OBSCURE GLASS SET W/ METAL FRAME
 PRECAST CONC. TRIM

+33'-6"
 +22'
 +26'
 +22'

REHINA
 CONSOLAS
 GNOW
 SAVINGS SAVINGS

FABRIC AWNINGS

STONE VENEER
 10" STEEL CHANNEL CANOPY - PAINTED
 PLANTER

EXTERIOR PLASTER - PAINTED
 MEDIUM BRONZE ALUM STOREFRONT W/ GLAZING
 POTTED PLANTERS

EXTERIOR CEMENT PLASTER - PAINTED



East Elevation - Pad "B"

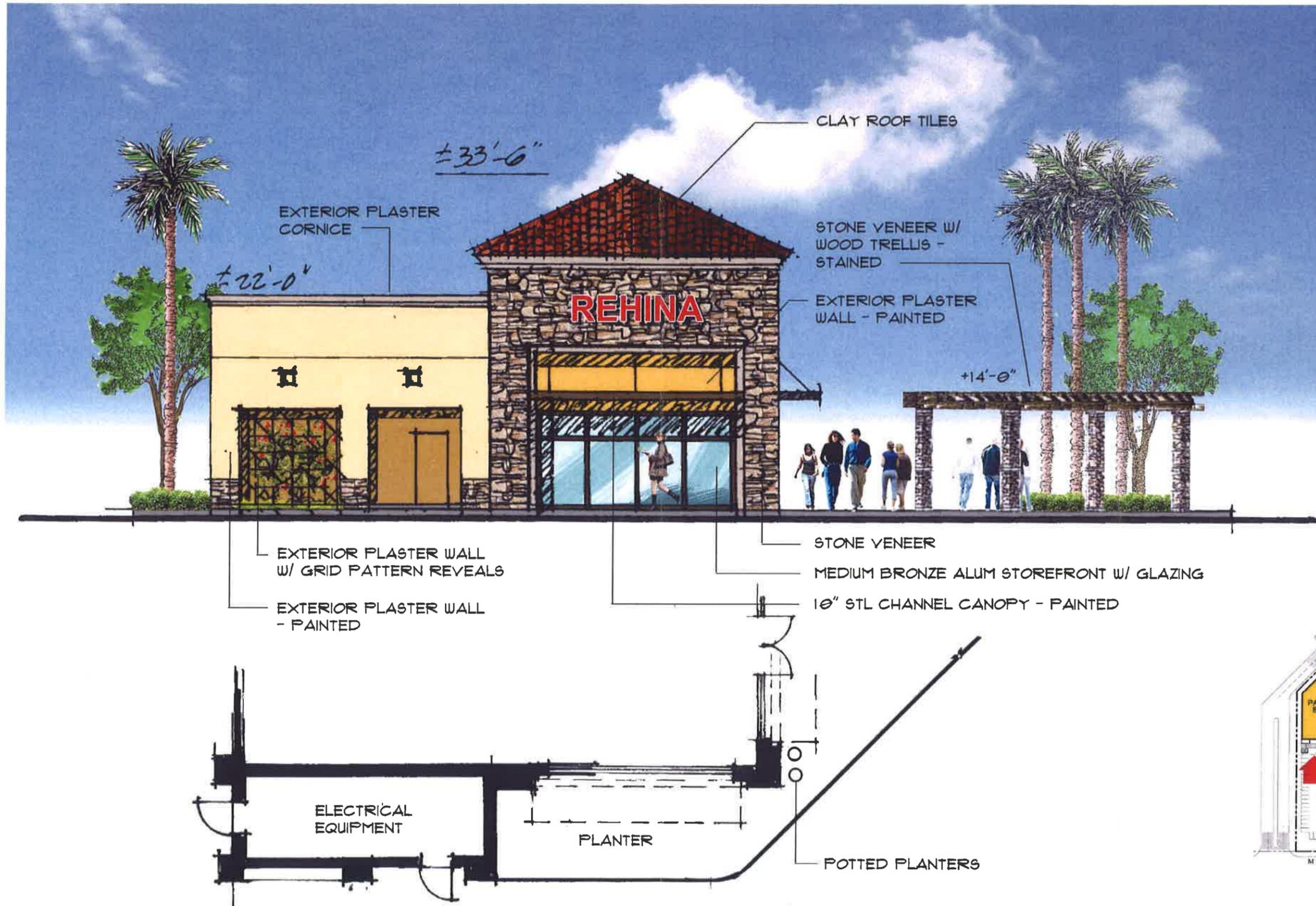
IAAGEN COMPANY, LLC.
 12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
 TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER
 NWC WASHINGTON STREET & MILES AVENUE
 INDIAN WELLS, CALIFORNIA

McKently Malak ARCHITECTS
 35 Hugus Alley, Suite 200
 Pasadena, California 91103-3648
 TEL 626.583.8348 FAX 626.583.8387

ELEVATION
 12.15.14 13045MMA

EL-05
 120



South Elevation - Pad "B"

JAAGEN COMPANY, LLC.
 12302 EXPOSITION BLVD. LOS ANGELES, CA 90064
 TEL. 310.820.1200 FAX 310.820.1225

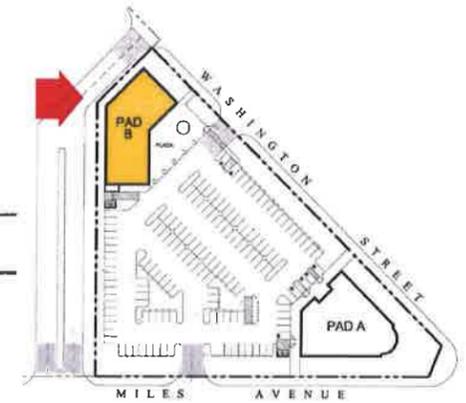
INDIAN POINT SHOPPING CENTER
 NWC WASHINGTON STREET & MILES AVENUE
 INDIAN WELLS, CALIFORNIA

McKently Malak ARCHITECTS
 ELEVATION
 12.15.14 13045MMA
 35 Hugus Alley, Suite 200
 Pasadena, California 91103-3648
 TEL 626.583.8348 FAX 626.583.8387

EL-06
 130



STONE VENEER
EXTERIOR PLASTER - PAINTED



KEY PLAN

West Elevation - Pad "B"

IAAGEN COMPANY, LLC.

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TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER

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INDIAN WELLS, CALIFORNIA

**McKently
Malak**
ARCHITECTS

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Pasadena, California 91103-3648
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ELEVATION

12.15.14 13045MMA

EL-07



A PAINT: 7742W LIGHT TOAST
BY: FRAZEE



B PAINT: 7745D SPANISH GOLD
BY: FRAZEE



C PAINT: 7765D TERRA COTTA TILE
BY: FRAZEE



D PAINT: 7756N COCKATOO GOLD
BY: FRAZEE



E PAINT: 8684M OAK FLATS
BY: FRAZEE



F PAINT: 7665D ALO VERA
BY: FRAZEE



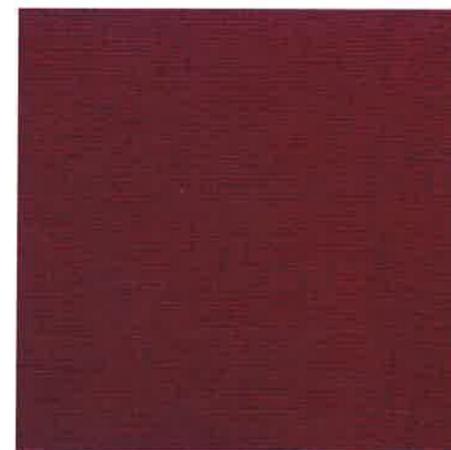
G ROOF TILE
TYPE: EL CAMINO BLEND BY: BORAL



H STONE VENEER
TYPE: LUCERA HILLSTONE BY: EL DORADO



J FABRIC AWNING
COLOR: TUSCAN BY: SUNBRELLA



K FABRIC AWNING
COLOR: BURGUNDY BY: SUNBRELLA



L WOOD STAIN
COLOR: CHOCOLATE BY: OLYMPIC

JAAGEN COMPANY, LLC.

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TEL. 310.820.1200 FAX 310.820.1225

INDIAN POINT SHOPPING CENTER

NWC WASHINGTON STREET & MILES AVENUE
INDIAN WELLS, CALIFORNIA

Attachment #6

**McKently
Malak**
ARCHITECTS

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Pasadena, California 91103-3648
TEL 626.583.8348 FAX 626.583.8387

COLOR MATERIALS
BOARD
04.11.14 13045MMA

CM-01 132

CC/HA ACTION _____ MTG. DATE: 5-7-15
 APPROVED DENIED _____ REC/FILE _____ CONT. _____
 OTHER _____
 VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

May 7, 2015

Staff Report – Public Works

Adopt Resolution Supporting SB 821 Bicycle and Pedestrian Grant Application and Approving Matching Funds for Washington Street Sidewalk Project

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution Bill No. 2015-24 supporting the City’s Senate Bill 821 (SB 821) grant application and matching funds for the construction of sidewalk along Washington Avenue between Miles Avenue and the Whitewater River Bridge; and

APPROVES a supplemental appropriation in the amount of \$20,000 to the 2014-15 Fiscal Year Capital Improvement Program as 50% matching funds to the City’s SB 821 grant application.

DISCUSSION:

The Bicycle and Pedestrian Facilities Program, enacted by SB 821, is a State program providing matching funds for the construction of eligible bicycle and pedestrian facilities. The Riverside County Transportation Commission (RCTC) administers the program on behalf of the State, and RCTC has issued a call for projects for FY2015-16 funding.

The City has submitted a grant application to construct a missing link of sidewalk that spans the west side of Washington Street between Miles Avenue and the Whitewater River Bridge. The proposed sidewalk will increase pedestrian safety, be ADA compliant, and complete the 3 mile span of sidewalk on the west side of Washington Street from Highway 111

Sidewalk Project Aerial Map



to Country Club Drive. Pedestrians actively use the segment, particularly during the PNB Paribas Open tennis tournament.

The SB821 Project Guidelines specify that a project application will receive a maximum score in the "Matching Funds" category if the local agency commits to providing a minimum 50% local match. Therefore, Staff is recommending the Council authorize a local match in the form of a supplemental budget appropriation in the amount of \$20,000 which is available in the FY 2014-15 Capital Improvement fund.

FISCAL IMPACT:

The estimated project cost is \$40,000. Funding is available in the FY 2014-15 Capital Improvement fund.

ATTACHMENTS:

1. Resolution Bill No. 2015-24
2. SB 821 Application

RESOLUTION BILL NO. 2015-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, SUPPORTING THE SENATE BILL 821 (SB 821) GRANT APPLICATION FOR THE CONSTRUCTION OF SIDEWALK ALONG WASHINGTON STREET BETWEEN MILES AVENUE AND THE WHITEWATER RIVER BRIDGE AND AUTHORIZE CITY MANAGER TO ACT ON BEHALF OF THE CITY ON ALL RELATED MATTERS.

WHEREAS, the SB 821 Bicycle and Pedestrian Facilities Program, administered by the Riverside County Transportation Commission (RCTC), provides Local Transportation Funds for eligible bicycle and pedestrian facility projects; and

WHEREAS, Grant Applications for SB 821 funds must be submitted to RCTC by April 30, 2015 where they will be reviewed and ranked, with the highest ranked projects recommended for funding up to the maximum amount of SB 821 funds available for FY 2015-16; and

WHEREAS, the City Council of the City of Indian Wells ("Council") supports the construction of ADA compliant pedestrian access City wide; and

WHEREAS, Council desires to submit a Project Proposal for SB 821 funds for sidewalk construction on the west side of Washington Street between Miles Avenue and the Whitewater River Bridge; and

WHEREAS, Council agrees to provide matching funds in the amount of \$20,000, or 50% of the estimated construction costs.

NOW, THEREFORE, The City Council of the City of Indian Wells **RESOLVES AS FOLLOWS**:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. City Council authorizes staff to submit a grant application to RCTC for SB821 funds for sidewalk construction on Washington Street between Miles Avenue and the Whitewater River Bridge.

SECTION 3. City Council commits to funding 50% of the total estimated construction costs in the amount of \$20,000.00.

SECTION 4. This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

**TY PEABODY
MAYOR**

CERTIFICATION FOR RESOLUTION BILL NO. 2015-24

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

**FY15/16 SB 821 Bicycle and Pedestrian Facilities Program
BIENNIAL CALL FOR PROJECTS APPLICATION**

I. APPLICANT INFORMATION

Lead Agency: City of Indian Wells
Address: 44-950 Eldorado Drive, Indian Wells, CA 92210
Contact Person: Bondie Baker Title: Assistant Engineer II
Telephone #: (760) 776-0237 Fax #: (760) 346-0407
Email Address: bbaker@indianwells.com
Project Name: Washington Street Sidewalk

II. PROJECT DETAILS

Project type:

Bicycle Project Pedestrian Project

Project located within a disadvantaged community?

Yes No

Project location:

Coachella Valley Western Riverside County

Does this project proposal include any of the following (check all that apply):

Curb Gutter Driveway ramps

If any of the above were checked, is the benefit provided for the exclusive use of bicyclists/pedestrians?

No Yes

III. PROJECT DESCRIPTION (Please see the following page for complete Project Description)

Describe the project in its entirety. Include the need, benefit, and location of the project. Photos of the existing site of the proposed project are encouraged.

*A map indicating, at a minimum, the project location must be included.

**FY 15/16 SB 821 Bicycle and Pedestrian Facilities Program
BIENNIAL CALL FOR PROJECTS APPLICATION**

III. PROJECT DESCRIPTION

This proposed sidewalk project will construction a 1,050-foot long, 6-foot wide ADA compliant concrete (PCC) sidewalk along the west side of Washington Street from approximately 217-feet south of Miles Avenue to approximately 725-feet north of Channel Drive. The installation of this sidewalk is needed to increase pedestrian safety. The existing dirt shoulder is used extensively by pedestrians, and the installation of this missing link of sidewalk will benefit these pedestrians by removing barriers, obstacles, and tripping hazards.



PROJECT LOCATION MAP

Not to Scale

III. PROJECT DESCRIPTION (cont'd)



PHOTOGRAPH OF EXISTING SITE

*Looking South on Washington Street
(Proposed Sidewalk to Join Sidewalk Shown in Foreground)*

IV. DESTINATIONS SERVED

The destinations served within a 3/4-mile or less radius of the proposed project limits include:

1. The Indian Wells Tennis Garden
2. Medical Facility
3. Hotel
4. Church
5. Restaurant (Multiple)
6. Commercial/Retail (Multiple)



DESTINATIONS SERVED MAP

Not to Scale

V. SAFETY

The proposed project will increase pedestrian safety by providing a stable surface free from obstacles. The existing conditions include a dirt shoulder adjacent to the roadway, however the shoulder is uneven and occasionally contains unwanted plant or other materials that present obstacles to pedestrians. The adjacent roadway, Washington Street, is a 3-lane major arterial with a posted speed limit of 50 mph, posing a safety hazard for pedestrians who may be forced to walk in the street due to the current conditions.

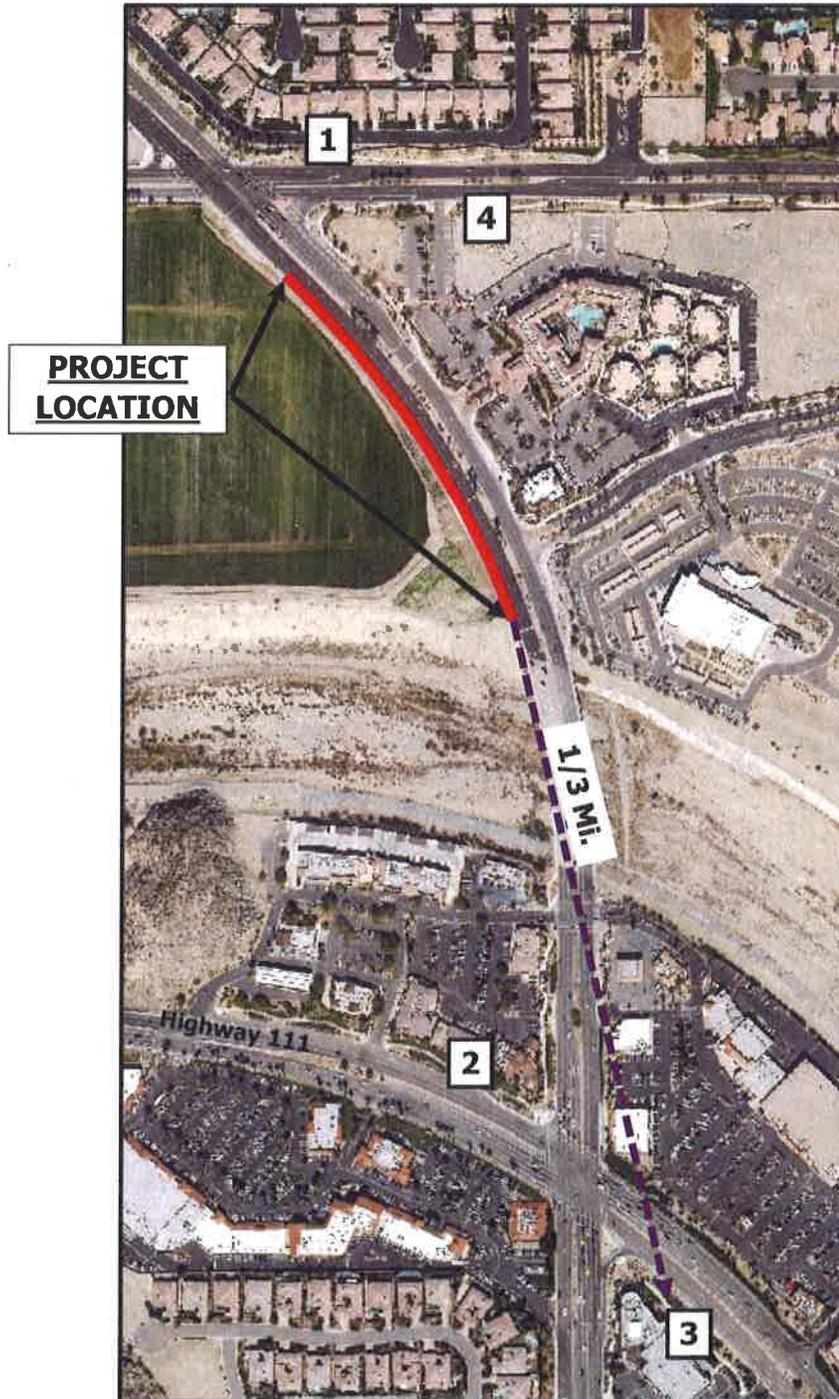
The proposed sidewalk would be constructed within existing public right-of-way adjacent to a privately owned undeveloped parcel currently utilized as a sod farm. This undeveloped parcel is not anticipated to be developed in the near future, therefore no opportunity for the City to condition or require the property owner or developer to install the sidewalk in the near future is anticipated.

VI. PROJECT ENHANCEMENT

Completion of this sidewalk will complete a Missing Link of sidewalk. Completion of this link will provide an ADA accessible sidewalk and route along the west side of Washington Street that will span from Highway 111 to Country Club Drive, a distance of approximately 3 miles.

VII. MULTIMODAL ACCESS

Several bus stops are located within a 3/4-mile radius of the project limits. Please see the map below.



MULTIMODAL ACCESS MAP

Not to Scale

**FY15/16 SB 821 Bicycle and Pedestrian Facilities Program
BIENNIAL CALL FOR PROJECTS APPLICATION**

VIII. PROJECT BUDGET AND SCHEDULE

The project budget and local match may only encompass the pedestrian or bicycle facility project; no additional maintenance, street projects, etc. expenses should be included.

| | | |
|-------------------------------------|------------------|------------------|
| Total Estimated Project Cost | \$ <u>40,000</u> | (100 %) |
| Local Match* Committed: | \$ <u>20,000</u> | (50 %) |
| SB 821 Funds Requested: | \$ <u>20,000</u> | (50 %) |

*Supporting documentation of proposed match must be included.

Breakdown of Estimated Project Cost (must add up to "Total Estimated Project Cost" above):

| | |
|----------------------------|---------------------|
| Engineering/Administration | \$ <u>0.00</u> |
| Right-of-Way | \$ <u>0.00</u> |
| Construction | \$ <u>40,000.00</u> |
| Other (specify): _____ | \$ _____ |

Estimated project start date (Mo/Yr): 10-1-2015

Estimated project end date (Mo/Yr): 10-31-2015

IX. CERTIFICATION

I certify that the information presented herein is complete and accurate and, if this agency receives funding, it will be used solely for the purposes stated in this application and following the adopted policies. The Indian Wells City Council is scheduled to approve the Local Match at the May 7, 2015 City Council meeting, and the supporting documentation can be provided upon request.

Signature  Title Public Works Director

Date April 22, 2015

CCHA ACTION _____ MTG. DATE: 5-7-15
 APPROVED DENIED _____ REC/FILE _____ CONT. _____
 OTHER _____
 VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

May 7, 2015

Staff Report – Finance

Approve Resolutions Initiating Proceedings, Preliminarily Approving the Annual Levy Report, and Declaring Intention to Order the Levy and Collection of Assessments for Annual Levy for City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution Bill No. 2015-10 initiating proceedings for annual levy and collection of assessments for Fiscal Year 2015-16 for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 pursuant to the Benefit Assessment Act of 1982; and

SCHEDULES a noticed Public Hearing on May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-11 preliminarily approving the annual engineer’s report regarding the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 and the levy and collection of assessments for Fiscal Year 2015-16 pursuant to the provisions of the Benefit Assessment Act of 1982; and

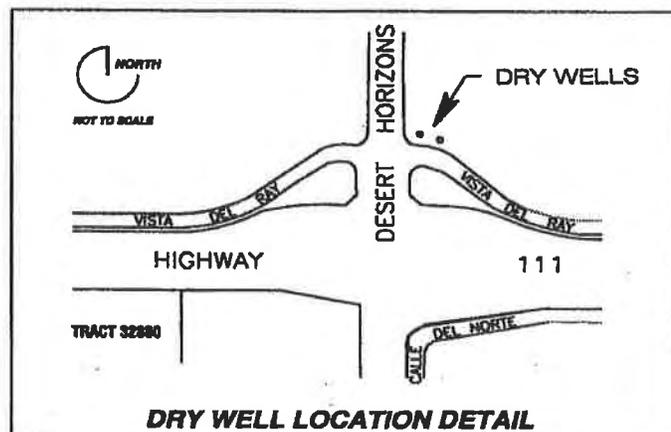
ADOPTS Resolution Bill No. 2015-12 declaring its intention to order the levy and collection of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2015-16 pursuant to the Benefit Assessment Act of 1982.

Location of Dry Wells

DISCUSSION:

The City is responsible for levying the annual drainage maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218.

As a condition of approval for the Province development in 2006, the



City required the developer to install and guarantee the maintenance of storm water control structures. The structures consist of two drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

These drywells serve to remove surface nuisance water and storm water coming from the Province development into neighboring developments. The City preforms monthly inspections and schedules semi-annual "clean outs" of the drywells to ensure their effective operation. In addition to the inspection and maintenance program, the City has recently installed railings and entrance barriers at the structure to increase public safety.

The Council will hold a noticed Public Hearing on Thursday, May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy.

Drainage pipes from Province and drywell



FISCAL IMPACT:

The annual levy is \$459.01 per assessed parcel. The City anticipates collecting \$61,050 from 133 assessed parcels inside the gates at the Province. The City records the revenues into a Special Revenue fund to operate the District as described in the attached engineer's report.

ATTACHMENTS:

1. Resolution Bill No. 2015-10
2. Resolution Bill No. 2015-11
3. Resolution Bill No. 2015-12

RESOLUTION BILL NO. 2015-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2015-16 FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Indian Wells (the "City Council") by previous Resolutions formed and established the annual levy of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

WHEREAS, the Act authorizes the City Council to levy and collect assessments for the Assessment District to pay for the costs and expenses of operating, maintaining and servicing drainage improvements, and appurtenant facilities located within public places within the boundaries of the District; and

WHEREAS, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the Assessment District for Fiscal Year 2015/16 pursuant to provisions of the Act; and

WHEREAS, the City Council has retained MuniFinancial for the purpose of assisting with the annual levy of the Assessment District.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:

SECTION 1. Proposed Improvements. The proposed drainage improvements for the assessment District are briefly described as:

Installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

SECTION 2. Extension of Existing Assessments. The City Council hereby **DETERMINES** that to provide the drainage improvements described in Section 1 of this Resolution, it is necessary to levy and collect assessments against lots and parcels within the Assessment District. The City Council hereby **DECLARES** that the property owners previously approved the existing assessments in compliance with the provisions of the California Constitution Article XIIID and the proposed assessments for Fiscal Year 2015-16 comply with said approval and provisions.

SECTION 3. Finance Director. The Finance Director of the City of Indian Wells is hereby **AUTHORIZED** and **DIRECTED** to take any and all action necessary and appropriate in connection with the annual levy and collection of assessments for the Assessment District.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

TY PEABODY
MAYOR

CERTIFICATION FOR RESOLUTION BILL NO. 2015-10

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

WADE G. MCKINNEY
CITY MANAGER/CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

RESOLUTION BILL NO. 2015-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING OF THE ENGINEER'S REPORT REGARDING THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2015-16 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by Resolution ordered the preparation of the Engineer's Annual Levy Report (the "Engineer's Report") in connection with the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2015 and ending June 30, 2016, to pay the maintenance, servicing and operation of the improvements, pursuant to provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

WHEREAS, the Assessment District Engineer has prepared and filed with the City Clerk of the City of Indian Wells and the City Clerk has presented to the City Council such report entitled "City of Indian Wells Engineer's Annual Levy Report for the Drainage Maintenance Benefit Assessment District No. 1 Fiscal Year 2015-16" (the "Report"); and

WHEREAS, the City Council has examined and reviewed the Report as presented, and is satisfied with the Report including, without limitation, each of the budget items and documents as set forth therein, and is satisfied that the assessments have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:

SECTION 1. That the above recitals are true and correct.

SECTION 2. That the Report as presented consists of the following:

- (a) A Description of Improvements;
- (b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance); and

- (c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor's Parcel within Assessment District for Fiscal Year 2015/16.

SECTION 3. The Report is hereby **APPROVED** on a preliminary basis, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

TY PEABODY
MAYOR

CERTIFICATION FOR RESOLUTION BILL NO. 2015-11

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

WADE G. MCKINNEY
CITY MANAGER/CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"



City of Indian Wells

**Drainage Maintenance Benefit
Assessment District No. 1**

2015/2016 ENGINEER'S REPORT

**Intent Meeting: May 7, 2015
Public Hearing: May 21, 2015**

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



ENGINEER'S REPORT AFFIDAVIT

Drainage Maintenance Benefit Assessment District No. 1

City of Indian Wells
Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Indian Wells

By: _____
Susana Medina, Project Manager
District Administration Services

By: _____
Richard Kopecky
R. C. E. # 16742

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I. INTRODUCTION

The City of Indian Wells (the "City") annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "District"). In Fiscal Year 2006/2007, the District assessments were presented to the property owners and approved through a protest ballot proceeding in compliance with the provisions of Proposition 218. The District assessments described in this report are prepared and levied annually pursuant to the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5* of the Government Code of the State of California commencing with section 54703 (the "1982 Act").

Pursuant to the 1982 Act, the City Council previously caused an Engineer's Report to be prepared in connection with the formation and the levy of assessments for the District. The Engineer's Report (the "Original Report") described the proposed services and improvements, identified the properties to be assessed and the amount of the proposed assessments by parcel, and fixed the maximum amount of future annual installments for the District.

Pursuant to the 1982 Act, the City Council conducted the required public hearings necessary to accept property owner protests, public comments and testimony regarding the formation of the District and the proposed annual levy of assessments. In conjunction with the required 1982 Act formation proceedings (public hearing), the City conducted property owner protest ballot proceedings for the annual assessments and assessment range formula described in the Original Report in compliance with the substantive and procedural requirements of the California Constitution Article XIII D. The proposed formations and annual assessments for each District were approved and established at the public hearing for the District, and pursuant to the 1982 Act, the City Council may annually determine the cost of the services that are financed by the assessments and by ordinance or resolution order the levy of the annual assessments. However in accordance with the provisions of the California Constitution Article XIII D, no annual assessment shall exceed the maximum assessment amount established in the Original Report without additional approval of the affected property owners.

This document provides a summary of the District and the proposed budgets and assessments for fiscal year 2015/2016. The budget and assessments are based on the City's estimate of the costs and funds necessary to maintain and service the improvements that provide a special benefit to properties within the District.

The word "parcel" refers to an individual property assigned its own Assessment Number by the Riverside County Assessor's Office. The Riverside County Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.



II. DESCRIPTION OF THE DISTRICT

A. DISTRICT BOUNDARY

The District lies on the southeast corner of Cook Street and Highway 111. The legal description is specified as a portion of the Southwest one-quarter of Section 22, Township 6 South, Range 6 East, SBBM, being in the City of Indian Wells, County of Riverside, State of California; to be known as Tract No. 32880.

B. PLANS AND SPECIFICATIONS

The drainage improvements for the District may be generally described as follows:

Installation, construction or maintenance of any authorized improvements under the 1982 Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

Plans and Specifications for the improvements for the District are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The Plans and Specifications are on file in the office of the City Engineer where they are available for public inspection.

C. IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT

Article XIID of the California Constitution defines "maintenance and operation expenses" as "the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care and supervision necessary to properly operate and maintain a permanent public improvement". The District funding includes, but is not limited to, the removal, repair, replacement and appurtenances, electrical energy, supplies, engineering and incidental costs relating to the maintenance and operation of the drainage improvements benefiting the District parcels.

The location of the drywell improvements is as follows:

Two or more drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

Maintenance shall include inspections, upkeep, and/or replacement of the pumps necessary to remove the surface nuisance water and to de-water the drywells. Inspection of the drywells, upkeep, or preventative type maintenance shall be



performed on a monthly basis. Major maintenance of the drywells and pumps shall be performed on a semi-annual basis.

The improvements identified above, are subject to change. For details and exact locations, refer to the approved development plans on file in the office of the City Engineer.

III. METHOD OF ASSESSMENT

A. BACKGROUND

The Benefit Assessment Act of 1982 provides that assessments may be apportioned upon assessable lots or parcels of land within a district in proportion to the estimated benefits to be received by each lot or parcel from the improvements. In addition, Article XIII D of the California Constitution (the "Article") requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the District. The general enhancement of property value does not constitute a special benefit.

The assessed lots or parcels of real property within the District are listed on Assessment Rolls, attached as Exhibit 'A' of this report. The Assessment Roll states the net amount to be assessed upon assessable lands within the District for fiscal year 2015/2016 and shows the assessment upon each lot and parcel within the District and identifies, by assessor parcel number, each assessable lot or parcel of land within the District. These lots or parcels are more particularly described on the County Assessment Roll, which is on file in the office of the Riverside County Assessor and by reference is made a part of this report.

B. SPECIAL BENEFIT

Each parcel within the District receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements.

First, all of the improvements were conditions of approval for the creation or development of the parcels. In order to create or develop the parcels, the City of Indian Wells required the developer to install and guarantee the maintenance of storm water control structures and appurtenant facilities to serve the parcels. Therefore, the parcels within the District could not have been developed in the absence of the installation and promised maintenance of these facilities.



In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the improvements. The proper maintenance of storm water, nuance water control and appurtenant facilities provide special benefit to parcels within the District by alleviating excess water. This allows individual parcels to be used to their fullest extent. The above-mentioned contributes to a specific enhancement of each of the parcels within the District.

C. APPORTIONMENT

For fiscal year 2006/2007 the assessment rate was the total assessment divided by the ratio of each existing parcel to the total area. For subsequent future fiscal years, the assessment rate will be divided equally by the proposed total number of parcels.

D. ASSESSMENT RANGE FORMULA

Commencing with fiscal year 2007/2008, the amount of the assessment for the District is proposed to increase each year, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Riverside-Orange County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living. The percentage difference between February 2014 CPI and February 2015 CPI is 0.10%.

IV. DISTRICT BUDGET

A. DESCRIPTION OF BUDGET ITEMS

Maintenance Costs

Labor, Material, and Equipment - Includes all labor, material, and equipment required to properly maintain and service the drainage structures, and appurtenant facilities within the District. All improvements within the District will be maintained and serviced on a regular basis. City staff will determine the frequency and specific maintenance operations required; but generally, the operations will occur monthly.



Utilities

Gas and Electric - The furnishing of electricity and gas required for the operation of the drainage structures, and appurtenant facilities such as pumps.

Renovation

Repairs, which are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the District could also be included in renovation costs.

Personnel/Overhead

The cost of City staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments. This includes reimbursement for time spent by Finance and Accounting, the City Attorney, the City Manager, and the Public Works staff.

Professional Fees

These are the costs of contracting with professionals for maintenance services and for professionals to provide any additional administrative or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing, or preparation of assessment diagrams.

County Administration Fees

The costs charged by the County to place the assessments on the property tax rolls.

Carryover (Deficit) Prior Years

Any funds that are not expended in the prior fiscal year shall be included to offset maintenance costs in the current fiscal year. If the total funds in any fiscal year are insufficient to offset maintenance costs, a loan from other City funds shall be a deficit of the District and shall be included and repaid as the costs and assessments for the subsequent fiscal year.

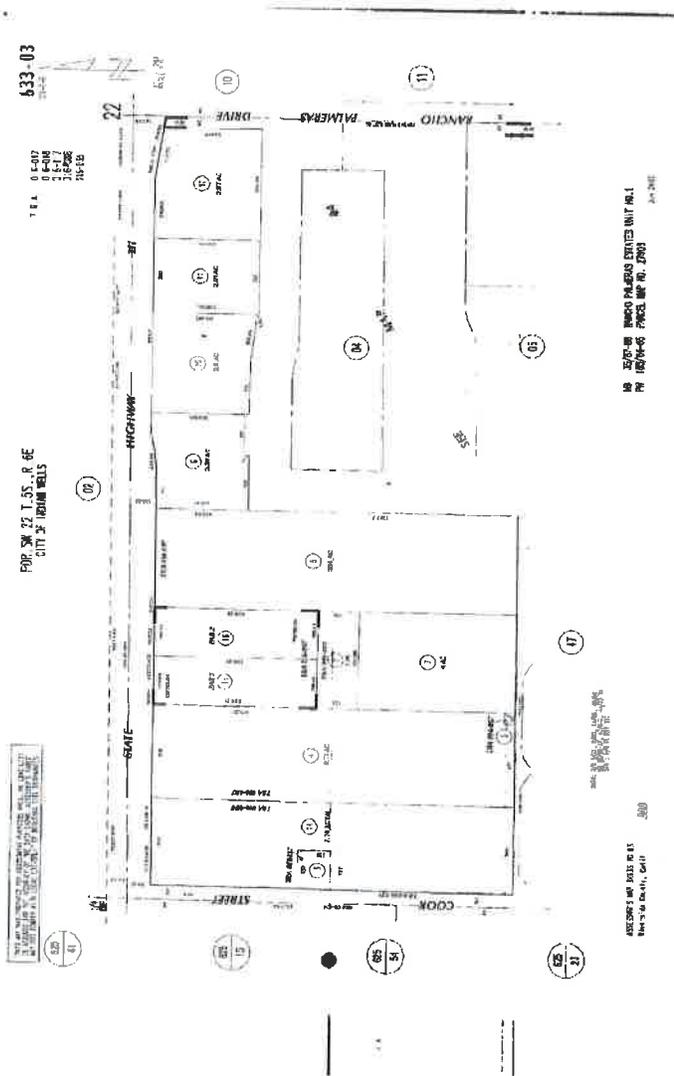


B. DISTRICT BUDGET

| DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1 2015/2016 PROJECTED DISTRICT BUDGET | |
|---|--------------------|
| DIRECT COSTS | |
| Maintenance Costs | \$29,385 |
| Capital Replacement Costs | 10,311 |
| Utilities | 10,311 |
| Direct Subtotal | \$50,007 |
| ADMINISTRATION COSTS | |
| Administrative Personnel Overhead | \$1,700 |
| Public Works Personnel Overhead | 7,805 |
| Professional Fees | 1,500 |
| County Admin. Fees | 38 |
| Administration Subtotal | \$11,043 |
| Total Direct and Administration Costs | \$61,050 |
| LEVY ADJUSTMENTS | |
| Reserve Fund Contribution | \$0 |
| Personnel/Overhead - City of Indian Wells Subsidy | 0 |
| Annual City Operating Contribution | 0 |
| City of Indian Wells Contribution and Subsidy Subtotal | \$0 |
| Remaining Balance to Levy | \$61,050 |
| DISTRICT STATISTICS | |
| Total Parcels | 151 |
| Total Parcels Levied | 133 |
| Total Equivalent Benefit Unit (EBU) | 133 |
| FY 2015/16 Levy Rate per EBU (projected) | \$459.02 |
| Maximum Levy per EBU Allowed | \$500.20 |
| Maximum Rate per EBU | |
| FY 2006/07 Maximum Rate | \$430.14 |
| FY 2007/08 Maximum Rate | \$445.18 |
| FY 2008/09 Maximum Rate | \$459.01 |
| FY 2009/10 Maximum Rate | \$459.03 |
| FY 2010/11 Maximum Rate | \$465.62 |
| FY 2011/12 Maximum Rate | \$476.21 |
| FY 2012/13 Maximum Rate | \$486.18 |
| FY 2013/14 Maximum Rate | \$496.99 |
| FY 2014/15 Maximum Rate | \$499.70 |
| FY 2015/16 Maximum Rate | \$500.20 |
| Total Assessment Allowable | \$66,526.60 |
| FUND BALANCE INFORMATION | |
| Beginning Reserve Balance | \$425,475 |
| Reserve Fund Collection/(Reduction) | 0 |
| Ending Reserve Fund Balance 6/30/2016 | \$425,475 |



APPENDIX A – ASSESSMENT DIAGRAM





APPENDIX B – 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land, public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District, along with the proposed assessment amounts, have been submitted to the City Clerk, and by reference, are made part of this Report.

Upon approval of the Engineer's Annual Levy Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2015/2016. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this report by the City Council.

RESOLUTION BILL NO. 2015-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2015-16 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by Resolution initiated proceedings for the levy and collection of assessments against lots and parcels of land within the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District") for Fiscal Year 2014/15, under the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

WHEREAS, the City Council has retained Willdan Financial as the Assessment District Engineer to assist with the annual levy of assessments in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:

SECTION 1. Intention. The City Council hereby **DECLARES** its intention to order the drainage improvements of the Assessment District and to levy and collect assessments against lots and parcels of land within the Assessment District for the Fiscal Year commencing July 1, 2015, and ending June 30, 2016, to pay for the costs and expenses of operating, maintaining and servicing drainage improvements therein as outlined in the original Engineer's Report, filed with the City Clerk and approved by the City Council in connection with the formation and the levy of the assessment.

SECTION 2. Authority. Pursuant to the Act, the City Council may annually determine the cost of the services that are financed by the assessment and, by ordinance or resolution order the levy of an annual assessment. However, no annual assessment shall exceed the maximum assessment amount established in the original Report and approved by the property owners without additional approval of the property owners in accordance with the provisions of the California Constitution Article XIIID.

SECTION 3. Boundaries and Designation. The territory of the proposed Assessment District is within the boundaries and jurisdiction of the City of Indian Wells within the County of Riverside, State of California. The boundary map describing the Assessment District is on file with the City Clerk, and is incorporated herein by reference. The Assessment District is designated and shall be referred to as the:

"City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1."

SECTION 4. Description of Drainage Improvements. The proposed drainage improvements for the Assessment District are briefly described as the operation, maintenance, servicing and administration of the improvements, and incidental expenses related thereto for the Assessment District located within the boundary of the City of Indian Wells, and the jurisdiction of the City Council. The drainage improvements and the installation and/or maintenance of such improvements for the District can be generally described as follows:

Installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

SECTION 5. Public Hearing. The City Council hereby **DECLARES** its intention to conduct a Public Hearing concerning the improvements, and the levy of assessments for the Assessment District in accordance with the Act. Notice is hereby given that on **Thursday, May 21, 2015, at 1:30 P.M.**, the City Council will hold a Public Hearing on the question of the levy and collection of assessments for Fiscal Year 2015-16 against lots and parcels of land within the Assessment District, or as soon thereafter as feasible. The Public Hearing will be held at the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California at the times fixed. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

SECTION 6. Notice. A Public Hearing Notice shall be published in a local newspaper of general circulation once a week for two (2) weeks, the first publication appearing not less than fourteen (14) days before the date of hearing; and posting a copy of the Public Hearing Notice in three (3) public places within the City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

TY PEABODY
MAYOR

CERTIFICATION FOR RESOLUTION BILL NO. 2015-12

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

WADE G. MCKINNEY
CITY MANAGER/CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

CC/HA ACTION _____ MTG. DATE: 5-7-15
 APPROVED DENIED _____ REC/FILE _____ CONT. _____
 OTHER _____
 VOTE: YES 5 NO 0 ABSTAIN _____
May 7, 2015

Indian Wells City Council

Staff Report – Finance

Approve Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution Bill No. 2015-15 initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16; pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

SCHEDULES a noticed Public Hearing on May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-16 preliminarily approving the annual engineer’s report regarding the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2015-16.

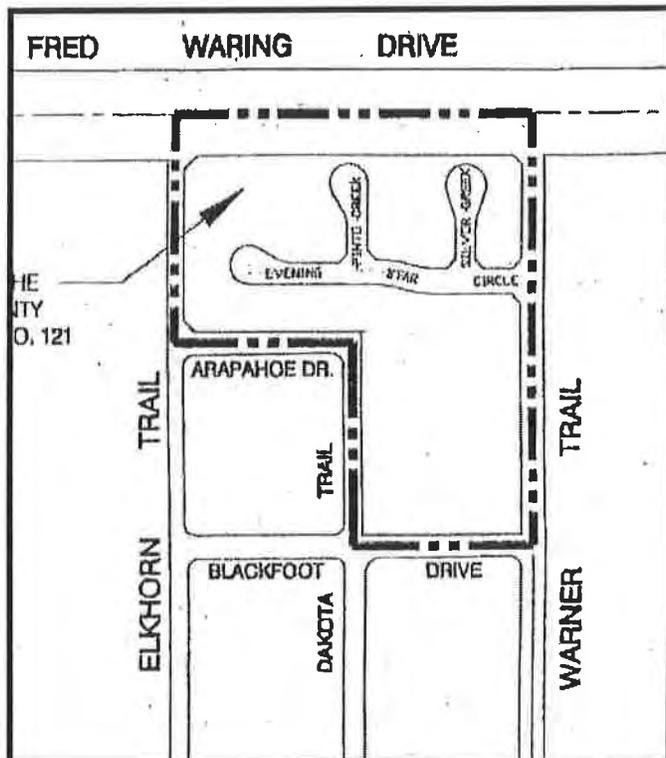
Street Lighting District 2000-1 Map

DISCUSSION:

The City is responsible for levying the annual lighting and maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218.

The District is located at the southwest corner of Fred Waring Drive and Warner Trail and continues to Blackfoot Drive and Dakota Trail, Arapahoe Vista and Elkhorn Trail.

The District was originally established by Riverside County to provide street lighting for the area. The District was reformed by the City in 2000 when the



Tennis Garden area was annexed into the City. Improvements within the District include the maintenance and operation of, and the furnishing of services for street lighting and facilities.

Council will hold a noticed Public Hearing on Thursday, May 21, 2015 at 1:30 p.m. to hear public testimony on the proposed levy.

FISCAL IMPACT:

There is no fiscal impact to the General Fund as the annual levy is sufficient to operate the district by paying the associated utility costs, which are the major expense of the District.

The levy has not changed from the prior fiscal year and the City anticipates collecting a total of \$1,480 from 31 assessed parcels within the District. The City records the revenues into a Special Revenue fund reserved to operate the District.

ATTACHMENTS:

1. Resolution Bill No. 2015-15
2. Resolution Bill No. 2015-16

RESOLUTION BILL NO. 2015-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2015/16 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

WHEREAS, the City Council has by previous Resolutions formed the Indian Wells Street Lighting District No. 2000-1 (the "District") pursuant to the provisions of *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the "Act"), that provides for levy and collection of assessments by the County of Riverside for the City of Indian Wells to pay the maintenance and services of lighting facilities, landscaping and all appurtenant facilities and operations related thereto; and

WHEREAS, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIIIC and XIIID; and

WHEREAS, the City Council has retained Willdan Financial for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT PURSUANT TO *CHAPTER 3, SECTION 22622, 22624 AND 22626 OF THE ACT, AS FOLLOWS:*

SECTION 1. Annual Levy Report. The City Council hereby orders Willdan Financial to prepare the Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622 of the Act.*

SECTION 2. Intention. The City Council hereby declares that it intends to seek the Annual Levy of the District in accordance with *Chapter 3, Section 22624 of the Act*, over and including the land within the District boundary and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance and servicing of lighting and all appurtenant facilities and operations related thereto. It is proposed that there be no increase in the assessments levied in the prior annual levy.

SECTION 3. Description of Improvements and Any Substantial Changes Proposed. The improvements within the District include: the maintenance and operation of and the furnishing of services for street lighting and appurtenant facilities, including repair, removal or replacement of all or part of any of the street lights or appurtenant facilities and the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities within the District. The Annual Levy Report describes all new improvements or substantial changes in existing improvements.

SECTION 4. Boundaries and Designation. The boundaries of the District are previously defined in the formation documents of the original District and include Tract Nos. 21650 and 3292-R, which comprise a portion of Riverside County Service Area No. 121. The District is designated as "Indian Wells Street Lighting District No. 2000-1".

SECTION 5. Public Hearing. The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, May 21, 2015 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California 92210.

SECTION 6. Notice. A "Resolution of Intention" shall be published in a newspaper of general circulation once at least ten days before the public hearing on annual levies; and posting a copy of the Resolution of Intention in three (3) public places within the City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

**TY PEABODY
MAYOR**

CERTIFICATION FOR RESOLUTION BILL NO. 2015-15

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

RESOLUTION BILL NO. 2015-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2015-16

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions ordered the preparation of the Engineer's Annual Levy Report (the "Report") for the district known and designated as Indian Wells Street Lighting District No. 2000-1 (the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and

WHEREAS, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIIC and XIIID; and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

WHEREAS, this City Council has examined and reviewed the Report as presented and is preliminarily satisfied with the Report and each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Report as presented consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

SECTION 3. The Report is hereby **APPROVED** on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Annual Levy Report.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

**TY PEABODY
MAYOR**

CERTIFICATION FOR RESOLUTION BILL NO. 2015-16

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

EXHIBIT "A"



City of Indian Wells

Street Lighting District No. 2000-1

2015/2016 ENGINEER'S REPORT

**Intent Meeting: May 7, 2015
Public Hearing: May 21, 2015**

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



ENGINEER'S REPORT AFFIDAVIT

Indian Wells Street Lighting District No. 2000-1

City of Indian Wells
Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Indian Wells

By: _____

Susana Medina, Project Manager
District Administration Services

By: _____

Richard Kopecky
R. C. E. # 16742

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I. OVERVIEW

The City of Indian Wells (the "City") annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Street Lighting District No. 2000-1 (the "District"). The boundary of the District includes Tract 21650 and Tract 3292-R, which consists of a portion of Riverside County Service Area (the "CSA") No. 121 that was annexed to the City as "Indian Wells Annexation No. 13" by order of Resolution No. 2000-12 of the City Council on March 16, 2000. The annexation authorized the City to continue levying assessments previously approved and authorized to be levied by CSA 121 in order to continue street lighting services previously provided by that CSA and now provided by the City. The District was formed on October 2000 and provides a mechanism to continue levying assessments for street lighting services within the boundaries of the District. The District assessments described in this report are prepared and levied annually pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (Act)* and Article XIID of the California Constitution which was enacted with the passage of Proposition 218 in November 1996.

The Engineer's Report (the "Report") describes the District, any changes to the District, and the proposed assessments for fiscal year 2015/2016. The assessments are based on the City's estimate of the annual costs to maintain the improvements that provide direct and special benefits to properties within the District. The improvements within the District, the corresponding costs, and the annual levy are budgeted. The assessment includes expenditures, deficits, surpluses, revenue, and reserve funds.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor's Parcel Number (the "APN") by the Riverside County Assessor's Office. The Riverside County Auditor/Controller uses the APN and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Following consideration of the public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for fiscal year 2015/2016 pursuant to the Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in fiscal year 2015/2016.

II. DESCRIPTION OF THE DISTRICT

A. DISTRICT BOUNDARY

The boundaries of the District include Tract 21650 and Tract 3292-R, which consists of the portion of Riverside County Service Area No. 121 that was annexed into the City as "Indian Wells Annexation No. 13" by order of Resolution No. 2000-12 of the City Council on March 16, 2000.

The District's boundaries are comprised of the streets and parcels that are located within the territory that is defined as the area South of Fred Waring Drive between Elkhorn Trail and Warner Trail; North of Arapahoe Drive between Elkhorn Drive and Dakota Trail; and North of Blackfoot Drive between Dakota Trail and Warner Trail.

B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;



- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

C. IMPROVEMENTS WITHIN THE DISTRICT

The improvements for the District may be generally described as follows: the operation, maintenance and servicing of the street lighting and appurtenant facilities located in public places within the boundary of the District. "Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the street lighting and appurtenant facilities, including repair, removal or replacement of the street lights or appurtenant facilities. "Servicing" means the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities.

Plans and specifications for the improvements are on file in the office of the City Clerk and the City Engineer where they are available for public inspection.



III. METHOD OF APPORTIONMENT

A. GENERAL

Pursuant to the Act and the provisions of Proposition 218, the costs of the District are apportioned by a formula or method, which fairly distributes the net amount to be assessed among the assessable parcels in proportion to the special benefits to be received by each such parcel from the improvements. Proposition 218, approved by the voters in November 1996, requires the agency to separate the general benefit from special benefit, whereas only special benefits are assessable.

Each parcel within the District receives special benefits from the improvements due to the close proximity of the lighting improvements to each parcel. The proposed assessments are at the same rate as those imposed by the County under the CSA. Since the assessments are not new, not increased, and are for street lighting, they are currently exempt from the procedures and approval process of Proposition 218.

B. PROPOSITION 218 BENEFIT ANALYSIS

In conjunction with the provisions of the 1972 Act, the California Constitution Article XIID addresses several key criteria for the levy of assessments, notably:

Article XIID Section 2d defines District as follows:

“District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service”;

Article XIID Section 2i defines Special Benefit as follows:

“Special benefit” means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute “special benefit.”

Article XIID Section 4a defines proportional special benefit assessments as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No



assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel's proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either “general benefit” (not assessed) or “special benefit”.

C. BENEFIT ANALYSIS

The improvements associated with the District are part of the overall development plan for these parcels and were specifically installed for the benefit and development of the parcels. The benefit of street lighting conferred upon the parcels within the District includes the convenience, safety, and security of properties, improvements and goods. Specifically:

1. Enhanced deterrence of crime – an aid to police protection.
2. Increased nighttime safety on roads and highways.



3. Improved visibility of pedestrians and motorists.
4. Improved ingress and egress to and from property.
5. Reduced vandalism, damage to improvements or property, and other criminal acts.
6. Improved traffic circulation and reduced nighttime accidents and personal property loss.
7. Increased promotion of business during nighttime hours in the case of commercial properties.

D. METHODOLOGY

The cost to provide maintenance and services of the improvements within the District is fairly and equitably distributed among each assessable parcel based upon the estimated special benefits received by each parcel.

The District is comprised of single-family residential parcels with the exception of two parcels identified as common areas or public property. The residential lots receive the same special benefit from the improvements due to their similarity in size and use and their similar proximity to the improvements. Therefore, each assessable lot is assessed an equal amount.

For fiscal year 2015/2016, the assessment rate will be the total balance to levy divided by the number of assessable residential lots.

The assessed lots or parcels of real property within the District are listed on the Assessment Roll, which is provided as Appendix B of this report. The Assessment Roll provides a listing of the assessable parcels and their respective assessment for fiscal year 2015/2016. The specific lines and dimensions of the parcels are more particularly described on the County Assessor's Parcel Map, which is on file in the Office of the Riverside County Assessor and by reference is made a part of this Report.

The maximum assessment rate for the District is the same as the rate approved under the CSA (\$47.74 per parcel) and is to be used for the same purpose – maintaining and servicing the existing streetlights within the District. As part of the annexation process of this unincorporated area to the City, it was detached from the CSA. However, the annexation process specifically allowed the City to continue the imposition of these assessments for street lighting purposes.

IV. DISTRICT BUDGETS

A. DESCRIPTION OF BUDGET ITEMS

The following section describes the services and costs that are funded through the District and are shown in the District Budget.

Maintenance Costs

Labor, Material and Equipment – Includes labor, material and equipment required to properly maintain and service the street lighting and appurtenant facilities within the District. The improvements within the District will be maintained and serviced on a regular basis by the City. The specific maintenance operations required for the District, and the frequency thereof, are to be determined by City Staff.

Utilities

Electric – The furnishing of electricity for the operation of the landscaping and appurtenant facilities.

Capital Replacement Costs

Repairs – Unforeseen repairs not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism or weather.

Upgrades – Planned upgrades of the improvements that provide a direct benefit to the District may also be included in capital replacement costs. Examples of upgrades are additional street lighting facilities and/or renovating existing street lighting facilities.

Reserves

Operating Reserves – Reserves to be accumulated for maintenance services for the first six months of each fiscal year until tax monies become available for maintenance costs.

Administrative Services

City Staff – The cost of City Staff's efforts in coordinating the maintenance and servicing of the improvements, responding to public concerns and levying and collecting the assessments. This includes reimbursement for time spent by Finance and Accounting, the City Attorney, the City Manager and the Public Works Staff.



Professional Services – The cost of contracting with professionals to provide services specific to the levy of assessments and annual administration of the District.

County Administration Fees

Assessment Collection – The fees charged by the County to place the assessments on the property tax rolls and collect the assessments from property owners.

Carryover/(Deficit) Prior Year

Available Funds – Any funds that are not expended in the prior fiscal year shall be included to offset maintenance costs in the current fiscal year. If the total funds in any fiscal year are insufficient to offset maintenance costs, a loan from other City funds shall be a deficit of the District and shall be included and repaid as the costs and assessments for the subsequent fiscal year.

Assessable Lots

Current and Planned Lots – Any subdivided residential lots and parcels planned for subdivision into residential lots within the District.



B. FISCAL YEAR 2015/2016 DISTRICT BUDGET

| <u>BUDGET ITEM</u> | <u>TOTAL</u> |
|--|-----------------|
| <i><u>Direct Costs</u></i> | |
| Maintenance - Labor, Material and Equipment | \$ 100 |
| Utilities – Electric | 700 |
| Capital Replacement Costs - Repairs and Upgrades | 50 |
| Reserves - Operating Reserves | 100 |
| Direct Costs Subtotal | \$ 950 |
| <i><u>Administrative Costs</u></i> | |
| Administrative Services - City Staff | \$ 200 |
| Administrative Services - Professional Services | 320 |
| County Administration Fees – Assessment Collection | 10 |
| Administrative Costs Subtotal | \$ 530 |
| <i><u>Fiscal Year 2015/2016 Assessment</u></i> | |
| Total Direct and Administrative Costs | \$ 1,480 |
| Carryover (Deficit) Prior Years – Available Funds | 0 |
| Balance to Levy ⁽¹⁾ | \$ 1,480 |
| Assessable Lots – Current and Planned Lots | 31 |
| Annual Assessment Per Parcel | \$ 47.74 |

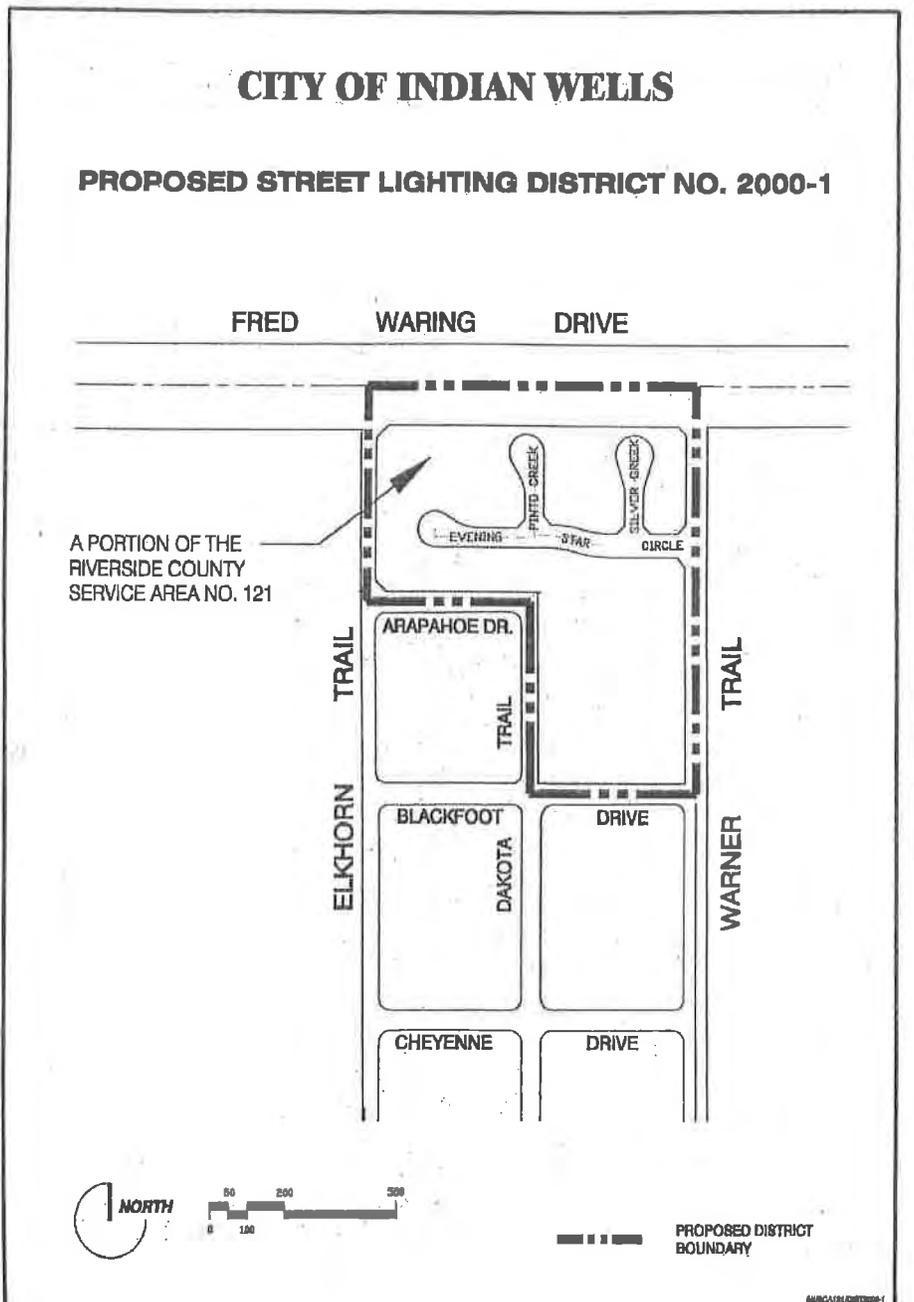
⁽¹⁾ Balance to Levy rounded to nearest dollar



APPENDIX A – DISTRICT BOUNDARY MAPS

The Boundary Diagrams for the original districts have previously been submitted to the Clerk of the City in the format required under the Act and are made part of this Report by reference.

The parcel identification, lines and dimensions of each parcel within the District are those lines and dimensions shown on the Assessor Maps of Riverside County for the year in which this Report was prepared and is incorporated by reference and made part of this Report.





APPENDIX B – 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land; public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District, along with the proposed assessment amounts, has been submitted to the City Clerk and, by reference, is made part of this Report.

Upon approval of the Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2015/2016. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.



Assessment Roll

| Assessor's Parcel Number | Fiscal Year 2015/2016 Assessment Amounts |
|----------------------------|--|
| 633-300-007 ⁽¹⁾ | \$ 0.00 |
| 633-700-001 | 47.74 |
| 633-700-002 | 47.74 |
| 633-700-003 | 47.74 |
| 633-700-004 | 47.74 |
| 633-700-005 | 47.74 |
| 633-700-006 | 47.74 |
| 633-700-007 | 47.74 |
| 633-700-008 | 47.74 |
| 633-700-009 | 47.74 |
| 633-700-010 | 47.74 |
| 633-700-011 | 47.74 |
| 633-700-012 | 47.74 |
| 633-700-013 | 47.74 |
| 633-700-014 | 47.74 |
| 633-700-015 | 47.74 |
| 633-700-021 | 47.74 |
| 633-700-022 | 47.74 |
| 633-700-023 | 47.74 |
| 633-700-024 | 47.74 |
| 633-700-025 | 47.74 |
| 633-700-026 | 47.74 |
| 633-700-027 | 47.74 |
| 633-700-028 | 47.74 |
| 633-700-029 | 47.74 |
| 633-700-030 | 47.74 |
| 633-700-031 | 47.74 |
| 633-700-032 ⁽²⁾ | 0.00 |
| 633-700-033 | 47.74 |
| 633-700-034 | 47.74 |
| 633-700-035 | 47.74 |
| 633-700-036 | 47.74 |
| 633-700-037 | 47.74 |
| Total Assessment | \$1,479.94 |

(1) Parcel 633-300-007 is vacant property and therefore exempt from the assessment.

(2) Parcel 633-700-032 is an open space parcel owned by the Village at Indian Wells Home Owner Association and is not assessed as the benefit conferred upon the parcel is passed on to the other lots in the development by the nature of the common area use of the parcel.

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 3 NO _____ ABSTAIN 2

Balocco/Mertens

Indian Wells City Council

May 7, 2015

Staff Report – Finance

Initiate Proceedings for Annual Levy of Landscape and Lighting District No. 91-1 and Declaring Intention to Order the Levy and Collection of Assessments for Fiscal Year 2015-16

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution Bill No. 2015-21 initiating the proceedings for the annual levy and collection of assessments for Fiscal Year 2015-16 for the Landscape and Lighting District No. 91-1 No. 1 and declaring intention to order the levy and collection of assessments; and

SCHEDULES a noticed Public Hearing on May 21, 2015 to hear public testimony on the proposed levy; and

ADOPTS Resolution Bill No. 2015-22 preliminarily approving the annual engineer's report regarding the Landscape and Lighting District No. 91-1 for fiscal year 2015/16

DISCUSSION:

Summary

The City is responsible for the collection of levies for the citywide Landscape and Lighting Maintenance District No. 91-1 (the "LLMD"). The LLMD contains 17 individual landscape and lighting districts located primarily along Highway 111. The City operates 12 of the districts and respective homeowner's associations operate the remaining five (5) districts.

Each year a public hearing is conducted by the City Council to take action on costs to operate and maintain the landscape and maintenance districts. The levy amount is then placed annually on the property owner's property tax bill.

This year the public hearing will be conducted on Thursday, May 21, 2015 to receive public testimony and take action to approve the Fiscal Year 2015-16 final levy. The Engineer's Report provides a complete budget detail for each the 17 landscape and lighting maintenance districts.

FISCAL IMPACT:

The average cost to operate the districts rose 3.0% over last year with the exception of the Colony, which increased 103%. The Colony cost difference is detailed in the section below. For the remaining 16 districts, the cost is attributed to increased labor and utility costs to provide landscape services. The total cost to operate all of the districts during Fiscal Year 2015-16 is \$1,249,247.

The preliminary levy amounts to operate the LLMD for Fiscal Year 2015-16 per the Engineer's Report are as follows:

| Zone | Description | Maximum Levy Allowed per EDU | Prior Year Levy per EDU | Proposed Levy per EDU | Increase (Decrease) | % Increase (Decrease) |
|------|---|---------------------------------|----------------------------|--------------------------|------------------------|--------------------------|
| A1 | Eldorado | \$ 177.99 | \$ 59.41 | \$ 61.62 | \$ 2.21 | 3.7% |
| A2 | Montecito/Stardust | \$ 374.44 | \$ 255.64 | \$ 267.29 | \$ 11.65 | 4.6% |
| A3 | Casa Dorado (A Pass-through District) | \$ 171.93 | \$ 166.25 | \$ 171.29 | \$ 5.04 | 3.0% |
| A5B | The Cove (A Pass-through District) | \$ 266.51 | \$ 253.63 | \$ 262.36 | \$ 8.73 | 3.4% |
| A8 | Indian Wells Golf Resort | \$ 512.91 | \$ 285.49 | \$ 291.51 | \$ 6.02 | 2.1% |
| A11A | Hwy. 111 & Club Drive | \$ 248.53 | \$ 76.77 | \$ 79.23 | \$ 2.46 | 3.2% |
| A11C | Club Drive | \$ 161.28 | \$ 122.82 | \$ 128.28 | \$ 5.46 | 4.4% |
| C | The Colony | \$ 3,077.66 | \$ 360.94 | \$ 731.64 | \$ 370.70 | 102.7% |
| D | Colony Cove Estates | \$ 8,847.97 | \$ 697.73 | \$ 725.91 | \$ 28.18 | 4.0% |
| E | Desert Horizons (A Pass-through District) | \$ 585.84 | \$ 454.92 | \$ 467.44 | \$ 12.52 | 2.8% |
| A19 | Mountain Gate | \$ 954.61 | \$ 636.00 | \$ 654.00 | \$ 18.00 | 2.8% |
| A20 | Mountain Gate Estates | \$ 928.61 | \$ 663.57 | \$ 685.36 | \$ 21.79 | 3.3% |
| A21 | Villagio | \$ 1,953.89 | \$ 963.30 | \$ 968.62 | \$ 5.32 | 0.6% |
| A22 | Vaidya | \$ 734.57 | \$ 278.08 | \$ 284.62 | \$ 6.54 | 2.4% |
| A23 | Montelena | \$ 1,049.46 | \$ 790.28 | \$ 829.86 | \$ 39.58 | 5.0% |
| A25 | Sundance (A Pass-through District) | \$ 1,131.40 | \$ 945.11 | \$ 962.82 | \$ 17.71 | 1.9% |
| A26 | Province (A Pass-through District) | \$ 1,205.91 | \$ 1,204.14 | \$ 1,204.14 | \$ - | 0.0% |

The Colony Maintenance Cost Increase

In December 2014, the City awarded a five (5) year citywide landscape maintenance contract to Vintage Landscape; as part of the new contract Vintage audited each district for actual cost to maintain each district. The result being the rate increase ranged between 3% and 5%, except for the Colony district which had a 103% increase.

The City compared district costs to historical information which revealed a steady and significant decrease in maintenance cost between 1997 and 2009, then a steady 2% to 3% increase between 2009 and 2014. The maintenance cost led to the following annual levies:

| Year | Levy Amount |
|-------------|--------------------|
| 1997 | 1,732.51 |
| 2009 | 313.98 |
| 2014 | 360.94 |

It appears from the limited information available, prior to fiscal year 2015-16, the maintenance assessment for the Colony was being augmented with City funds.

As each LLMD is designed to pay its own operating costs, the new proposed levy will pay fiscal year 2015-16 operating costs of the Colony district. The new levy amount is based upon a citywide district rate of \$0.382 per square foot to maintain the landscaping for 2015-16 through 2020-21.

Staff has reached out to the Colony Home Owner's association to inform them of the assessment increase. The Colony HOA President directed Staff to contact the property management company, Avail Property Management. Staff provided written correspondence to Avail summarizing the proposed changes and that Staff is available to meet with the management company and the Board to discuss the matter.

Funding Sources

The City provides approximately \$202,950 in administrative and field support to all the 17 Districts. These costs are paid by the City and are not reflected in the calculation of the annual levy. In addition, the City pays a total of \$59,770 to eight landscape districts that provide a general benefit to the City. The remaining \$986,527 of the costs to operate the landscape and lighting maintenance districts is collected from property owners living within the districts.

ATTACHMENTS:

1. Resolution Bill No. 2015-21
2. Resolution Bill No. 2015-22

RESOLUTION BILL NO. 2015-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2015-16 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions, formed the Indian Wells Landscape and Lighting District No. 91-1 (the "District") pursuant to the provisions of *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the "Act"), that provides for levy and collection of assessments by the County of Riverside for the City of Indian Wells to pay the maintenance and services of lighting facilities, landscaping and all appurtenant facilities and operations related thereto; and

WHEREAS, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIIC and XIIID; and

WHEREAS, the City Council has retained Willdan Financial for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT PURSUANT TO CHAPTER 3, SECTION 22622, 22624 AND 22626 OF THE ACT, AS FOLLOWS:

SECTION 1. Annual Levy Report. The City Council hereby **ORDERS** Willdan Financial to prepare the Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622 of the Act*.

SECTION 2. Intention. The City Council hereby **DECLARES** that it intends to seek the annual levy of the District in accordance with *Chapter 3, Section 22624 of the Act*, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance and servicing of lighting, landscaping and all appurtenant facilities and operations related thereto.

SECTION 3. Description of Improvements and Any Substantial Changes Proposed. The improvements within the District include: the maintenance and operation of and furnishing of services and materials for street lighting facilities, fencing, detention basins, open space areas, landscaping, irrigation systems, bike paths, pedestrian pathways, slope maintenance, graffiti abatement, local parks and entry monuments; landscaping including trees, shrubs, grass and other ornamental vegetation and appurtenant facilities, including irrigation systems and drainage devices within the District. The Annual Levy Report describes all new improvements or substantial changes in existing improvements.

SECTION 4. Boundaries and Designation. The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District includes thirteen (13) Zones: (A1) Tract Nos. 10262 and 10863; (A2) Rancho Palmeras Estates APN 634-04; (A3) Tract Nos. 2752, 3097 and 4853; (A5B) a sub-zone within A5A "The Cove"; (A8) three (3) parcels south of Coachella Valley Stormwater Channel along Hwy 111 east of Eldorado Drive; (11A) Highway 111 South at Club Dr.; (11C) Club Dr. eight (8) parcels; (C) south of Highway 111 west of Manitou Dr.; (D) Parcel Map No. 26494; (E) north of Highway 111 west of Eldorado Drive, east of Cook Street and south of Whitewater River Channel; (A19) Mountain Gate Tract No. 26595; (A20) Mountain Gate Tract No. 27747-1; (A21) Villagio Tract No. 29502; (A22) Vaidya Tract No. 27747; (A23) Montelena Tract No. 31200, (A25) Sundance Tract No. 27104, (A26) Province Tract No. 32880. The District is designated as "Indian Wells Landscape and Lighting District No. 91-1".

SECTION 5. Public Hearing. The City Council hereby **DECLARES** its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, May 21, 2015 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers located within:

Indian Wells City Hall
44-950 Eldorado Drive
Indian Wells, CA 92210

SECTION 6. Notice. A "Resolution of Intention" shall be published in a newspaper of general circulation once at least ten days before the public hearing on annual levies; and posting a copy of the Resolution of Intention in three (3) public places within the City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

**TY PEABODY
MAYOR**

CERTIFICATION FOR RESOLUTION BILL NO. 2015-21

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

RESOLUTION BILL NO. 2015-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2015-16

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions ordered the preparation of the Engineer's Annual Levy Report (the "Report") for said district known and designated as Indian Wells Landscape and Lighting District No. 91-1 (the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and

WHEREAS, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIIC and XIIID; and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

WHEREAS, the City Council has examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each Benefit Zone, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Report, as presented consists, of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

SECTION 3. The Report is hereby **APPROVED** on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Annual Levy Report.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May 2015.

**TY PEABODY
MAYOR**

CERTIFICATION FOR RESOLUTION BILL NO. 2015-22

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 7th day of May 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

EXHIBIT "A"



City of Indian Wells

**Landscape and Lighting District
No. 91-1**

2015/2016 ENGINEER'S REPORT

**Intent Meeting: May 7, 2015
Public Hearing: May 21, 2015**

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



ENGINEER'S REPORT AFFIDAVIT

Indian Wells Landscaping and Lighting District No. 91-1

City of Indian Wells
Riverside County, State of California

This Report describes the District and all relevant zones therein including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2015.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Indian Wells

By: _____
Susana Medina, Project Manager
District Administration Services

By: _____
Richard Kopecky
R. C. E. # 16742

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I. OVERVIEW

A. INTRODUCTION

The City of Indian Wells (City), annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Landscape and Lighting District No. 91-1 (District). The District was formed in 1991 through the consolidation of several individual landscape and lighting maintenance districts within the City. The District includes the original districts as separate benefit zones and sub-zones (Zones). In Fiscal Year 1997/1998, the District assessments were presented to the property owners and approved through a protest ballot proceeding in compliance with the provisions of Proposition 218. The District assessments described in this report are prepared and levied annually pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the Act) and Article XIII D of the California Constitution which was enacted with the passage of Proposition 218 in November 1996.

The Engineer's Report (Report) describes the District; any changes to the District, and the proposed assessments for Fiscal Year 2015/2016. The assessments are based on the City's estimate of revenues and expenses to maintain the improvements that provide direct and special benefits to properties within the District and Zones. The improvements within the District and the corresponding costs and the annual levy are budgeted and assessed for each separate Zone, including all expenditures, deficits, surpluses, revenues, and reserves.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor's Parcel Number (APN) by the Riverside County Assessor's Office. The Riverside County Auditor/Controller uses Assessor's Parcel Numbers and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Following consideration of all public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for Fiscal Year 2015/2016 pursuant to the Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in Fiscal Year 2015/2016.



B. HISTORICAL BACKGROUND AND LEGISLATION

Pursuant to the Act, the City Council annually conducts a public hearing to accept property owner and public comments and testimony, to review the Report and approve the annual assessments to be levied on the County tax roll for that fiscal year. All assessments approved by the City Council have been prepared in accordance with the Act and are in full compliance with the provisions of the California Constitution Article XIID.

In Fiscal Year 1997/1998 the improvements provided by the District, the costs associated with those improvements and the properties benefiting from those improvements, were closely reviewed and evaluated. Specific modifications were made to the District in response to the substantive and procedural requirements of Article XIID. The existing zones were reviewed for compliance and all applicable assessments were confirmed through property owner ballots. Changes to the District included:

- Revision of the assessment methodology in some zones.
- Boundary modifications were made to Zone A1 to more accurately reflect the benefit received.
- Zones A6-Sandpiper; A9-Chateau Estates; A11B-The Plaza At Club Drive; and A12-Painted Cove were eliminated. The improvements in these zones were considered non-public improvements and could no longer be assessed.
- Zone A11C-Club Drive was established to apportion the benefit for the maintenance of the eligible improvements along Club Drive south of Highway 111.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been established pursuant to the Act and the provisions of the Article XIID. All new or increased assessments will be subject to the substantive and procedural requirements of Article XIID Section 4. Property owner ballot proceedings are not required if the proposed assessments are less than or equal to the maximum assessment rate previously approved for each of the various Zones within the District.

II. DESCRIPTION OF THE DISTRICT

A. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.



The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

B. IMPROVEMENTS WITHIN THE DISTRICT

The facilities and improvements which have been constructed within the District and which will be maintained and serviced using assessments generally include:

Landscaping and Appurtenant Facilities, including, but not limited to, landscaping, planting, shrubbery, trees, irrigation systems, hardscape fixtures, sidewalk maintenance resulting from landscape growth, and appurtenant facilities in public rights-of-way, parkways and dedicated easements within the boundaries of said District.

Lighting and Appurtenant Facilities, including, but not limited to, poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices, and appurtenant facilities as required to provide lighting in public rights-of-way, parkways, and dedicated easements within the boundaries of said District.

In Zones A3, A5B, E, A25 and A26 the improvements are serviced and maintained by the Home Owners Associations (HOA) acting as Agents of the City. The funds collected for the maintenance and servicing of the improvements in these Zones are passed-through to the respective Agent that contracts for the actual maintenance. The Funds received from the County less the administration costs are passed through immediately to the HOA for Zones A3, A5B, E, A25 and A26 and thus there is no need to hold a reserve fund. In all other Zones within the District, the City utilizes the services of landscape maintenance contractors for all regularly scheduled maintenance. The costs associated with all improvements in each Zone are collected through annual assessments from each parcel receiving special benefits. The funds collected for each Zone are dispersed and used for only the services and operation provided to that Zone.



C. DISTRICT ZONE BOUNDARIES AND SPECIFIC AREAS OF IMPROVEMENT

- Zone A1** **El Dorado** – Zone A1 consists of those parcels in Tracts 10262 and 10863 that front El Dorado Drive between Highway 111 and Fairway Drive. These parcels receive special benefits from the landscaped medians along El Dorado Drive. Parcels that use El Dorado Drive as the main access way to their properties are included in this Zone.
- Zone A2** **Montecito/Stardust** – Zone A2 contains all parcels within the Montecito/Stardust development (Rancho Palmeras Estates Unit No. 3). This zone consists of residential properties on Montecito Drive and Stardust Lane west of Rancho Palmeras Drive. The parcels receive special benefits from improvements within the parkway along Rancho Palmeras Drive, adjacent to the development, and the landscaped entryway to the development, on Stardust Lane and Montecito Drive.
- Zone A3** **Casa Dorado** – Zone A3 consists of all the parcels in Tracts 2752, 3097, and 4853 that are at the southeast corner of Highway 111 and Rancho Palmeras Drive. These parcels are part of a homeowners association (HOA). The HOA, acting as an Agent of the City, contracts for landscape maintenance. The District collects assessments from parcels within the Zone to reimburse the HOA for the contracted maintenance. These parcels receive special benefits from improvements along the frontage on the south side of Highway 111, from Rancho Palmeras Drive to the project's eastern boundary, a distance of approximately 1,300 feet.
- Zone A5B** **Cook Street/The Cove** – Zone A5B is the development known as "The Cove", and all parcels within the Zone are part of a homeowners association (HOA). The HOA, acting as an Agent of the City, contracts for landscape maintenance of the entrance to the Cove on Cook Street. The District collects assessments from parcels within the Zone to reimburse the HOA for the contracted maintenance. Parcels in the Cove receive direct and special benefits from these improvements.
- Zone A8** **Entrance to Indian Wells Golf Resort** -- Zone A8 consists of three parcels south of the Coachella Valley Stormwater Channel along Highway 111 and east of El Dorado Drive. These three parcels are the Hyatt Grand Champions of Indian Wells, the Renaissance Esmeralda Hotel, and the parcel owned by the City of Indian Wells. These parcels receive



special benefit from the landscaping along the north side of Highway 111, west of Eldorado Drive, to the east side of the Renaissance Esmeralda Hotel. The parcels also receive special benefits from the improvements on Indian Wells Lane leading to the Hyatt Grand Champion and Renaissance Esmeralda Hotel.

Zone A11A Highway 111 South, at Club Drive – Zone A11A contains parcels located immediately south of Highway 111 near Indian Wells Lane and Club Drive including but not limited to the Miramonte Resort, the Indian Wells Country Club, and the Indian Wells Resort Hotel. These parcels receive special benefits from the parkway landscaping improvements on the south side of Highway 111 between Indian Wells Lane and Club Drive.

Zone A11C Club Drive – Zone A11C consists of all parcels along Club Drive between Highway 111 and Sandpiper. These parcels are part of Zone A11A, but receive additional special benefits from landscaped parkways along Club Drive not associated with other parcels in Zone A11A.

Zone C The Colony – Zone C lies generally south of Highway 111 and west of Manitou Drive and includes all parcels within Tract 24625, commonly known as "The Colony". These parcels receive special benefits from landscaped parkways along Highway 111 adjacent to the development.

Zone D Parcel Map 26494 – Zone D lies generally south of Highway 111 and east of Club Drive and includes all parcels within Tract 26494. These parcels receive special benefits from landscaped parkways along Highway 111 adjacent to the development.

Zone E Desert Horizons – Zone E lies generally north of Highway 111; west of El Dorado Drive; east of Cook Street; and south of Fred Waring Drive (44th Street) and the Whitewater River Channel. This Zone includes only parcels within the Desert Horizons Country Club gated community. These parcels are part of a homeowners association (HOA). The HOA, acting as an Agent of the City, contracts for landscape maintenance. The District collects assessments from parcels within the Zone to reimburse the HOA for the contracted maintenance. Parcels within the Zone receive special benefits from improvements within the easements and public rights-of-way that surround the perimeter of the gated community. The improvements



include the parkways along Highway 111, El Dorado Drive, Cook Street, Fred Waring Drive, and Whitewater River Channel.

- Zone A19 Mountain Gate** – Zone A19 is generally located south of Highway 111 and east of Manitou Drive and includes all parcels within Tract 26595 known as the Mountain Gate Development. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.
- Zone A20 Mountain Gate Estates** – Zone A20 lies generally south of Highway 111 and east of Manitou Drive and includes all parcels within Tract 27747-1 known as the Mountain Gate Development. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.
- Zone A21 Villagio** – Zone A21 lies generally south of Highway 111 and west of Mountain Gate Drive and includes all parcels within Tract 29502 known as the Villagio. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.
- Zone A22 Vaidya** – Zone A22 lies generally on the south side of Highway 111 and east of Manitou Drive and includes parcels within Tract 27747 known as Vaidya. Parcels within this Zone receive special benefits from landscaped improvements associated with the development.
- Zone A23 Montelena** – Zone A23 lies generally on the southeast corner of Highway 111 and El Dorado Drive. Parcels within this Zone receive special benefits from landscaped improvements and includes parcels within Tract 31200 known as Montelena associated with the development. The landscaping improvements for this District include the entry to the Montelena tract on east side of El Dorado Drive and along the south side of Highway 111.
- Zone A25 Tract 27104** – Zone A25 lies generally on the south of Highway 111, west of El Dorado Drive, east of Camino de Dorado and includes parcels within Tract 27104. Parcels within this Zone receive special benefits from landscaped



improvements associated with the development. The landscaping improvements for this District include the entry to the Sundance tract on west side of El Dorado Drive and along the south side of Highway 111.

Zone A26 Province – Zone A26 lies generally on the southeast corner of Cook Street and Highway 111. Parcels within this Zone receive special benefits from landscaped improvements such as landscaping, ornamental structures and appurtenant structures and includes parcels within Tract 32880 known as Province associated with the development.

III. METHOD OF APPORTIONMENT

A. PROPOSITION 218 BENEFIT ANALYSIS

In conjunction with the provisions of the 1972 Act, the California Constitution Article XIID addresses several key criteria for the levy of assessments, notably:

Article XIID Section 2d defines District as follows:

“District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service”;

Article XIID Section 2i defines Special Benefit as follows:

“Special benefit” means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute “special benefit.”

Article XIID Section 4a defines proportional special benefit assessments as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments.



These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel's proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either "general benefit" (not assessed) or "special benefit".

B. DISTRICT BENEFIT

The costs of the District are apportioned by a formula or method, which fairly distributes the net amount to be assessed among all assessable parcels in proportion to the special benefits to be received by each such parcel from the improvements. Improvements maintained by the District that are considered to provide general benefit (in whole and in part), are funded by the City and not included in the annual assessments. Property owners are assessed for special benefits only.

Each parcel within the District receives special benefits from the improvements due to the close proximity of the landscaping, masonry wall, and lighting improvements to each parcel. The improvements provide added beautification and aesthetic value to each developed property and property owner and an enhanced quality of life within the subdivision. In areas along Highway 111, where the property has not been developed, the City pays for parkway maintenance out of the general fund. As development occurs, it is anticipated



that the City will continue to require perimeter landscape maintenance along Highway 111 to be maintained by the individual developments.

The major arterials are the entryways into the City and provide beautification to the entire City. The City enjoys a reputation for beauty, and the parkway landscape improvements along major arterials enhance that reputation and provide an amount of benefit to all parcels in the City. This amount of benefit is estimated at 10% of the total benefit, and the City will contribute 10% of the landscaping costs to specified zones (A3, A5B, A8, A11A, C, D, E, and A20) that contain improvements along Highway 111.

C. METHODOLOGY

Pursuant to the Act and the provisions of Article XIID, the costs of the District are apportioned by a formula or method, which fairly distributes the net amount to be assessed among all assessable parcels in proportion to the special benefits to be received by each such parcel from the improvements. Improvements maintained by the District that are considered to provide general benefit (in whole and in part), are funded by the City and not included in the annual assessments. Property owners are assessed for special benefits only.

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A summary of EBU rates for all Zones except **A19-A26** is shown in the table below:

| EQUIVALENT BENEFIT UNIT (EBU) FORMULA | | |
|---------------------------------------|------|---------------|
| Land Use | BUF | Parcel EBU |
| Single Family Res. (SFR) | 1.00 | 1 EBU/Unit |
| Vacant SFR Lot | 0.30 | 0.30 EBU/Unit |
| Non-Residential | 6.00 | 6.0 EBU/Acre |
| Vacant | 1.80 | 1.80 EBU/Acre |
| Golf Courses | 0.90 | 0.90 EBU/Acre |

The following formula is used to calculate each parcel's EBU (proportional benefit).

$$\text{BUF Factor} \times (\text{Acres or Units}) = \text{Parcel EBU}$$

i.e. For Land Use Vacant – (3.70 acres x 1.80 BUF = 6.66 Parcel EBU)

For Zones **A19-A26**, each parcel is assigned 1 EBU regardless of development status.

The total number of Equivalent Benefit Units (EBUs) is the sum of all individual EBUs applied to the parcels within each zone that receives special benefit from the improvements. A levy per EBU (Levy Rate) for the zone is established by taking the total cost of the improvements and dividing that amount by the total number of EBUs of all parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBUs} = \text{Levy Rate per EBU}$$

$$\text{Levy Rate per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

D. DEFINITIONS

Single Family Residential (SFR). Parcels zoned for single-family residential uses are assessed 1 EBU per benefit unit. Parcels designated as SFR land-use will be assessed 1 EBU per benefit unit.

Non-Residential. In converting non-residential properties to EBUs, the factor used is a typical standard single-family residential lot area within the City of Indian Wells and the number of lots that could be subdivided into an acre of land. All properties that are developed for non-residential uses are therefore assigned 6 EBUs per acre and include commercial, industrial, church, school, and other non-residential uses except golf courses.



Vacant. Conceptually, vacant properties within the district which have development potential receive special benefits from the improvements due to the increase in desirability of the parcels; usually, the special benefits are seen as being less than that of a developed parcel and often the value of the land is compared to the total value of a developed parcel to achieve a benefit ratio. Therefore, vacant property will be assessed 30% of a developed property.

Vacant Single Family Residential Lots. Parcels that are individual subdivided vacant residential lots are assessed at 30% of the developed single-family residential lot and are assigned 0.3 EBUs per parcel. This reduction in EBUs is based upon the reduced special benefits received by undeveloped parcels until such time as they are developed. In Zones **A19-A26** vacant single family residential lots are assigned 1 EBU.

Vacant Non-Subdivided Parcels. Vacant parcels that are not subdivided are assigned EBUs on the basis of parcel size. The parcels will be assessed at the rate of 30% of the developed equivalency. Therefore, vacant non-subdivided property is assessed $6 \times 30\% = 1.8$ EBU per acre.

Recreational/Golf Course Property. Recreational/golf course property closely resembles vacant property in that it has large land areas comprised of mostly park-like open space and only a few buildings, if any. However, because golf courses do not have the development potential that vacant land has and the value of the property is less, golf course property receives less special benefits than vacant property. Therefore, recreational/golf course property is assessed at 50% of a vacant property, or $1.8 \times 50\% = 0.90$ EBU per acre.

Public Property. Public property, which is developed and used for residential or business purposes will be assessed the same as private property with the same use. Vacant public property will be assessed as vacant private property.

Exempt. Excepted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-way, public greenbelts, and parkways. Also exempted from assessment would be utility rights-of-way, common areas (such as in condominium complexes), landlocked parcels, and small parcels vacated by the City as these parcels have little or no value and therefore do not benefit from the improvements.

E. INFLATION FACTOR

For All Zones Except for Zones A19 – A23 and A26 – By approval of the City Council, the maximum assessment rate that may be levied for each EBU may be increased in each year by the greater of the change in the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Area from February to February or three percent (3.0%). Such



assessment adjustments shall not be considered an increased in assessment. A proposed assessment that exceeds the adjusted maximum assessment rate will require property owner balloting approval before the increase may be imposed.

For fiscal year 2015/2016 the change in February CPI for the Los Angeles-Riverside-Orange County Area is 0.10 % therefore the maximum assessment rate will be adjusted by 3.00%.

For Zones A19 – A23 and A26 by approval of the City Council, the maximum assessment rate levied that may be levied for each EBU may be increased in each year (beginning with Fiscal Year 2000/2001 for A19, Fiscal Year 2001/2002 for A20 and A21, Fiscal Year 2004/2005 for A22 and A23, and Fiscal Year 2007/2009 for A26) by the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Area. The Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment amount not to exceed such percentage for the following fiscal year. Such assessment adjustments shall not be considered an increased in assessment. A proposed assessment that exceeds the adjusted maximum assessment rate will require property owner balloting approval before the increase may be imposed.

For fiscal year 2015/2016, the maximum assessment rate for Zones A19-A23 and A26 will be adjusted by the Los Angeles-Riverside-Orange County Area February change in CPI of 0.10%.

IV. DISTRICT BUDGETS

A. DESCRIPTION OF BUDGET ITEMS

The following section describes the services and costs that are funded through the District, and shown in the District Budgets.

Maintenance Costs - Includes all contracted labor, material and equipment required to properly maintain the improvements within the District and Zones. The improvements include: street lighting; fencing; planting materials; hardscape; irrigation, lighting, and drainage systems; tree trimming; sidewalks; graffiti removal; entry monuments and ornamental structures; water features; and associated appurtenant facilities within the District. In Zones A3, A5B, E, A25, and A26 the improvements are serviced and maintained by an association or property manager acting as an Agent of the City. In all other Zones the City utilizes the services of landscape maintenance contractors for all regularly scheduled maintenance. All improvements within the District will be maintained and serviced on a regular basis.



Landscape and Lighting Materials - This includes all materials necessary during the landscape maintenance procedures, e.g., pipe, shrubs, fertilizer, etc. as well as to maintain and ensure the proper operating condition of all lighting including electricity.

Landscape Water and Electric - The furnishing of water and electricity required for the operation and maintenance of the landscaped areas and facilities.

Capital Replacement Costs/Renovation - This may include repairs that are unforeseen and not normally included in the yearly maintenance cost. Repairs may include replacement or refurbishing of damaged amenities due to vandalism, storms, die off, and frost. Planned upgrades of the improvements that provide a direct benefit to the district/zone could also be included in capital replacement/renovation costs. Examples of upgrades include planned replacement of plant materials and/or renovation of irrigation or lighting systems that are necessary or requested by property owners.

Special District Services - These may be contingency funds for additional costs beyond those normally budgeted, such as use of specialized equipment or pest control. These funds may also be for services requested by the property owners that are outside the normal maintenance services provided by the District. These costs and services may be for a specific group of parcels within a given Zone and not applied to all parcels within the Zone or District. These costs will be apportioned to only those parcels that receive benefit from the special service.

Personnel/Overhead - The cost to all particular departments and staff of the City for providing the coordination of District services, operations and maintenance of the improvements, response to public concerns and education, and procedures associated with the levy and collection of assessments.

Professional Fees - These are the costs of contracting with professionals to provide services specific to the levy administration, county administration fee, and county per parcel fee. Professional levy administration includes preparation of the Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing. County administration fee is the actual cost to the District for the County to collect District assessments on the property tax bills. This charge is based on a flat rate per fund number. County per parcel fee is the cost to the District for the County to collect assessments on the property tax bills. This charge is based on a per assessment basis, and is in addition to the County Administration Fee.

Miscellaneous - This item includes, but is not limited to, funds collected for the Reserve Fund, the Capital Improvement Fund, or any additional administrative costs such as printing or reproductions.



Reserve Fund - The Reserve Fund reflects funds being added or deleted from the Reserve Account for the current Fiscal Year. The Reserve Account provides for collection by the District of funds to operate the District from the time period of July 1 (Beginning of the Fiscal Year) through January when the County provides the City with the first installment of assessments collected from the property tax bills. The Reserve Account reduces the need for the City to transfer funds from non-district accounts to pay for District charges during the first seven (7) months of the Fiscal Year.

Capital Improvement Fund - This provides for the collection of monies that are set aside for improvement upgrades and/or renovation not included in the annual direct costs. Money collected in this fund must be spent within a five-year period.

City Contribution - Any funds added to the District or Zone account by the City from the City's General Fund Account.

Other Revenue Sources - Additional funds designated for use by the District that are not District assessments. These funds are added to the District account and may be from either non-District or District sources.

Balance to Levy - This is the total amount to be levied to the parcels within the District for the current Fiscal Year. The Balance to Levy represents the sum of the Total Direct and Administration Costs, plus any revenue adjustments resulting from the Reserve Fund, Beginning Balance, City Contributions, Other Revenue Sources, or Capital Improvement Fund. This dollar amount represents the total funds to be collected from the parcels through assessments on the property tax bills.

Total Equivalent Benefit Unit (EBU) - The Equivalent Benefit Unit (EBU) is a numeric value calculated for each parcel based on the parcel's land use and size. The EBU shown in the District Budgets represent the sum total of all individual parcel EBUs that receive benefit from the improvements for that Zone. Please refer to Section III for a more detailed explanation of the Method of Apportionment.

Maximum Levy per EBU - This is the rate per EBU approved by property owners in FY 1997/1998 adjusted for inflation as described in the Method of Apportionment.

B. PERSONNEL OVERHEAD

Personnel overhead costs are set forth in the following table. The Finance Department's administrative costs have been budgeted at \$42,064 for Fiscal Year 2015/2016. These costs include, but are not limited to, time spent by Finance Personnel on budgets, payment of bills, and working with consultants to ensure the levy is placed on County tax rolls. Total Public Works costs for Fiscal Year 2015/2016 have been budgeted at \$160,886. These costs include, but are



not limited to, time spent by Public Works Personnel on everyday inspections of landscaping, replacement of light bulbs and broken sprinklers, electrical maintenance, and monitoring of landscaping workers to make sure grass is maintained and weeds are clear.

TABLE I – 2015/2016 PERSONNEL OVERHEAD

| | Hours Spent | Loaded Hourly Rate ⁽¹⁾ | Total Cost Allocation |
|---------------------------|--------------|-----------------------------------|-----------------------|
| FINANCE | | | |
| Payables Tech | 125 | \$61.34 | \$7,668 |
| Accountant | 144 | 65.02 | 9,363 |
| Senior Accountant | 140 | 82.79 | 11,591 |
| Finance Director | 103 | 130.51 | 13,442 |
| Total Finance | 512 | | \$42,064 |
| PUBLIC WORKS | | | |
| Landscape Specialist | 1,480 | \$67.41 | \$99,767 |
| Maintenance Worker 11 | 800 | 46.86 | 37,488 |
| Superintendent | 120 | 95.59 | 11,471 |
| Public Works Admin Asst | 90 | 47.19 | 4,247 |
| Public Works Director | 72 | 109.91 | 7,913 |
| Total Public Works | 2,562 | | \$160,886 |
| Grand Total | 3,074 | | \$202,950 |

⁽¹⁾ Loaded Hourly Rate includes benefits and salary.



C. DISTRICT BUDGETS

TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | A1 (1) EL DORADO | A2 (1) MONTECITO/ STARDUST | A3 (2) CASA DORADO |
|---|------------------------|----------------------------------|--------------------------|
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$17,200 | \$8,400 | \$21,300 |
| Landscape Flowers & Lighting Materials | 0 | 1,500 | 0 |
| Utilities - Landscape Water & Electric | 8,000 | 4,000 | 0 |
| Direct Subtotal | \$25,200 | \$13,900 | \$21,300 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,474 | \$2,474 |
| Public Works Personnel Overhead | 9,464 | 9,464 | 9,464 |
| Professional Fees | 2,000 | 320 | 700 |
| Admin. Subtotal | \$13,938 | \$12,258 | \$12,638 |
| Total Direct and Admin. Costs | \$39,138 | \$26,158 | \$33,938 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | (4,900) | \$0 | \$0 |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,938) | (11,938) |
| Annual City Operating Contribution | 0 | 0 | (2,130) |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$16,838) | (\$11,938) | (\$14,068) |
| Remaining Balance to Levy | \$22,300 | \$14,220 | \$19,870 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 378 | 59 | 123 |
| Total Parcels Levied | 372 | 56 | 116 |
| Total Equivalent Benefit Unit (EBU) | 361.92 | 53.20 | 116.00 |
| FY 2015/16 Levy Rate per EBU (projected) | \$61.62 | \$267.29 | \$171.29 |
| Maximum Levy per EBU Allowed | \$177.99 | \$374.44 | \$171.93 |
| FY 2014/15 Applied Levy Rate per EBU | \$59.42 | \$256.64 | \$166.26 |
| Maximum Allowable Assessment | \$64,418 | \$19,920 | \$19,944 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2015 (estimated) | \$86,290 | \$3,942 | N/A |
| Reserve Fund Collection/(Deduction) | (4,900) | 0 | N/A |
| Ending Reserve Fund Balance 6/30/2015 | \$81,390 | \$3,942 | \$0 |
| Minimum 50% operating reserve Balance | \$19,569 | \$13,079 | \$16,969 |

(1) City Contribution = Exempt due to no public benefit findings per original Engineer's Report.

(2) City Contribution = Minimum of 5% of Total Costs.

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | A6B (2) | A8 (2) | A11A (2) |
|---|-------------------|--------------------------|---------------------|
| | THE COVE | INDIAN WELLS GOLF RESORT | HWY 111/ CLUB DRIVE |
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$17,600 | \$98,550 | \$15,300 |
| Landscape Flowers & Lighting Materials | 0 | 2,500 | 500 |
| Utilities - Landscape Water & Electric | 0 | 40,000 | 2,000 |
| Direct Subtotal | \$17,600 | \$141,050 | \$17,800 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,480 | \$2,474 |
| Public Works Personnel Overhead | 9,464 | 9,462 | 9,464 |
| Professional Fees | 400 | 1,000 | 100 |
| Admin. Subtotal | \$12,338 | \$12,942 | \$12,038 |
| Total Direct and Admin. Costs | \$29,938 | \$153,992 | \$29,838 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | \$0 | \$0 | (3,375) |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,942) | (11,938) |
| Annual City Operating Contribution | (1,760) | (14,105) | (1,780) |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$13,698) | (\$26,047) | (\$17,093) |
| Remaining Balance to Levy | \$16,240 | \$127,945 | \$12,745 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 64 | 16 | 11 |
| Total Parcels Levied | 64 | 14 | 9 |
| Total Equivalent Benefit Unit (EBU) | 61.90 | 438.90 | 160.86 |
| FY 2015/16 Levy Rate per EBU (projected) | \$262.36 | \$291.51 | \$79.23 |
| Maximum Levy per EBU Allowed | \$266.51 | \$512.91 | \$248.53 |
| FY 2014/15 Applied Levy Rate per EBU | \$253.64 | \$285.50 | \$76.78 |
| Maximum Allowable Assessment | \$16,497 | \$225,116 | \$39,979 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2015 (estimated) | N/A | \$289,804 | \$51,260 |
| Reserve Fund Collection/(Deduction) | N/A | 0 | (3,375) |
| Ending Reserve Fund Balance 6/30/2015 | \$0 | \$289,804 | \$47,885 |
| Minimum 60% operating reserve Balance | \$14,969 | \$76,996 | \$14,919 |

(2) City Contribution = Minimum of 5% of Total Costs.

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | A11C (1) | C (2) | D (2) |
|---|-------------------|-------------------|---------------------|
| | CLUB DRIVE | THE COLONY | COLONY COVE ESTATES |
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$3,450 | \$41,250 | \$7,650 |
| Landscape Flowers & Lighting Materials | 0 | 0 | 500 |
| Utilities - Landscape Water & Electric | 5,000 | 11,500 | 2,000 |
| Direct Subtotal | \$8,450 | \$62,750 | \$10,160 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,474 | \$2,474 |
| Public Works Personnel Overhead | 9,464 | 9,464 | 9,464 |
| Professional Fees | 100 | 350 | 100 |
| Admin. Subtotal | \$12,038 | \$12,288 | \$12,038 |
| Total Direct and Admin. Costs | \$20,488 | \$85,038 | \$22,188 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | (1,500) | (\$1,000) | (\$1,250) |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,938) | (11,938) |
| Annual City Operating Contribution | 0 | (5,275) | (1,015) |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$13,438) | (\$18,213) | (\$14,203) |
| Remaining Balance to Levy | \$7,060 | \$46,825 | \$7,985 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 8 | 64 | 13 |
| Total Parcels Levied | 6 | 64 | 11 |
| Total Equivalent Benefit Unit (EBU) | 54.96 | 64.00 | 11.00 |
| FY 2015/16 Levy Rate per EBU (projected) | \$128.28 | \$731.64 | \$726.91 |
| Maximum Levy per EBU Allowed | \$161.28 | \$3,077.64 | \$8,847.97 |
| FY 2014/15 Applied Levy Rate per EBU | \$122.82 | \$360.94 | \$697.74 |
| Maximum Allowable Assessment | \$8,864 | \$196,968 | \$97,328 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2015 (estimated) | \$10,815 | \$31,843 | \$55,118 |
| Reserve Fund Collection/(Deduction) | (1,500) | (1,000) | (1,250) |
| Ending Reserve Fund Balance 6/30/2016 | \$9,315 | \$30,843 | \$53,868 |
| Minimum 50% operating reserve Balance | \$10,244 | \$32,519 | \$11,094 |

(1) City Contribution = Exempt due to no public benefit findings per original Engineer's Report.

(2) City Contribution = Minimum of 5% of Total Costs.

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | E (2) | A19 (1) | A20 |
|---|-------------------|-------------------|----------------------|
| | DESERT HORIZONS | MOUNTAIN GATE | MOUNTAIN GATE ESTATE |
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$325,000 | \$25,900 | \$8,550 |
| Landscape Flowers & Lighting Materials | 0 | 2,000 | 1,000 |
| Utilities - Landscape Water & Electric | 0 | 6,000 | 2,500 |
| Direct Subtotal | \$326,000 | \$33,900 | \$12,060 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,474 | \$2,474 |
| Public Works Personnel Overhead | 9,464 | 9,464 | 9,464 |
| Professional Fees | 2,700 | 300 | 100 |
| Admin. Subtotal | \$14,638 | \$12,238 | \$12,038 |
| Total Direct and Admin. Costs | \$339,638 | \$46,138 | \$24,098 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | | (\$1,600) | (\$1,360) |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,938) | (11,938) |
| Annual City Operating Contribution | (32,500) | 0 | (1,205) |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$44,438) | (\$13,438) | (\$14,493) |
| Remaining Balance to Levy | \$295,200 | \$32,700 | \$9,596 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 535 | 51 | 18 |
| Total Parcels Levied | 521 | 50 | 14 |
| Total Equivalent Benefit Unit (EBU) | 631.53 | 50.00 | 14.00 |
| FY 2015/16 Levy Rate per EBU (projected) | \$467.44 | \$654.00 | \$685.36 |
| Maximum Levy per EBU Allowed | \$685.84 | \$964.61 | \$928.61 |
| FY 2014/15 Applied Levy Rate per EBU | \$454.92 | \$636.00 | \$663.68 |
| Maximum Allowable Assessment | \$369,976 | \$47,731 | \$13,001 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2015 (estimated) | N/A | \$74,623 | \$36,536 |
| Reserve Fund Collection/(Deduction) | N/A | (1,500) | (1,350) |
| Ending Reserve Fund Balance 6/30/2015 | \$0 | \$73,123 | \$35,186 |
| Minimum 60% operating reserve Balance | \$162,918 | \$23,069 | \$12,044 |

(1) City Contribution = Exempt due to no public benefit findings per original Engineer's Report.

(2) City Contribution = Minimum of 5% of Total Costs.

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | A21 (1) | A22 (1) | A23 (1) |
|---|-------------------|-------------------|-------------------|
| | VILLAGIO | VAIDYA | MONTELENA |
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$69,500 | \$2,650 | \$46,200 |
| Landscape Flowers & Lighting Materials | 5,000 | 0 | 900 |
| Utilities - Landscape Water & Electric | 16,000 | 950 | 13,250 |
| Direct Subtotal | \$90,500 | \$3,600 | \$60,350 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,474 | \$2,474 |
| Public Works Personnel Overhead | 9,464 | 9,464 | 9,464 |
| Professional Fees | 550 | 100 | 400 |
| Admin. Subtotal | \$12,488 | \$12,038 | \$12,338 |
| Total Direct and Admin. Costs | \$102,988 | \$15,638 | \$72,688 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | \$0 | \$0 | (\$1,000) |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,938) | (11,938) |
| Annual City Operating Contribution | 0 | 0 | 0 |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$11,938) | (\$11,938) | (\$12,938) |
| Remaining Balance to Levy | \$91,050 | \$3,700 | \$59,750 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 104 | 18 | 79 |
| Total Parcels Levied | 94 | 13 | 72 |
| Total Equivalent Benefit Unit (EBU) | 94.00 | 13.00 | 72.00 |
| FY 2015/16 Levy Rate per EBU (projected) | \$968.62 | \$284.62 | \$829.86 |
| Maximum Levy per EBU Allowed | \$1,963.89 | \$734.67 | \$1,049.46 |
| FY 2014/15 Applied Levy Rate per EBU | \$963.30 | \$278.08 | \$790.28 |
| Maximum Allowable Assessment | \$183,666 | \$9,549 | \$75,561 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2014 (estimated) | \$213,613 | \$29,931 | \$16,711 |
| Reserve Fund Collection/(Deduction) | 0 | 0 | (1,000) |
| Ending Reserve Fund Balance 6/30/2015 | \$213,613 | \$29,931 | \$15,711 |
| Minimum 50% operating reserve Balance | \$51,494 | \$7,819 | \$36,344 |

(1) City Contribution = Exempt due to no public benefit findings per original Engineer's Report.

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



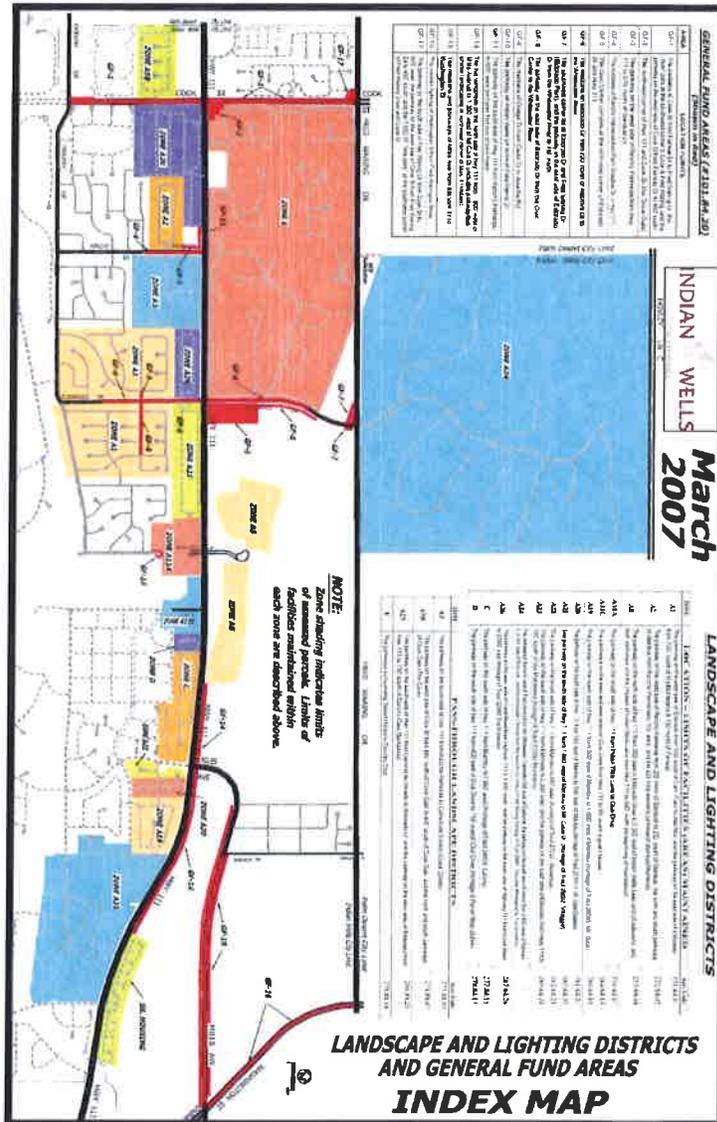
TABLE II – 2015/2016 DISTRICT BUDGETS

| Zone Description | A25 | A26 | TOTAL |
|---|-------------------|-------------------|-----------------------|
| | SUNDANCE | PROVINCE | |
| DIRECT COSTS | | | |
| Contracted Maintenance Costs | \$40,577 | \$159,500 | \$908,577 |
| Landscape Flowers & Lighting Materials | 2,500 | 0 | 16,400 |
| Utilities - Landscape Water & Electric | 0 | 0 | 111,200 |
| Direct Subtotal | \$43,077 | \$169,500 | \$1,036,177 |
| ADMINISTRATION COSTS | | | |
| Administrative Personnel Overhead | \$2,474 | \$2,474 | \$42,064 |
| Public Works Personnel Overhead | 9,464 | 9,464 | 160,886 |
| Professional Fees | 250 | 650 | 10,120 |
| AdmIn. Subtotal | \$12,188 | \$12,588 | \$213,070 |
| Total Direct and Admin. Costs | \$55,265 | \$172,088 | \$1,249,247 |
| CITY CONTRIBUTIONS AND OPERATING SUBSIDIES | | | |
| Reserve Fund Contribution | \$0 | | (\$15,875) |
| Personnel/Overhead - City of Indian Wells Subsidy | (11,938) | (11,938) | (202,960) |
| Annual City Operating Contribution | 0 | 0 | (59,770) |
| City of Indian Wells Contribution and Subsidy Subtotal | (\$11,938) | (\$11,938) | (\$278,595) |
| Remaining Balance to Levy | \$43,327 | \$160,150 | \$970,652 |
| DISTRICT STATISTICS | | | |
| Total Parcels | 48 | 151 | 1,744 |
| Total Parcels Levied | 45 | 133 | 1,654 |
| Total Equivalent Benefit Unit (EBU) | 45.00 | 133.00 | 2,375.27 |
| FY 2015/16 Levy Rate per EBU (projected) | \$962.82 | \$1,204.14 | |
| Maximum Levy per EBU Allowed | \$1,131.40 | \$1,205.91 | |
| FY 2014/15 Applied Levy Rate per EBU | \$945.12 | \$1,204.14 | |
| Maximum Allowable Assessment | \$50,913 | \$160,386 | \$1,599,816.31 |
| FUND BALANCE INFORMATION | | | |
| Beginning Reserve Balance 2015 (estimated) | N/A | N/A | \$900,486 |
| Reserve Fund Collection/(Deduction) | N/A | N/A | (15,875) |
| Ending Reserve Fund Balance 6/30/2015 | \$0 | \$0 | \$884,611 |
| Minimum 50% operating reserve Balance | \$27,632 | \$86,044 | \$624,623 |

Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.



APPENDIX A – DISTRICT ASSESSMENT DIAGRAM





APPENDIX B – 2015/2016 COLLECTION ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land; public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District and Zones, along with the proposed assessment amounts, have been submitted to the City Clerk, and by reference, are made part of this Report.

Upon approval of the Engineer's Annual Levy Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in Fiscal Year 2015/2016. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

May 7, 2015

Staff Report – Finance

Receive and File the City Treasurer’s Report for March 2015

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer’s Report for the month of March 2015.

DISCUSSION:

Staff provides Council with a monthly update to the Treasurer’s Report. The Report presents the City’s cash activity and investment portfolio and provides reconciliation between investment balances and the General Ledger. Specifically, the report provides information on the types of investments, dates of maturities, costs, updated market value of securities, and rates of interest earned in the portfolio.

Related to the Treasurer’s report, the City maintains a written investment policy in compliance with legal requirements of Government Code section 53600 and governs the investments made by the City. The City invests in U.S. treasuries, federal agency securities, medium term corporate notes, municipal bonds, federally insured certificates of deposit, and overnight cash investments. Criteria for selecting investments in order of priority are: (1) safety, (2) liquidity and (3) yield.

As of March 31, 2015:

- The City’s cash and investments totaled \$49,975,758.
- The City’s portfolio earned a 1.260% rate of return.

ATTACHMENT:

1. City Treasurer’s Report for March 2015.

NET CASH & INVESTMENT SUMMARY MARCH, 2015

| <u>UNRESTRICTED FUNDS</u> | <u>March 2015</u> | <u>March 2014</u> |
|----------------------------------|------------------------------|------------------------------|
| GENERAL FUND | | |
| 101- GENERAL | \$ 6,304,806.19 | \$ 3,999,674.21 |
| TOTAL GENERAL FUND | <u>6,304,806.19</u> | <u>3,999,674.21</u> |

RESTRICTED FUNDS

SPECIAL REVENUE FUNDS

| | | |
|--|-----------------------------|-----------------------------|
| 202 - TRAFFIC SAFETY | 0.76 | 0.44 |
| 203 - PUBLIC SAFETY 1/2 CENT SALES TAX | 11,432.71 | 7,504.83 |
| 204 - MEASURE "A" | 17,504.55 | 37,887.31 |
| 209 - F.A.M.D. #1 | 2,433,793.32 | 2,224,792.37 |
| 210 - SCAQMD (VEHICLE REG.) | 1,418.01 | 850.21 |
| 211 - AB 3229 COPS FUNDING | 0.81 | 1,332.84 |
| 214 - GAS TAX 2103 MAINTENANCE | 31,300.84 | 23,697.61 |
| 215 - GAS TAX 2105 MAINTENANCE | 9,779.20 | 0.02 |
| 216 - GAS TAX 2106 CONSTRUCT/MAINT | 2,566.16 | 0.62 |
| 217 - GAS TAX 2107 MAINTENANCE | 0.25 | 0.22 |
| 218 - GAS TAX 2107.5 ENG./ADMIN | 4,029.16 | 8,278.63 |
| 228 - EMERG. UPGRADE SERVICES | 3,293,364.40 | 3,336,398.91 |
| 247 - AB 939 RECYCLING FUND | 244,635.02 | 193,506.83 |
| 248 - SOLID WASTE | 210,976.26 | 202,788.73 |
| 251 - STREET LIGHTING DISTRICT 2000-1 | 4,668.34 | 3,698.63 |
| 253- INDIAN WELLS VILLAS OPERATIONS | 975,256.31 | 304,828.12 |
| 254- MOUNTAIN VIEW VILLAS OPERATIONS | 949,849.12 | 331,844.00 |
| 256- HOUSING AUTHORITY | 2,755,334.52 | 2,921,939.88 |
| 260 - IWGR OPERATIONS | 862,923.54 | 1,051,579.54 |
| 271 - ELDORADO DRIVE LLMD | 86,827.13 | 82,916.39 |
| 272 - MONTECITO/STARDUST LLMD | (543.14) | 2,387.50 |
| 273 - CASA DORADO LLMD | 1,017.00 | 1,031.00 |
| 274 - THE COVE LLMD | 1,014.00 | 1,027.00 |
| 275 - SH 111/IWGR (ENTRANCE) LLMD | 269,292.78 | 284,573.50 |
| 276 - CLUB/IW LANE LLMD | 51,564.88 | 49,907.01 |
| 277 - COLONY LLMD | 26,394.96 | 32,001.62 |
| 278 - COLONY COV ESTATES LLMD | 57,674.50 | 53,693.20 |
| 279 - DESERT HORIZONS LLMD | 5,226.00 | 5,469.00 |
| 280 - MOUNTAIN GATE LLMD | 71,714.83 | 73,427.47 |
| 281 - MOUNTAIN GATE ESTATES LLMD | 39,381.76 | 35,050.13 |
| 282 - VILLAGIO LLMD | 214,655.96 | 204,808.30 |
| 283 - VAIDYA LLMD | 29,600.09 | 30,881.36 |
| 284 - CLUB, SOUTH OF 111 LLMD | 9,886.29 | 9,805.01 |
| 285 - MONTELENA LLMD | 8,421.50 | 15,700.03 |
| 286 - SUNDANCE LLMD | 5,042.00 | 2,048.00 |
| 287 - PROVINCE LLMD | 5,183.00 | 5,357.00 |
| 288 - PROVINCE DBAD | 452,724.22 | 391,189.59 |
| TOTAL SPECIAL REVENUE FUNDS | <u>13,143,911.04</u> | <u>11,932,202.85</u> |

CAPITAL PROJECT FUNDS

| | | |
|---------------------------------------|----------------------------|----------------------------|
| 314 - PARK-IN-LIEU FEES | 0.20 | 0.20 |
| 315 - CITYWIDE PUBLIC IMPROVEMENT FEE | 0.26 | 55,013.26 |
| 316 - CAPITAL IMPROVEMENT | 3,841,465.16 | 3,444,426.86 |
| 319 - ART IN PUBLIC PLACES | 401,658.75 | 391,754.76 |
| 321 - HIGHWAY 111 CIRCULATION IMP FEE | 0.70 | 9.70 |
| TOTAL CAPITAL PROJECT FUNDS | <u>4,243,125.07</u> | <u>3,891,204.78</u> |

CITY OF INDIAN WELLS
NET CASH & INVESTMENT SUMMARY MARCH, 2015
 PAGE 2

RESTRICTED FUNDS (Cont.)

| | March <u>2015</u> | March <u>2014</u> |
|--|--------------------------------|--------------------------------|
| REPLACEMENT FUNDS | | |
| 326 - INFRASTRUCTURE CAPITAL | 7,085,029.00 | 6,973,636.00 |
| 327 - FF&E ROLLING STOCK CAPITAL | 2,319,218.00 | 2,282,754.00 |
| 328 - GOLF RESORT CAPITAL | 4,019,431.00 | 3,956,243.00 |
| 329 - HOUSING VILLAS CAPITAL | 3,349,154.00 | 2,254,630.00 |
| 330 - FACILITIES CAPITAL | 2,319,284.00 | 2,282,811.00 |
| TOTAL REPLACEMENT FUNDS | <u>19,092,116.00</u> | <u>17,750,074.00</u> |
| SUCCESSOR AGENCY FUNDS | | |
| 453 - RDA (WHITewater) | 4,393,170.98 | 1,029,978.03 |
| 456 - RDA OBLIGATION RETIREMENT | 0.00 | 0.00 |
| TOTAL SUCCESSOR AGENCY FUNDS | <u>4,393,170.98</u> | <u>1,029,978.03</u> |
| INTERNAL SERVICE FUNDS | | |
| 601 - OPEB BENEFIT FUND | 1,248,313.85 | 250,713.70 |
| TOTAL INTERNAL SERVICE FUNDS | <u>1,248,313.85</u> | <u>250,713.70</u> |
| RESERVE FUNDS | | |
| 602 - COMPENSATED ABSENCES | 548,554.00 | 539,929.00 |
| 603 - SELF INSURANCE | 0.00 | 120,991.00 |
| TOTAL RESERVE FUNDS | <u>548,554.00</u> | <u>660,920.00</u> |
| TRUST & AGENCY FUNDS | | |
| 732 - SPECIAL DEPOSITS | 636,123.65 | 1,158,924.62 |
| 760 - VISITOR COMMITTEE | 110,582.08 | 251,223.27 |
| TOTAL TRUST & AGENCY FUNDS | <u>746,705.73</u> | <u>1,410,147.89</u> |
| TOTAL ALL FUNDS | <u>49,720,702.86</u> | <u>40,924,915.46</u> |
| FISCAL AGENTS | | |
| 253 - INDIAN WELLS VILLAS | 38,659.51 | 684,976.81 |
| 254 - MOUNTAIN VIEW VILLAS | 243,987.02 | 705,109.71 |
| 260 - INDIAN WELLS GOLF RESORT | 1,598,984.85 | 1,324,936.14 |
| 453 - UNION BANK OF CALIFORNIA TRUSTEE | 780,761.76 | 780,730.04 |
| TOTAL FISCAL AGENTS | <u>2,662,393.14</u> | <u>3,495,752.70</u> |
| TOTAL ALL FUNDS & FISCAL AGENTS | <u>\$ 52,383,096.00</u> | <u>\$ 44,420,668.16</u> |
| UNRESTRICTED FUNDS | 6,304,806.19 | 3,999,674.21 |
| RESTRICTED FUNDS | <u>46,078,289.81</u> | <u>40,420,993.95</u> |
| | <u>\$ 52,383,096.00</u> | <u>\$ 44,420,668.16</u> |

| City of Indian Wells Bank Reconciliation Report - City Held Cash Finance Department | | | |
|---|-----------------|---|-------------------------|
| MONTH: March 31, 2015 | | | |
| Investment # | Investment Type | Investment Description | Book Value |
| Bank Checking & Sweep | | | |
| 1 | | Pacific Western Bank - Sweep 45-301117 | \$ 1,356,162.00 |
| 2 | | Pacific Western Bank - Accts. Payable 45-523411 | 0.00 |
| 3 | | Pacific Western Bank - Payroll 45-501752 | 0.00 |
| 4 | | Union Bank of CA - Sweep Investment 217-0000121 | 111,623.98 |
| 19 | | Petty Cash | 1,400.00 |
| | | | 1,469,185.98 |
| Managed Pool Accounts | | | |
| 21 | | Local Agency Investment Fund - City 98-33-385 | 13,489,363.43 |
| 23 | | Local Agency Investment Fund - RDA 65-33-007 | 0.00 |
| | | | 13,489,363.43 |
| Bank Certificates of Deposit | | | |
| 316 | | Certificate of Deposit-GE Capital Retail Bank 36161NY19 | 250,000.00 |
| 317 | | Certificate of Deposit-Ally Bank 02005QF65 | 250,000.00 |
| 329 | | Certificate of Deposit-Sallie Mae | 250,000.00 |
| 330 | | Certificate of Deposit-SAFR National Bank | 250,000.00 |
| 336 | | Certificate of Deposit-Wells Fargo Bank 94986TLX3 | 250,000.00 |
| 337 | | Certificate of Deposit-Am Ex Centurion 02587DKR8 | 250,000.00 |
| 338 | | Certificate of Deposit-Goldman Sachs Bank 38143ASL5 | 250,000.00 |
| 339 | | Certificate of Deposit-JP Morgan Chase 48124JSY5 | 250,000.00 |
| 348 | | Certificate of Deposit-Citicorp Bank 17284CG0 | 250,000.00 |
| 349 | | Certificate of Deposit-Compass Bank 20451PBG0 | 250,000.00 |
| 350 | | Certificate of Deposit-Am Ex Centurion 02587CAJ9 | 250,000.00 |
| 351 | | Certificate of Deposit-Barclays Bank 06740KFK6 | 250,000.00 |
| 353 | | Certificate of Deposit-People's United Bank 71270QG59 | 250,000.00 |
| 354 | | Certificate of Deposit-Capital One Bank 140420NX4 | 250,000.00 |
| 355 | | Certificate of Deposit-State Bank of India NY, NY 8562B42 | 250,000.00 |
| 358 | | Certificate of Deposit-BMW Bank North America | 250,000.00 |
| 360 | | Certificate of Deposit-Security Federal 81423LBN1 | 250,000.00 |
| 361 | | Certificate of Deposit-First Bank of Highland 319141CQ8 | 250,000.00 |
| 362 | | Certificate of Deposit-Discover Bank 254672HV3 | 250,000.00 |
| 364 | | Certificate of Deposit-Pacific Western Bank | 250,000.00 |
| | | | 5,000,000.00 |
| Medium Term Corporate Notes | | | |
| 278 | | Goldman Sachs Mid Term Corp Note 38141EA74 | 1,001,807.78 |
| 280 | | Bank of America Mid Term Corp Note 06051GED | 1,001,435.42 |
| 296 | | Barclays Bank Corporate Note 06738JVS0 | 1,000,000.00 |
| 322 | | AT&T Inc. 00206RBF8 | 1,002,077.08 |
| 331 | | JP Morgan 46625HJG6 | 1,001,692.82 |
| 346 | | General Electric Cap Corp 36962G6W9 | 1,005,066.23 |
| 363 | | Merck & Co. Inc. 58933YAS4 | 1,000,000.00 |
| | | | 7,012,079.33 |
| Federal Agency Issues | | | |
| 326 | | Federal Farm Credit 3133EA081 | 2,000,000.00 |
| 332 | | Federal Home Loan Bank 313381YG4 | 2,000,000.00 |
| 333 | | Federal National Mortgage Assor 3136G1AP4 | 1,000,000.00 |
| 334 | | Freddie Mac 3134G3357 | 1,000,000.00 |
| 335 | | Fannie Mae 3136G1CF4 | 1,000,000.00 |
| 340 | | Federal Home Loan Bank 313381YN9 | 1,000,000.00 |
| 341 | | Federal Farm Credit Bank 3133EC7L2 | 999,325.16 |
| 342 | | Federal Farm Credit Bank 3133ECDX9 | 998,884.94 |
| 344 | | Federal Home Loan Mtg Corp 3134G43H9 | 2,000,000.00 |
| 345 | | Federal National Mortgage Assn 313G0WN9 | 2,000,000.00 |
| 347 | | Federal National Mortgage Assn 3136G1FL8 | 1,006,918.95 |
| 352 | | Fannie Mae 3136G26H5 | 2,000,000.00 |
| 356 | | Fannie Mae 3136G26U6 | 2,000,000.00 |
| 357 | | Fannie Mae 3136G26N2 | 1,000,000.00 |
| 359 | | Federal Home Loan Bank 3130A2VJ2 | 1,000,000.00 |
| 367 | | Federal Home Loan Bank 3130A45S2 | 1,000,000.00 |
| 368 | | Federal Home Loan Bank 3130A4586 | 1,000,000.00 |
| | | | 23,005,129.05 |
| Total Pooled Cash and Investments | | | \$ 49,975,757.79 |
| Fair Value Increase (over cost) | | | (110,313.88) |
| Outstanding Items | | | |
| | | Outstanding Warrants/Wire Transfers | (8,231.85) |
| | | Reconciliation Item | (41.00) |
| | | Reconciliation Item | (5,804.24) |
| | | Reconciliation Item | (14,564.01) |
| | | Reconciliation Item | (92,496.34) |
| | | Reconciliation Item | (21,678.17) |
| | | Reconciliation Item | (6,589.14) |
| | | Reconciliation Item | (1,916.80) |
| | | Credit Card in Transit | 6,580.50 |
| Total Outstanding Items | | | (144,741.05) |
| Reconciled Bank Balance | | | \$ 49,720,702.86 |
| General Ledger Balance | | | \$ 49,720,702.86 |
| | | | 0.00 |



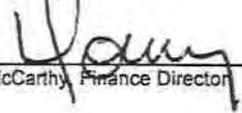
The City of Indian Wells
 Portfolio Management
 Portfolio Summary
 March 31, 2015

City of Indian Wells
 44-950 Eldorado Drive
 Indian Wells CA 92210
 (760)346-2489

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|----------------------|----------------------|----------------------|----------------|--------------|------------------|----------------|----------------|
| Bank Certificates of Deposit | 5,000,000.00 | 5,030,367.25 | 5,000,000.00 | 10.00 | 1,544 | 1,042 | 1.492 | 1.513 |
| Managed Pool Accounts - LAIF | 13,489,363.43 | 13,489,363.43 | 13,489,363.43 | 26.99 | 1 | 1 | 0.274 | 0.278 |
| Money Market Sweep/Checking Account | 1,469,185.98 | 1,469,185.98 | 1,469,185.98 | 2.94 | 1 | 1 | 0.246 | 0.250 |
| Medium Term Corporate Notes | 7,000,000.00 | 7,064,930.00 | 7,012,079.33 | 14.03 | 1,768 | 792 | 2.317 | 2.349 |
| Federal Agency Issues - Callables | 23,000,000.00 | 22,994,360.00 | 23,005,129.05 | 46.03 | 2,029 | 1,477 | 1.493 | 1.513 |
| Investments | 49,958,549.41 | 50,048,206.66 | 49,975,757.79 | 100.00% | 1,337 | 896 | 1.243 | 1.260 |

| Total Earnings | March 31 Month Ending | Fiscal Year To Date |
|--------------------------|-----------------------|---------------------|
| Current Year | 47,647.96 | 387,070.39 |
| Average Daily Balance | 48,986,375.38 | |
| Effective Rate of Return | 1.15% | |

The above investments are consistent with the City's investment policy and allowable under current legislation of the State of California. Investments were purchased using safety, liquidity, and yield as criteria. In addition, cash flow from revenue and maturing investments will be sufficient to cover expenditures for the next six months. All securities are "Marked-to-Market" on a monthly basis.


 Kevin McCarthy, Finance Director 4/17/2015

Reporting period 03/01/2015-03/31/2015

Run Date: 04/15/2015 - 14:26

Portfolio CITY
 AP
 PM (PRF_PM1) 7 3 0
 Report Ver 7.3.3

221

**The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 360 | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|----------------------|---------------|----------------------|----------------------|----------------------|-------------|-----|--------------|------------------|---------------|
| Bank Certificates of Deposit | | | | | | | | | | | | |
| 7865802B5 | 330 | SAFR National Bank | | 08/28/2012 | 250,000.00 | 250,447.50 | 250,000.00 | 0.800 | | 0.789 | 149 | 08/28/2015 |
| SYS364 | 364 | Pacific Western Bank | | 03/10/2015 | 250,000.00 | 250,000.00 | 250,000.00 | 1.000 | | 1.000 | 375 | 04/10/2016 |
| SYS317 | 317 | Ally Bank | | 05/23/2012 | 250,000.00 | 252,335.00 | 250,000.00 | 1.250 | | 1.233 | 418 | 05/23/2016 |
| 795450NW1 | 329 | Sallie Mae | | 08/15/2012 | 250,000.00 | 252,652.50 | 250,000.00 | 1.250 | | 1.233 | 502 | 08/15/2016 |
| 38143A5L5 | 338 | Goldman Sachs Bank | | 02/08/2013 | 250,000.00 | 250,780.00 | 250,000.00 | 1.050 | | 1.036 | 677 | 02/06/2017 |
| SYS316 | 316 | GE Capital Retail Bank | | 05/25/2012 | 250,000.00 | 254,072.50 | 250,000.00 | 1.800 | | 1.800 | 785 | 05/25/2017 |
| 17284CJG0 | 348 | CIT BANK | | 07/24/2013 | 250,000.00 | 252,505.00 | 250,000.00 | 1.400 | | 1.381 | 845 | 07/24/2017 |
| 02587DKR8 | 337 | American Express Centurion | | 02/06/2013 | 250,000.00 | 252,335.00 | 250,000.00 | 1.700 | | 1.677 | 854 | 08/02/2017 |
| 319141CQ8 | 361 | FIRST BANK OF HIGHLAND | | 10/15/2014 | 250,000.00 | 250,005.00 | 250,000.00 | 1.250 | | 1.233 | 929 | 10/16/2017 |
| 81423LBN1 | 360 | SECURITY FEDERAL | | 10/15/2014 | 250,000.00 | 250,067.50 | 250,000.00 | 1.250 | | 1.233 | 929 | 10/16/2017 |
| 94986TLX3 | 336 | Wells Fargo Bank | | 01/30/2013 | 250,000.00 | 250,984.75 | 250,000.00 | 0.850 | | 0.838 | 1,036 | 01/31/2018 |
| 48124JSY5 | 339 | JP Morgan Chase | | 02/27/2013 | 250,000.00 | 248,917.50 | 250,000.00 | 1.125 | | 1.110 | 1,055 | 02/19/2018 |
| 20451PBG0 | 349 | Compass Bank | | 07/24/2013 | 250,000.00 | 254,875.00 | 250,000.00 | 1.700 | | 1.677 | 1,210 | 07/24/2018 |
| 254672HV3 | 362 | Discover Bank | | 02/25/2015 | 250,000.00 | 251,195.00 | 250,000.00 | 1.600 | | 1.578 | 1,426 | 02/25/2019 |
| 06740KHK6 | 351 | Barclays Bank PLC | | 07/23/2014 | 250,000.00 | 251,852.50 | 250,000.00 | 2.100 | | 2.071 | 1,574 | 07/23/2019 |
| 02587CAJ9 | 350 | American Express Bank FSB | | 07/24/2014 | 250,000.00 | 251,952.50 | 250,000.00 | 2.000 | | 1.973 | 1,575 | 07/24/2019 |
| 140420NX4 | 354 | Capital One Bank CD | | 09/10/2014 | 250,000.00 | 251,312.50 | 250,000.00 | 1.900 | | 1.874 | 1,623 | 09/10/2019 |
| 71270QGS9 | 353 | People's United Bank CD | | 09/10/2014 | 250,000.00 | 251,310.00 | 250,000.00 | 1.950 | AAA | 1.923 | 1,623 | 09/10/2019 |
| 856284Z98 | 355 | State Bank of India NY, NY CD | | 09/11/2014 | 250,000.00 | 251,505.00 | 250,000.00 | 2.150 | | 2.121 | 1,624 | 09/11/2019 |
| 05580AAW4 | 356 | BMW BANK NORTH AMERICA | | 09/28/2014 | 250,000.00 | 251,282.50 | 250,000.00 | 2.100 | | 2.071 | 1,639 | 09/26/2019 |
| Subtotal and Average | | | 4,927,419.35 | | 5,000,000.00 | 5,030,367.25 | 5,000,000.00 | | | 1.492 | 1,042 | |
| Managed Pool Accounts - LAIF | | | | | | | | | | | | |
| SYS21 | 21 | LAIF - City | | | 13,489,363.43 | 13,489,363.43 | 13,489,363.43 | 0.278 | | 0.274 | 1 | |
| SYS23 | 23 | LAIF - Redevelopment | | | 0.00 | 0.00 | 0.00 | 0.233 | | 0.230 | 1 | |
| Subtotal and Average | | | 13,421,621.49 | | 13,489,363.43 | 13,489,363.43 | 13,489,363.43 | | | 0.274 | 1 | |
| Money Market Sweep/Checking Account | | | | | | | | | | | | |
| SYS1 | 1 | Pacific Western Bank | | | 1,356,162.00 | 1,356,162.00 | 1,356,162.00 | 0.250 | | 0.247 | 1 | |
| SYS2 | 2 | Pacific Western - Acct Payable | | 07/01/2014 | 0.00 | 0.00 | 0.00 | | | 0.000 | 1 | |
| SYS3 | 3 | Pacific Western-Payroll | | 07/01/2014 | 0.00 | 0.00 | 0.00 | | | 0.000 | 1 | |
| SYS4 | 4 | Union Bank-Checking | | | 111,623.98 | 111,623.98 | 111,623.98 | 0.250 | | 0.247 | 1 | |
| SYS19 | 19 | Petty Cash | | 07/01/2014 | 1,400.00 | 1,400.00 | 1,400.00 | | | 0.000 | 1 | |
| Subtotal and Average | | | 813,166.12 | | 1,469,185.98 | 1,469,185.98 | 1,469,185.98 | | | 0.246 | 1 | |

Portfolio CITY
AP
PM (PRF_PM2) 7 3 0

Run Date: 04/15/2015 - 14:26

225

**The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 360 | Days to Maturity | Maturity Date |
|--|--------------|------------------------------|----------------------|---------------|----------------------|----------------------|----------------------|-------------|-----|--------------|------------------|---------------|
| Medium Term Corporate Notes | | | | | | | | | | | | |
| 38141EA74 | 278 | Goldman Sachs Group Inc | | 02/02/2011 | 1,000,000.00 | 1,009,810.00 | 1,001,807.78 | 3.700 | AA | 3.072 | 122 | 08/01/2015 |
| 06051GED | 280 | Bank of America | | 02/02/2011 | 1,000,000.00 | 1,011,890.00 | 1,001,435.42 | 3.700 | | 3.254 | 153 | 09/01/2015 |
| 0673BJVS0 | 296 | Barclays Bank PLC | | 10/27/2011 | 1,000,000.00 | 1,018,430.00 | 1,000,000.00 | 3.500 | AA | 3.452 | 575 | 10/27/2016 |
| 00206RBF8 | 322 | AT&T INC | | 06/21/2012 | 1,000,000.00 | 1,003,390.00 | 1,002,077.08 | 1.600 | | 1.479 | 792 | 06/01/2017 |
| 46625HJG6 | 331 | J P Morgan | | 01/28/2013 | 1,000,000.00 | 1,007,540.00 | 1,001,892.82 | 1.800 | | 1.713 | 1,030 | 01/25/2018 |
| 36962G6W9 | 346 | General Elec. Cap Crp | | 05/01/2013 | 1,000,000.00 | 1,007,480.00 | 1,005,066.23 | 1.625 | | 1.430 | 1,097 | 04/02/2018 |
| 58933YAS4 | 363 | MERCK & CO INC | | 02/24/2015 | 1,000,000.00 | 1,006,390.00 | 1,000,000.00 | 1.850 | AA | 1.825 | 1,776 | 02/10/2020 |
| Subtotal and Average | | | 7,012,551.56 | | 7,000,000.00 | 7,064,930.00 | 7,012,079.33 | | | 2.317 | 792 | |
| Federal Agency Issues - Callables | | | | | | | | | | | | |
| 3133EAA81 | 326 | Fed. Farm Credit Bank | | 07/30/2012 | 2,000,000.00 | 1,998,720.00 | 2,000,000.00 | 0.780 | | 0.769 | 670 | 01/30/2017 |
| 3136G1AP4 | 333 | Fed. Nat'l Mortgage Assoc | | 01/24/2013 | 1,000,000.00 | 997,190.00 | 1,000,000.00 | 0.750 | | 1.094 | 1,027 | 01/22/2018 |
| 313381YG4 | 332 | Fed. Home Loan Bank | | 02/20/2013 | 2,000,000.00 | 1,992,040.00 | 2,000,000.00 | 1.000 | | 0.986 | 1,056 | 02/20/2018 |
| 3134G43H9 | 344 | Fed. Home Loan Mtg Corp | | 04/30/2013 | 2,000,000.00 | 1,991,860.00 | 2,000,000.00 | 1.060 | | 1.045 | 1,125 | 04/30/2018 |
| 3135G0WN9 | 345 | Fed. Nat'l Mortgage Assoc | | 04/30/2013 | 2,000,000.00 | 1,985,580.00 | 2,000,000.00 | 1.000 | | 0.986 | 1,125 | 04/30/2018 |
| 3134G33S7 | 334 | Fed. Home Loan Mtg Corp | | 01/24/2013 | 1,000,000.00 | 996,900.00 | 1,000,000.00 | 1.000 | | 0.986 | 1,202 | 07/16/2018 |
| 3136G1CF4 | 335 | Fed. Nat'l Mortgage Assoc | | 01/30/2013 | 1,000,000.00 | 994,860.00 | 1,000,000.00 | 1.000 | AAA | 0.986 | 1,216 | 07/30/2018 |
| 3136G26N2 | 357 | Fed. Home Loan Mtg Corp | | 09/26/2014 | 1,000,000.00 | 1,014,090.00 | 1,000,000.00 | 1.600 | | 1.578 | 1,274 | 09/26/2018 |
| 3133EC7L2 | 341 | Fed. Farm Credit Bank | | 03/22/2013 | 1,000,000.00 | 992,150.00 | 999,325.16 | 1.290 | | 1.289 | 1,535 | 06/14/2019 |
| 3136G26H5 | 352 | Fed. Nat'l Mortgage Assoc | | 09/30/2014 | 2,000,000.00 | 2,013,540.00 | 2,000,000.00 | 2.000 | | 1.973 | 1,643 | 09/30/2019 |
| 3136G26U6 | 356 | Fed. Nat'l Mortgage Assn (c) | | 10/07/2014 | 2,000,000.00 | 2,032,220.00 | 2,000,000.00 | 2.000 | AAA | 1.973 | 1,660 | 10/17/2019 |
| 3130A4S52 | 367 | Fed. Home Loan Bank | | 03/30/2015 | 1,000,000.00 | 999,070.00 | 1,000,000.00 | 1.000 | | 2.178 | 1,825 | 03/30/2020 |
| 3130A4S86 | 368 | Fed. Home Loan Bank | | 03/30/2015 | 1,000,000.00 | 999,830.00 | 1,000,000.00 | 1.250 | | 2.112 | 1,825 | 03/30/2020 |
| 313381YN9 | 340 | Fed. Home Loan Bank | | 03/21/2013 | 1,000,000.00 | 999,300.00 | 1,000,000.00 | 1.000 | | 1.856 | 1,962 | 08/14/2020 |
| 3136G1FL8 | 347 | Fed. Nat'l Mortgage Assoc | | 04/26/2013 | 1,000,000.00 | 988,670.00 | 1,006,918.95 | 1.820 | | 1.660 | 1,975 | 08/27/2020 |
| 3133ECDX9 | 342 | Fed. Farm Credit Bank | | 03/25/2013 | 1,000,000.00 | 986,910.00 | 998,884.94 | 1.840 | | 1.835 | 2,136 | 02/04/2021 |
| 3130A2VJ2 | 359 | Fed. Home Loan Bank | | 09/24/2014 | 1,000,000.00 | 1,001,430.00 | 1,000,000.00 | 1.000 | | 3.292 | 3,437 | 08/28/2024 |
| Subtotal and Average | | | 22,811,616.85 | | 23,000,000.00 | 22,994,360.00 | 23,005,129.05 | | | 1.493 | 1,477 | |
| Total and Average | | | 48,986,375.38 | | 49,958,549.41 | 50,048,206.66 | 49,975,757.79 | | | 1.243 | 896 | |

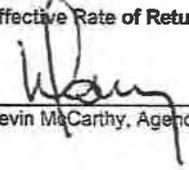


**2006 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2015**

City of Indian Wells
44-950 Eldorado Drive
Indian Wells CA 92210
(760)346-2489

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------|--------------|-------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 5.77 | 5.77 | 5.77 | 100.00 | 1 | 1 | 0.334 | 0.339 |
| Investments | 5.77 | 5.77 | 5.77 | 100.00% | 1 | 1 | 0.334 | 0.339 |

| Total Earnings | March 31 Month Ending |
|--------------------------|-----------------------|
| Current Year | 452.46 |
| Average Daily Balance | 1,299,375.97 |
| Effective Rate of Return | 0.41% |


Kevin McCarthy, Agency Treasurer

Reporting period 03/01/2015-03/31/2015

Run Date: 04/06/2015 - 10:18

No fiscal year history available

Portfolio 06A
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3

230

**2006 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 365 | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|---------------------|---------------|-------------|--------------|-------------|-------------|-----|--------------|------------------|---------------|
| Money Market Sweep/Checking Account | | | | | | | | | | | | |
| SYS13 | 13 | 2006A Good Faith Deposit | | | 0.00 | 0.00 | 0.00 | 5.080 | | 5.080 | 1 | |
| SYS15 | 15 | 2006 A Bonds Reserve | | | 1.00 | 1.00 | 1.00 | | | 0.000 | 1 | |
| SYS14 | 14 | 2006 A Bonds Interest | | | 2.85 | 2.85 | 2.85 | 0.410 | | 0.410 | 1 | |
| SYS12 | 12 | UBC Cost Of Issuance Escrow | | | 0.00 | 0.00 | 0.00 | 5.020 | | 5.020 | 1 | |
| SYS10 | 10 | Fidelity Institutional Money M | | | 0.00 | 0.00 | 0.00 | 5.360 | | 5.360 | 1 | |
| SYS17 | 17 | Principal Account | | | 1.92 | 1.92 | 1.92 | 0.410 | | 0.410 | 1 | |
| Subtotal and Average | | | 1,299,375.97 | | 5.77 | 5.77 | 5.77 | | | 0.339 | 1 | |
| Total and Average | | | 1,299,375.97 | | 5.77 | 5.77 | 5.77 | | | 0.339 | 1 | |

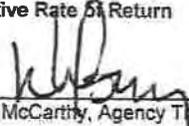


**RDA Series 2010 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2015**

City of Indian Wells
44-950 Eldorado Drive
Indian Wells CA 92210
(760)346-2489

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------------|-------------------|-------------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 780,745.37 | 780,745.37 | 780,745.37 | 100.00 | 1 | 1 | 0.000 | 0.000 |
| Investments | 780,745.37 | 780,745.37 | 780,745.37 | 100.00% | 1 | 1 | 0.000 | 0.000 |

| Total Earnings | March 31 Month Ending |
|--------------------------|-----------------------|
| Current Year | 100.66 |
| Average Daily Balance | 1,004,355.22 |
| Effective Rate of Return | 0.12% |


Kevin McCarthy, Agency Treasurer

Reporting period 03/01/2015-03/31/2015

Run Date: 04/06/2015 - 10:27

No fiscal year history available

Portfolio 010A
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3

232

**RDA Series 2010 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

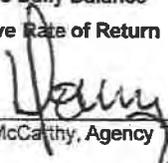
| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 365 | Days to Maturity | Maturity Date |
|--|--------------|------------------------------|---------------------|---------------|-------------------|-------------------|-------------------|-------------|-----|--------------|------------------|---------------|
| Money Market Sweep/Checking Account | | | | | | | | | | | | |
| SYS1 | 1 | 2010 A Bonds Reserve | | 07/01/2013 | 780,690.14 | 780,690.14 | 780,690.14 | | | 0.000 | 1 | |
| SYS14 | 13 | 2010 A Bonds Principal | | 07/01/2013 | 54.93 | 54.93 | 54.93 | | | 0.000 | 1 | |
| SYS4 | 4 | 2010 A Bonds Interest | | | 0.30 | 0.30 | 0.30 | 0.530 | | 0.530 | 1 | |
| SYS7 | 7 | Local Agency Investment Fund | | | 0.00 | 0.00 | 0.00 | 0.530 | | 0.530 | 1 | |
| SYS2 | 2 | Blackrock Provident T-Fund | | 07/01/2013 | 0.00 | 0.00 | 0.00 | | | 0.000 | 1 | |
| SYS3 | 3 | UBC Cost Of Issuance Escrow | | 07/01/2013 | 0.00 | 0.00 | 0.00 | | | 0.000 | 1 | |
| Subtotal and Average | | | 1,004,355.22 | | 780,745.37 | 780,745.37 | 780,745.37 | | | 0.000 | 1 | |
| Total and Average | | | 1,004,355.22 | | 780,745.37 | 780,745.37 | 780,745.37 | | | 0.000 | 1 | |

**Series 2014 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2015**

City of Indian Wells
44-950 Eldorado Drive
Indian Wells CA 92210
(760)346-2489

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------|--------------|-------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 6.53 | 6.53 | 6.53 | 100.00 | 1 | 1 | 0.000 | 0.000 |
| Investments | 6.53 | 6.53 | 6.53 | 100.00% | 1 | 1 | 0.000 | 0.000 |

| Total Earnings | March 31 Month Ending | Fiscal Year To Date |
|--------------------------|-----------------------|---------------------|
| Current Year | 0.00 | 0.00 |
| Average Daily Balance | 458,075.63 | |
| Effective Rate of Return | 0.00% | |


Kevin McCarthy, Agency Treasurer

4/17/2015

Reporting period 03/01/2015-03/31/2015

Run Date: 04/15/2015 - 15:11

Portfolio 14A
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3

**Series 2014 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 365 | Days to Maturity | Maturity Date |
|--|--------------|-----------------------------|-------------------|---------------|-------------|--------------|-------------|-------------|-----|--------------|------------------|---------------|
| Money Market Sweep/Checking Account | | | | | | | | | | | | |
| SYS26 | 26 | 2014 A Bonds Principal | | 08/26/2014 | 5.88 | 5.88 | 5.88 | | | 0.000 | 1 | |
| SYS25 | 25 | 2014 A Bonds Interest | | 08/26/2014 | 0.52 | 0.52 | 0.52 | | | 0.000 | 1 | |
| SYS27 | 27 | 2014 Debt Service | | 09/08/2014 | 0.13 | 0.13 | 0.13 | | | 0.000 | 1 | |
| SYS24 | 1 | UBC Cost Of Issuance Escrow | | 07/01/2014 | 0.00 | 0.00 | 0.00 | | | 0.000 | 1 | |
| Subtotal and Average | | | 458,075.63 | | 6.53 | 6.53 | 6.53 | | | 0.000 | 1 | |
| Total and Average | | | 458,075.63 | | 6.53 | 6.53 | 6.53 | | | 0.000 | 1 | |

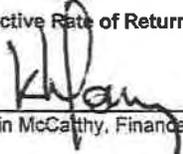


**City of Indian Wells
Portfolio Management
Portfolio Summary
March 31, 2015**

City of Indian Wells
44-950 Eldorado Drive
Indian Wells CA 92210
(760)346-2489

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|---------------------|---------------------|---------------------|----------------|----------|------------------|----------------|----------------|
| Managed Trustee Accounts | 4.09 | 4.09 | 4.09 | 0.00 | 1 | 1 | 1.542 | 1.564 |
| Checking Accounts with Fiscal Agent | 1,881,631.38 | 1,881,631.38 | 1,881,631.38 | 100.00 | 1 | 1 | 0.148 | 0.150 |
| Investments | 1,881,635.47 | 1,881,635.47 | 1,881,635.47 | 100.00% | 1 | 1 | 0.148 | 0.150 |

| Total Earnings | March 31 Month Ending | Fiscal Year To Date |
|--------------------------|-----------------------|---------------------|
| Current Year | 269.99 | 1,904.35 |
| Average Daily Balance | 1,650,986.97 | |
| Effective Rate of Return | 0.19% | |


Kevin McCarthy, Finance Director

Reporting period 03/01/2015-03/31/2015

Run Date: 04/20/2015 - 11:57

Portfolio FA
AP
PM (PRE_PM1) 7.3.0
Report Ver. 7.3.3

236

**City of Indian Wells
Portfolio Management
Portfolio Details - Investments
March 31, 2015**

| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | S&P | YTM 360 | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|---------------------|---------------|---------------------|---------------------|---------------------|-------------|-----|--------------|------------------|---------------|
| Managed Trustee Accounts | | | | | | | | | | | | |
| SYS1 | 1 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 5.110 | | 5.040 | 1 | |
| SYS11 | 11 | Union Bank of California | | | 1.00 | 1.00 | 1.00 | 5.110 | | 5.040 | 1 | |
| SYS12 | 12 | Union Bank of California | | | 1.84 | 1.84 | 1.84 | 0.420 | | 0.414 | 1 | |
| SYS13 | 13 | Union Bank of California | | | 1.25 | 1.25 | 1.25 | 0.410 | | 0.404 | 1 | |
| SYS14 | 14 | Union Bank of California | | 07/01/2014 | 0.00 | 0.00 | 0.00 | 5.110 | | 5.040 | 1 | |
| SYS15 | 15 | Union Bank of California | | 07/01/2014 | 0.00 | 0.00 | 0.00 | 5.110 | | 5.040 | 1 | |
| SYS16 | 16 | Union Bank of California | | 07/01/2014 | 0.00 | 0.00 | 0.00 | 5.110 | | 5.040 | 1 | |
| SYS2 | 2 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 5.110 | | 5.040 | 1 | |
| SYS3 | 3 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 4.950 | | 4.882 | 1 | |
| SYS4 | 4 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 4.950 | | 4.882 | 1 | |
| SYS5 | 5 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 4.950 | | 4.882 | 1 | |
| SYS8 | 8 | Union Bank of California | | | 0.00 | 0.00 | 0.00 | 4.950 | | 4.882 | 1 | |
| Subtotal and Average | | | 159,599.62 | | 4.09 | 4.09 | 4.09 | | | 1.542 | 1 | |
| Checking Accounts with Fiscal Agent | | | | | | | | | | | | |
| SYS6 | 6 | The Golf Resort at Indian Well | | 07/01/2014 | 1,598,984.85 | 1,598,984.85 | 1,598,984.85 | | | 0.000 | 1 | |
| SYS7 | 7 | Indian Wells Villas | | | 38,659.51 | 38,659.51 | 38,659.51 | 1.000 | | 0.986 | 1 | |
| SYS10 | 10 | Mountain View Villas | | | 243,987.02 | 243,987.02 | 243,987.02 | 1.000 | | 0.986 | 1 | |
| Subtotal and Average | | | 1,491,387.35 | | 1,881,631.38 | 1,881,631.38 | 1,881,631.38 | | | 0.148 | 1 | |
| Total and Average | | | 1,650,986.97 | | 1,881,635.47 | 1,881,635.47 | 1,881,635.47 | | | 0.148 | 1 | |

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**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
05/07/2015 MEETING WARRANT LIST**

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|----------------|-------------|------------------|--|--------------------|--------------------|
| 47246 | 5/7/2015 | | AGUILAR CONSULTING, INC. | | |
| | | 469 | FAMD PRELIMINARY DRAINAGE STUDY PHASE 1 FOR MAR, 2015 | 48,779.00 | 48,779.00 |
| 47261 | 5/7/2015 | | WALLACE & ASSOCIATES, INC. | | |
| | | 2015-01-FAMD | FAMD ANNUAL CAPE & SLURRY SEAL PROJECT AND DRAINAGE & HYDROLOGY STUDIES SERVICES | 10,262.50 | |
| | | 2015-02-FAMD | FAMD PED ACCESS, CAPE/SLURRY SEAL, DRAINAGE/HYDROLOGY STUDY, ROADRUNNER SINKHOLE | 7,477.50 | |
| | | 2015-03-FAMD | FAMD ANNUAL CAPE & SLURRY SEAL, MANITOU BRIDGE, DRAINAGE & HYDROLOGY STUDIES | 4,692.50 | |
| | | 2014-02-FAMD | FAMD IWCC DELGADO SINKHOLE ENGINEERING SERVICES FOR JAN 6-AUG 31, 2014 | 220.00 | |
| | | 2014-02-FAMD | FAMD 46380/46390 DOVE RD DRAINAGE ENGINEERING SERVICES FOR JAN 6-AUG 31, 2014 | 220.00 | 22,872.50 |
| 47249 | 5/7/2015 | | CONSERVE LANDCARE | | |
| | | 9584 | FAMD CLUB DRIVE ENTRANCE ISLAND FOUNTAIN LANDSCAPE & IRRIGATION SERVICES | 4,890.00 | |
| | | 9664 | FAMD LANDSCAPE MAINTENANCE FOR APR. 2015 | 1,840.00 | |
| | | 8482 | FAMD LANDSCAPE MAINTENANCE FOR OCT, 2014 | 1,755.00 | |
| | | 9821 | FAMD REPAIR/REPLACE BROKEN LATERAL LINE AND REPAIR BROKEN SPRINKLER FOR APR 15 | 335.00 | 8,820.00 |
| 47251 | 5/7/2015 | | F & F CONSTRUCTION INC | | |
| | | 102414 | FAMD CLUB GATE FOUNTAIN REMODEL RENOVATION PROJECT | 5,710.86 | 5,710.86 |
| 47247 | 5/7/2015 | | AMS | | |
| | | 9486 | (700) FAMD GATE ACCESS TRANSPONDER TAGS BALANCE DUE | 5,454.00 | 5,454.00 |
| 47252 | 5/7/2015 | | M & M SWEEPING, INC. | | |
| | | 38324 | FAMD MONTHLY STREET SWEEPING & ADDITIONAL-MANITOU, IROQUOIS & CLUB FOR APR, 2015 | 5,380.00 | 5,380.00 |
| 47258 | 5/7/2015 | | UNITED BROTHERS CONCRETE, INC. | | |
| | | 8875 | FAMD CURB, GUTTER AND OTHER CONCRETE REPAIR SERVICES AS NEEDED | 4,500.00 | 4,500.00 |
| 47248 | 5/7/2015 | | BEST, BEST & KRIEGER, L.L.P. | | |
| | | 746176 | FAMD LEGAL SERVICES TELEPHONE CONFERENCES, EMAILS, SVC AGREEMENT REVIEWS FOR MAR | 1,555.70 | 1,555.70 |

2
3
8

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
05/07/2015 MEETING WARRANT LIST**

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|----------|---------------|--|-------------|-----------------|
| 47259 | 5/7/2015 | | UNIVERSAL PROTECTION SERVICE | | |
| | | 1423408 | FAMD SECURITY SERVICES FUEL REIMBURSEMENT FOR MAR, 2015 | 819.39 | |
| | | 1451402 | FAMD SPECIAL GUARD SECURITY SVCS FOR APR 10 TO APR 16, 2015 | 704.88 | 1,524.27 |
| 47255 | 5/7/2015 | | SIGN A RAMA | | |
| | | 71498 | REMOVE & REPLACE (10) FAMD STOP SIGNS ON EXISTING POLES FOR APR, 2015 | 1,440.10 | 1,440.10 |
| 47262 | 5/7/2015 | | WILLDAN FINANCIAL SERVICES | | |
| | | 010-27259 | FAMD LEVY SERVICES FOR APR-JUN 2015 | 1,115.22 | 1,115.22 |
| 47256 | 5/7/2015 | | SOUTHERN CALIFORNIA EDISON CO. | | |
| | | 2-04-020-2624 | FAMD 45400 MANITOU DRIVE UTILITIES FOR MAR 18-APR 17, 2015 | 619.81 | 619.81 |
| 47260 | 5/7/2015 | | VERIZON CALIFORNIA | | |
| | | 345-1307 | FAMD MANITOU GUARDGATE PHONE SVC FOR APR 19-MAY 18, 2015 | 582.00 | 582.00 |
| 47253 | 5/7/2015 | | MANITOU SPRINGS HOA | | |
| | | 313223-844958 | FAMD 45-065 MANITOU DR WATER UTILITIES REIMBURSEMENT FOR FEB, 2015 | 249.54 | |
| | | 313223-844958 | FAMD 45-065 MANITOU DR WATER UTILITIES REIMBURSEMENT FOR MAR, 2015 | 197.64 | |
| | | 155649-422592 | FAMD 45-105 MANITOU DR WATER UTILITIES REIMBURSEMENT FOR FEB, 2015 | 49.44 | |
| | | 155649-422592 | FAMD 45-105 MANITOU DR WATER UTILITIES REIMBURSEMENT FOR MAR, 2015 | 46.86 | |
| | | 313223-844958 | FAMD 45-065 MANITOU DR WATER UTILITIES REIMBURSEMENT FOR PART OF APR, 2015 | 37.52 | 581.00 |
| 47250 | 5/7/2015 | | DESERT PROPERTIES LIGHT MAINT. | | |
| | | 15466 | FAMD QUAIL RUN BRIDGE STREET LIGHT LAMP REPLACEMENT FOR APR, 2015 | 219.95 | 219.95 |
| 47254 | 5/7/2015 | | POWERFUL PEST | | |
| | | 100425 | FAMD CLUB & MANITOU GATEHOUSE PEST CONTROL SERVICE FOR FEB, 2015 | 61.80 | |
| | | 100425 | FAMD CLUB & MANITOU GATEHOUSE PEST CONTROL SERVICE FOR MAR, 2015 | 61.80 | |
| | | 100425 | FAMD CLUB & MANITOU GATEHOUSE PEST CONTROL SERVICE FOR APR, 2015 | 61.80 | 185.40 |

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FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
 05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|----------|----------------|--|-------------|-------------|
| 47257 | 5/7/2015 | | SPARKLETTS DRINKING WATER | | |
| | | 14583030040115 | FAMD CLUB/MANITOU GATEHOUSE FILTRATION SYSTEM RENTALS FOR APR,2015 | 134.48 | 134.48 |

17 checks in this report

TOTAL FAMD WARRANTS: 47246-47262 109,474.29

CC/MA ACTION _____ MTG. DATE: 5-7-15
 APPROVED DENIED _____ REC/FILE _____ CONT. _____
 OTHER _____
 VOTE: YES 5 NO 0 ABSTAIN _____

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CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|----------|---------------|--|-------------|------------------|
| 47243 | 5/7/2015 | | VINTAGE ASSOCIATES | | |
| | | SI-158129 | (19) CITYWIDE GENERAL FUND & LLMS LANDSCAPE MAINT FOR APR, 2015 | 43,855.13 | |
| | 5/7/2015 | | VINTAGE ASSOCIATES | | |
| | | SI-158875 | EXTRA LANDSCAPE SERVICES PLANT REPLACEMENT OFF COOK & FRED WARING | 400.00 | 44,255.13 |
| 47168 | 5/7/2015 | | BEST, BEST & KRIEGER, L.L.P. | | |
| | | 746220 | GENERAL CITY RETAINER LEGAL SERVICES FOR MAR, 2015 | 20,346.00 | |
| | | 746177 | TENNIS GARDEN PROJECT LEGAL SERVICES CEQA MATERIALS REVIEW FOR MAR, 2015 | 8,705.30 | |
| | | 746182 | CODE ENFORCEMENT LEGAL SERVICES DOCUMENTATION REVIEW & EMAIL CORRESPONDENCE | 3,739.63 | |
| | | 746184 | 77310 SKY MESA CODE ENFORCEMENT LEGAL SVC-EMAIL CORRESPONDENCE/ABATEMENT FOR MAI | 2,773.78 | |
| | | 746190 | 75537 DESIERTO CODE ENFORCEMENT LEGAL SVC EMAIL CORRESPONDENCE FOR MAR, 2015 | 981.17 | |
| | | 746188 | 75256 DESERT PARK CODE ENFORCEMENT LEGAL MEETINGS FOR MAR, 2015 | 700.68 | |
| | | 746189 | 45313 CLUB DR CODE ENFORCEMENT LEGAL SVC EMAIL CORRESPONDENCE FOR MAR, 2015 | 427.63 | |
| | | 746183 | LA WELLIN PROPERTY CODE ENFORCEMENT LEGAL-APPEAL REVIEWS & MEMOS FOR MAR, 2015 | 300.00 | |
| | | 746185 | 77844 COTTONWOOD CODE ENFORCEMENT LEGAL SVC-EMAILS, DOCUMENT DRAFTING FOR MAR | 242.18 | |
| | | 746187 | 77220 IROQUOIS CODE ENFORCEMENT LEGAL SVCS EMAIL CORRESPONDENCE FOR MAR, 2015 | 157.89 | |
| | | 746186 | 77324 SIOUX DRIVE CODE ENFORCEMENT LEGAL SVC EMAIL CORRESPONDENCE FOR MAR, 2015 | 87.20 | 38,461.46 |
| 47182 | 5/7/2015 | | DESERT CHAMPIONS, LLC | | |
| | | 0000050259 | BNP PARIBAS OPEN SALUTE TO HEROS SPONSORSHIP & 40TH ANNIVERSARY VIGNETTES | 20,563.83 | 20,563.83 |
| 47234 | 5/7/2015 | | SOUTHERN CALIFORNIA EDISON CO. | | |
| | | 2-10-345-9178 | ELDORADO/HWY 111/COOK/FRED WARING/CIELITO/OSAGE/PALMERAS UTILITIES FOR APR, 2015 | 5,719.47 | |
| | | 2-01-570-2186 | 44-900 ELDORADO DR FIRE STATION UTILITIES FOR APR, 2015 | 967.95 | |
| | | 2-26-379-6526 | 77-601 1/2 & 77-801 1/2 MILES PED UTILITIES FOR APR, 2015 | 376.21 | |
| | | 2-32-228-7590 | 4/15 CITYWIDE UTILITIES-83.01 (45200 | 315.13 | |
| | | 2-30-405-2939 | 75-254 1/2 HWY 111 UTILITIES FOR APR, 2015 | 137.18 | |
| | | 2-10-366-7440 | 44-210 1/2 COOK & 76-105 1/2 FRED WARING UTILITIES FOR MAR, 2015 | 136.84 | |
| | | 2-02-275-6597 | 76-884 1/2 INCA DR UTILITIES FOR APR, 2015 | 105.05 | |
| | | 2-28-811-8029 | 78-496 HWY 111 TC1 UTILITIES FOR APR, 2015 | 101.93 | |
| | | 2-26-446-8521 | 77-440 1/2 MILES AVE TC1 UTILITIES FOR APR, 2015 | 99.64 | |
| | | 2-28-811-9811 | 75-595 1/2 FAIRWAY DR UTILITIES FOR APR, 2015 | 96.85 | |
| | | 2-33-975-8682 | 45-200 CLUB DR UNIT B2 UTILITIES FOR APR, 2015 | 87.48 | |
| | | 2-28-811-8524 | 79 DESERT HORIZON/HWY 111 SIGNAL UTILITIES FOR APR, 2015 | 84.28 | |
| | | 2-04-013-0916 | 45-277 CLUB DR UTILITIES FOR APR, 2015 | 81.68 | |
| | | 2-10-366-7580 | 44-950 ELDORADO, 45-826 IW LN, ELDORADO/FW & PORTOLA/VINTAGE UTILITIES FOR MAR | 80.56 | |
| | | 2-19-255-7163 | 75980 1/2 HWY 111 UTILITIES FOR APR, 2015 | 69.18 | |
| | | 2-26-702-6078 | 45-002 1/2 MILES AVE PED UTILITIES FOR APR, 2015 | 64.58 | |
| | | 2-30-405-3051 | 75-256 1/2 HWY 111 UTILITIES FOR APR, 2015 | 57.94 | |
| | | 2-28-811-8466 | 79 HWY 111-ELDORADO SIGNAL UTILITIES FOR APR, 2015 | 56.95 | |
| | | 2-28-811-8276 | 79 HIGHWAY 111 MILES LOT UTILITIES FOR APR, 2015 | 56.46 | |
| | | 2-28-811-8367 | 79 HIGHWAY 111 CLUB LOT UTILITIES FOR APR, 2015 | 54.44 | |

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CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|---------------|--|-------------|-------------|
| | | 2-28-811-8425 | INDIAN WELLS/HWY 111 TC1 UTILITIES FOR APR, 2015 | 53.10 | |
| | | 2-31-473-5101 | 45-280 1/2 COOK ST LOT UTILITIES FOR APR, 2015 | 45.59 | |
| | | 2-36-295-8456 | MILES AVE & WARNER TRL UTILITIES FOR MAR, 2015 | 44.79 | |
| | | 2-19-200-4638 | 74812 1/2 HWY 111 UTILITIES FOR APR, 2015 | 37.88 | |
| | | 2-35-253-2683 | 45-324 1/2 INDIAN WELLS LN UTILITIES FOR APR, 2015 | 32.66 | |
| | | 2-32-400-4498 | 45-300 CLUB DR UTILITIES FOR APR, 2015 | 27.36 | |
| | | 2-01-570-2202 | 77-250 SANDPIPER DR LOT UTILITIES FOR APR, 2015 | 20.30 | |
| | | 2-35-530-3157 | FAIRWAY DR & WILLIAMS RD STREET LIGHT UTILITIES FOR MAR, 2015 | 11.22 | 9,022.70 |
| 47164 | 5/7/2015 | | BALBOA ART CONSERVATION | | |
| | | 15-4105 | CARL BRAY SIGN PRESERVATION PAINTING TREATMENT SERVICES FOR FEB 3 TO APR 2, 2015 | 6,877.50 | 6,877.50 |
| 47238 | 5/7/2015 | | STATE WATER RESOURCES CONTROL | | |
| | | WD-0108602 | ANNUAL WASTE DISCHARGE FEE FOR JUL 1, 2014 TO JUN 30, 2015 | 5,826.00 | 5,826.00 |
| 47178 | 5/7/2015 | | CNS ENGINEERS, INC. | | |
| | | 14014-1 | ADVANCED PLANNING STUDY & COST ESTIMATE FOR FRED WARING DR BRIDGE HBP FUNDING | 4,981.56 | 4,981.56 |
| 47224 | 5/7/2015 | | PIXELPUSHERS, INC. DBA CIVICA | | |
| | | 3026 | CITYOFINDIANWELLS.ORG WEBSITE HOSTING FEE FOR APR-JUN, 2015 | 4,500.00 | 4,500.00 |
| 47209 | 5/7/2015 | | LA QUINTA, CITY OF | | |
| | | 2015-01 | TRAFFIC SIGNAL SHARED MAINT COST WASHINGTON & MILES INTERSECTION FOR FY 2013/14 | 4,345.45 | 4,345.45 |
| 47177 | 5/7/2015 | | CLEANSTREET | | |
| | | 77686 | CITYWIDE STREET SWEEPING FOR MAR, 2015 | 3,702.43 | 3,702.43 |
| 47151 | 4/24/2015 | | DELTA DENTAL | | |
| | | BE001148111 | DENTAL INSURANCE FOR MAY 2015 | 3,566.99 | 3,566.99 |
| 47223 | 5/7/2015 | | PERFECT IMAGES JANITORIAL | | |
| | | 28029 | CIVIC CENTER, CLUB DR BLDG JANITORIAL & WINDOW WASHING SVCS FOR MAR, 2015 | 3,495.00 | 3,495.00 |
| 47245 | 5/7/2015 | | WILLDAN FINANCIAL SERVICES | | |
| | | 010-27259 | LLD LEVY SERVICES FOR APRIL-JUNE, 2015 | 3,335.99 | 3,335.99 |
| 47218 | 5/7/2015 | | MVT PUBLIC RELATIONS, LLC | | |
| | | 2015001 | 2015 SOCIAL MEDIA REPORT FOR BNP PARIBAS OPEN 2015 | 3,000.00 | 3,000.00 |
| 47204 | 5/7/2015 | | JOE A. GONSALVES & SON | | |
| | | 25206 | LEGISLATIVE ADVOCACY SERVICES FOR MAY, 2015 | 3,000.00 | 3,000.00 |
| 47193 | 5/7/2015 | | GRAPHTEK INTERACTIVE | | |
| | | 9703-1 | DESIGN AND PRINT (500) FULL COLOR 2-SIDED COUNCIL ACCOMPLISHMENT HANDOUT | 2,617.27 | |

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CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|---------------|--|-------------|-------------|
| 47192 | 5/7/2015 | 9715-1 | DESIGN OF NON PORTABLE WATER SIGNAGE ON HWY 111 | 135.00 | 2,752.27 |
| | | 63404 | GRANICUS LEGISTAR AND VOTECAS SOFTWARE LICENSING AND SUPPORT FOR APR 1-JUN 30, 2015 | 2,697.00 | 2,697.00 |
| 47229 | 5/7/2015 | | RASA | | |
| | | 4838 | PARCEL MAP #36780 FIRST PLAN CHECK REVIEW SERVICE FEES | 1,300.00 | |
| | | 4837 | PARCEL MAP #36834 FIRST PLAN CHECK REVIEW SERVICE FEE | 1,300.00 | 2,600.00 |
| 47232 | 5/7/2015 | | SILVER INK COMMUNICATIONS | | |
| | | 15-0408 | MAY 2015 NEWSLETTER EDITORIAL PLANNING, INTERVIEW, RESEARCH, WRITING, EDIT/PROOF | 2,400.00 | 2,400.00 |
| 47241 | 5/7/2015 | | VACATION RENTAL COMPLIANCE, LLC | | |
| | | 275 | VACATION RENTAL COMPLIANCE EMAILS/CALLS, MEETINGS & VRBO REVIEW MAR, 2015 | 2,400.00 | 2,400.00 |
| 47145 | 4/20/2015 | | IMPREZZING | | |
| | | 0126 | STATE OF THE CITY PRESENTATION DESIGN SERVICES FOR APR, 2015 | 2,300.00 | 2,300.00 |
| 47179 | 5/7/2015 | | COACHELLA VALLEY WATER DIST. | | |
| | | 152175-418598 | 44502 ELDORADO DR UTILITIES FOR APR, 2015 | 49.24 | |
| | | 281261-740534 | 44-860 ELDORADO DR UTILITIES FOR APR, 2015 | 15.00 | |
| | | 153215-419808 | MILES AVE/WARNER TRL UTILITIES FOR APR, 2015 | 477.50 | |
| | | 281269-740542 | OSAGE TRL LOT 30 UTILITIES FOR APR, 2015 | 324.06 | |
| | | 281271-740546 | 4/15 CITYWIDE UTILITIES-84.20 (45-410) | 239.08 | |
| | | 317055-849582 | LLMD A2 RANCHO PALMERAS DR UTILITIES FOR MAR, 2015 | 166.38 | |
| | | 324083-740422 | SANDPIPER DR/MANITOU UTILITIES FOR APR, 2015 | 150.04 | |
| | | 152071-418440 | 44-500 INDIAN WELLS LANE UTILITIES FOR APR, 2015 | 142.74 | |
| | | 152067-418436 | 44-860 ELDORADO DRIVE UTILITIES FOR APR, 2015 | 63.68 | |
| | | 542759-418520 | SANDPIPER DR/MANITOU UTILITIES FOR APR, 2015 | 62.68 | |
| | | 331197-849962 | LLMD S. HWY 111 @ MANITOU UTILITIES MAR, 2015 | 61.31 | |
| | | 152073-418442 | 44-950 ELDORADO DRIVE UTILITIES FOR APR, 2015 | 55.68 | |
| | | 152599-419102 | 45318 INDIAN WELLS LN UTILITIES FOR APR, 2015 | 48.12 | |
| | | 314329-846220 | 45585 ELDORADO DR UTILITIES FOR APR, 2015 | 44.76 | |
| | | 152069-418438 | FIRE STATION #55 UTILITIES FOR APR, 2015 | 41.26 | |
| | | 314503-846420 | OSAGE TRL MEDIAN WEST OF PAWNEE UTILITIES FOR APR, 2015 | 36.92 | |
| | | 152173-418596 | ELDORADO DR SE CORNER OF OSAGE TRL UTILITIES FOR APR, 2015 | 31.32 | |
| | | 155761-422706 | INCA DRIVE UTILITIES FOR APR, 2015 | 31.32 | |
| | | 314499-846416 | OSAGE TRL LOT 4 UTILITIES FOR APR, 2015 | 30.20 | |
| | | 152991-419528 | HWY 111 UTILITIES FOR APR, 2015 | 23.50 | |
| | | 156361-423526 | HWY 111 LANDSCAPE UTILITIES FOR APR, 2015 | 23.50 | |
| | | 308623-839674 | INDIAN WELLS LANE MEDIANS UTILITIES FOR APR, 2015 | 19.00 | |
| | | 281263-740536 | 44-950 ELDORADO DRIVE UTILITIES FOR APR, 2015 | 10.00 | 2,147.29 |

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**CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST**

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-------------|--|-------------|-----------------|
| 47213 | 5/7/2015 | | LUMPKIN, RUSSELL L. | | |
| | | DTD 4/17/15 | BLDG INSPECTION, PLAN REVIEW, PERMIT ISSUANCE & CODE ENFORCEMENT FOR MAR 30-APR 16 | 2,136.00 | 2,136.00 |
| 47244 | 5/7/2015 | | WEX BANK | | |
| | | 40364533 | PW VEHICLE FLEET FUEL SUPPLY FOR MAR, 2015 | 2,034.58 | 2,034.58 |
| 47167 | 5/7/2015 | | BEST SIGNS, INC. | | |
| | | 84216 | DESIGN DEVELOPMENT OF THE CARL BRAY SMOKE TREE PAINTER SIGN FOR APR, 2015 | 1,760.00 | |
| | | 83231 | SURVEY/REPAIR OF CITY MONUMENT SIGN REPLACEMENT OF WORN WIRES & NUTS | 195.00 | 1,955.00 |
| 47158 | 5/7/2015 | | AGILE360 A DIVISION OF ENTISYS | | |
| | | 118460 | (20) ANNUAL 1GB FILE SHARING & STORAGE SOFTWARE LICENSES | 1,920.00 | 1,920.00 |
| 47208 | 5/7/2015 | | JP TREE CARE CERTIFD ARBORIST | | |
| | | 11946 | 77310 SKYMESA ABATEMENT LANDSCAPE SERVICES | 1,565.00 | |
| | | 11947 | 45725 WILLIAMS RD ABATEMENT LANDSCAPE SERVICES | 350.00 | 1,915.00 |
| 47220 | 5/7/2015 | | PACIFIC PRODUCTS & SVCS INC | | |
| | | 18610 | PUNCH TELESAR, & ALUMINUM DRIVE RIVETS FOR CITY SIGNAGE SUPPLY | 1,877.66 | 1,877.66 |
| 47236 | 5/7/2015 | | STAPLES | | |
| | | 3262332241 | (1) OFFICE CHAIR FOR M.HERNANDEZ PUBLIC WORKS DEPT | 539.99 | |
| | | 3261319798 | CD-R DISCS, CD ENVELOPES, MEMO BOOKS, 11X17 PAPER, SNAPPLE, COKE, & CHAIR MAT | 502.87 | |
| | | 3260745772 | HAND SOAP, PENCILS, DUST-OFF, LIPTON TEA, POST-ITS, COFFEE CREAMER, & SPONGES | 249.57 | |
| | | 3262332242 | PILOT PENS, SHEET PROTECTORS, SHARPIES, TAPE, PENS, & RULERS | 177.60 | |
| | | 3262332243 | SHEET PROTECTORS, HANGING FILE FOLDERS, ADDRESS LABELS, COFFEE CREAMER, & PAPER | 164.14 | |
| | | 3261319799 | (2) 12-PACKS OF COCA-COLA FOR MEETING SUPPLIES | 14.03 | 1,648.20 |
| 47222 | 5/7/2015 | | PARKHOUSE TIRE, INC. | | |
| | | 2030131855 | (3) NEW TIRES FOR FORD F450 DUMP TRUCK | 1,372.02 | |
| | | 2030131742 | NEW RIM & TIRE MOUNT FOR FORD F1450 DUMP TRUCK | 255.93 | 1,627.95 |
| 47194 | 5/7/2015 | | GREAT AMERICA FINANCIAL SVCS | | |
| | | 16847376 | CANON 4045 & 7105 COPIER LEASES FOR APR, 2015 | 999.01 | |
| | | 16877323 | CANON IRA6265 & IRAC7270 COPIER LEASES FOR MAY, 2015 | 626.83 | 1,625.84 |
| 47153 | 4/24/2015 | | UNION SECURITY INSURANCE CO. | | |
| | | 4015595 | SHORT/LONG TERM DISABILITY FOR MAY 2015 | 1,624.64 | 1,624.64 |
| 47162 | 5/7/2015 | | B.G. STRUCTURAL ENGINEERING | | |
| | | 917.585 | 44-697 WARNER TRL PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 750.00 | |
| | | 917.589 | 45725 PARADISE VALLEY RD PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 462.50 | |
| | | 917.558 | 74-988 TAHOE CIRCLE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 200.00 | |
| | | 917.554 | 74-155 QUAIL LAKES DR PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 175.00 | 1,587.50 |
| 47176 | 5/7/2015 | | CISLO & THOMAS LLP | | |
| | | 492146 | TRADEMARK CITY LOGO & GENERAL IP LEGAL MATTER SERVICES FOR MAR, 2015 | 1,562.50 | 1,562.50 |

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CITY OF INDIAN WELLS
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| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|------------------|--|-------------|-------------|
| 47163 | 5/7/2015 | | B.L. WALLACE DISTRIBUTOR, INC. | | |
| | | 20150827 | N9 ELECTRICAL BOXES, LIDS, OES HEAD BOLT, & VANDLE PRFOOF OES KEY BOLTS | 1,166.94 | |
| | | 20150828 | (12) TRAFFIC SIGNAL BOX LIDS FOR CITY SIGNAGE | 382.71 | 1,549.65 |
| 47173 | 5/7/2015 | | CAM STONE'S AUTOMOTIVE | | |
| | | 67483 | 2008 FORD F150HEATER OPERATIONS CHECK, IDEL PULLY BELT REPLACEMENT & CONTROLLER | 939.24 | |
| | | 67702 | 2006 FORD F150 LUBE, OIL, AIR FILTER, TIRE ROTATION, & TRANSMISSION SVC | 210.79 | |
| | | 67651 | 2007 FORD F150 TURN SIGNAL CHECK & REPAIR SERVICE | 112.19 | 1,262.22 |
| 47231 | 5/7/2015 | | SHARK POOLS, INC. | | |
| | | 15200405 | IW LANE EAST FOUNTAIN MAINTENANCE FOR APR, 2015 | 380.00 | |
| | | 15200404 | IW LANE WEST FOUNTAIN MAINTENANCE FOR APR, 2015 | 380.00 | |
| | | 15200403 | WALK OF HONOR FOUNTAIN MAINTENANCE FOR APR, 2015 | 180.00 | |
| | | 15200402 | CITY HALL ENTRANCE FOUNTAIN MAINTENANCE APR 2015 | 140.00 | |
| | | 15200401 | CITY HALL ENTRANCE FOUNTAIN MAINTENANCE FOR APR, 2015 | 140.00 | 1,220.00 |
| 47214 | 5/7/2015 | | MARK CIESLIKOWSKI PHOTOGRAPHY | | |
| | | 5636 | RESIDENT GOLF TOUNAMENT PHOTOGRAPHY SHOOTING FEE & DVD BURNING SVCS ON APR 8 | 518.40 | |
| | | 5638 | IW STATE OF THE CITY PHOTOGRAPHY SHOOTING FEE & DVD BURNING SVCS ON APR 16 | 345.60 | |
| | | 5637 | COMMITTEE/COMMISSIONER DINNER PHOTOGRAPHY SHOOTING FEE & DVD BURNING SVCS APR 15 | 345.60 | 1,209.60 |
| 47215 | 5/7/2015 | | MARTIN SWEEPING | | |
| | | 7339 | CITYWIDE STORM DRAIN FACILITIES MAINTENANCE FOR MAR, 2015 | 1,183.75 | 1,183.75 |
| 47156 | 4/24/2015 | | WILKEY, MICAELA | | |
| | | LONG BEACH | CAPIO CONFERENCE TRAVEL EXPENSE REIMB ON APR 12-16, 2015 | 1,150.21 | 1,150.21 |
| 47205 | 5/7/2015 | | JOHN DEERE LANDSCAPES | | |
| | | 71337747 | PVC, BARBED ELBOW OUTLETS & PVC NIPPLES FOR CITY COMMUNITY GARDEN | 310.61 | |
| | | 71301599 | ROTATORS & IRRIGATION SPRAY PLANT REPALCEMENT SUPPLIES ON MILES & MNT COVE | 298.92 | |
| | | 71095397 | BLACK VISQUEEN, PCV NIPPLES, ELBOW EMITTERS & LINE TIMMER LANDSCAPE MAINT SUPPLY | 228.24 | |
| | | 71079382 | COUPLING SOCKETS, ASSORTED SIZED PVC FITTINGS FOR HWY 111 MILES TO MTN COVE | 120.57 | |
| | | 71187395 | PVC FITTINGS, REDUCER BUSHING FLUSH & BALL VALVE SOLVENT LANDSCAPE MAINT SUPPLY | 31.68 | |
| | | 71236277 | MALE & FEMALE ADAPTERS, RED BUSHING SPIGS & PVC FITTINGS LANDSCAPE MAINT | 27.29 | 1,017.31 |
| 47240 | 5/7/2015 | | TIME WARNER CABLE | | |
| | | 8448410760148720 | CITY HALL INTERNET SERVICES FOR APR 6-MAY 5, 2015 | 889.00 | |
| | | 8448410760152292 | CITY MANAGERS OFFICE CABLE TELEVISION SERVICE FOR APR 14-MAY 13, 2015 | 77.52 | 966.52 |
| 47183 | 5/7/2015 | | DESERT ELECTRIC SUPPLY | | |
| | | S2186720.001 | BLACK, RED, & WHITE THIN BUILDING WIRE FOR CITY LANDSCAPE MAINTENANCE SUPPLIES | 608.38 | |
| | | S2178347.001 | THIN WHITE BUILDING WIRE & CODING TAPE LANDSCAPE LIGHTING MAINTENANCE SUPPLIES | 199.20 | |
| | | S2181344.001 | BOLLARD LIGHTING REPAIR SUPPLIES FOR FAIRWAY DRIVE | 54.00 | |
| | | S2185305.001 | HEX HEAD & CONTACTORS CITY LANDSCAPE LIGHTING SUPPLIES | 50.07 | |
| | | S2178705.001 | PVC CONDUIT & BELL END ELBOWS FOR REROUTE OF ELECTRICAL WIRE | 43.87 | 955.52 |
| 47202 | 5/7/2015 | | INNOVATIVE DOCUMENT SOLUTIONS | | |
| | | 153351 | CANON IR5075 & IRC5051 COPIERS MAINTENANCE FOR MAR, 2015 | 676.42 | |
| | | 153688 | CANON IR7105 & CANON IR4045 COPIER MAINTENANCE FOR MAR, 2015 | 271.13 | 947.55 |

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CITY OF INDIAN WELLS
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| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
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| 47165 | 5/7/2015 | 3107662 | BATTERY SYSTEMS, INC. (8) 6-VOLT GOLF BATTERIES FOR PW FLAT BED CART | 941.76 | 941.76 |
| 47155 | 4/24/2015 | 121858900001 | VISION SERVICE PLAN - (CA) VISION INSURANCE FOR MAY 2015 | 898.58 | 898.58 |
| 47197 | 5/7/2015 | 401153 | HIGH TECH IRRIGATION, INC. PC/FC #36 ACME & M-ACME ADAPTER CITY WASH LANDSCAPE SUPPLIES | 883.71 | 883.71 |
| 47196 | 5/7/2015 | 20150406 | HEPTAGON SEVEN CONSULTING, INC. IW VILLAGE RULE 20B UTILITY UNDERGROUNDING MGMT SVCS FOR MAR 1-APR 3, 2015 | 877.50 | 877.50 |
| 47235 | 5/7/2015 | 15-4536 | SOUTHWEST NETWORKS 1-YEAR SOFTWARE SUPPORT OF CISCO WIRELESS LAN CONTROLLER & (4) SMARTNET 1142 AP | 877.00 | 877.00 |
| 47166 | 5/7/2015 | W140106 | BAY CITY ELECTRIC WORKS CIVIC CENTER EMERGENCY GENERATOR TROUBLESHOOT SERVICE CALL | 837.86 | 837.86 |
| 47239 | 5/7/2015 | 66083282-0 66101474-0 | TELEPACIFIC COMMUNICATIONS CITY HALL PHONE SERVICE APR 16-MAY 15, 2015 EMERGENCY PHONE SERVICE FOR APR 16-MAY 15, 2015 | 521.87 157.32 | 679.19 |
| 47216 | 5/7/2015 | NAPA | MCKINNEY, WADE G. CALIFORNIA CITY MANAGERS FOUNDATION BOARD MEETING TRAVEL EXP REIMB | 668.35 | 668.35 |
| 47225 | 5/7/2015 | 2679 2711 | PROPER SOLUTIONS COMMUNITY DEVELOPMENT TEMP SVCS FOR APR 1-2, 2015 CITY CLERK/COMMUNITY DEVELOPMENT TEMP SVCS FOR APR 8-9, 2015 | 316.80 316.80 | 633.60 |
| 47199 | 5/7/2015 | 875309 | IBOSS NETWORK SECURITY IBOSS ENTERPRISE INTERNET FILTER SUBSCRIPTION FOR APR 26, 2015-APR 25, 2016 | 596.25 | 596.25 |
| 47150 | 4/22/2015 | 150148 | UNIQUE AUTO BODY & COLLISION 2012 TOYOTA TACOMA PICK UP BED, TAILGATE, LAMP & REAR BUMPER AUTO BODY REPAIRS | 580.00 | 580.00 |
| 47152 | 4/24/2015 | 643033 | STANDARD INSURANCE COMPANY LIFE INSURANCE/AD&D FOR MAY 2015 | 551.27 | 551.27 |
| 47217 | 5/7/2015 | 0000035917 | MUNISERVICES, LLC PROPERTY TAX (PTX) FORECAST CONSULTING SERVICE | 500.00 | 500.00 |
| 47175 | 5/7/2015 | TP47216 | CDW GOVERNMENT, INC. (1) 960-GB SOLID STATE DRIVE FOR TECHNOLOGY DEPT | 478.98 | 478.98 |

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CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|--|---|------------------------------------|-------------|
| 47157 | 5/7/2015 | 12870 | AEGIS ITS, INCORPORATED TRAFFIC SIGNALS MAINT/REPAIRS FOR HWY 111 & RANCO PALMERAS FOR MAR, 2015 | 445.27 | 445.27 |
| 47180 | 5/7/2015 | AN0000000463 | COUNTY OF RIVERSIDE ANIMAL SHELTER, FIELD SVC, LICENSES, OPERATIONS & MAINT. FOR MAR, 2015 | 431.22 | 431.22 |
| 47146 | 4/15/2015 | 16312760008 15892760008 15892760008 16312760008 | SOUTHERN CALIFORNIA GAS CO. 44950 ELDORADO DRIVE CITY HALL UTILITIES FOR MAR 4-APR 2, 2015 44860 ELDORADO CORP YARD UTILITIES FOR MAR 4-APR 2, 2015 44860 ELDORADO CORP YARD UTILITIES FOR FEB 2-MAR 4, 2015 44950 ELDORADO DRIVE CITY HALL UTILITIES FOR FEB 2-MAR 3, 2015 | 551.19 50.60 0.94 -177.52 | 425.21 |
| 47147 | 4/20/2015 | 101637688 | STATE BOARD OF EQUALIZATION SALES AND USE TAX DUE FOR JAN TO MAR, 2015 | 403.00 | 403.00 |
| 47185 | 5/7/2015 | 0005234535 | DESERT SUN PUBLISHING CO. PLANNING DEPT LEGAL PUBLIC NOTICES NO.0341-0342 FOR MAR 12, 2015 | 400.04 | 400.04 |
| 47226 | 5/7/2015 | 22029478 22036531 22033039 | PRUDENTIAL OVERALL SUPPLY CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR APR 1, 2015 CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR APR 15, 2015 CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR APR 8, 2015 | 140.72 140.71 112.63 | 394.06 |
| 47228 | 5/7/2015 | B00-012-134-1 | RA STRUCTURAL ENGINEERING 45446 REINA COURT PLAN CHECK SERVICES FOR APR 3-13, 2015 | 390.00 | 390.00 |
| 47190 | 5/7/2015 | 349822 | FULTON DISTRIBUTING FACIAL TISSUE, TOILET TISSUE, TOWELS, 12-16 GALLON, & 45 GALLON TRASH LINER BAGS | 373.12 | 373.12 |
| 47206 | 5/7/2015 | 282224 | JOHNSTONE SUPPLY LEAK LOCK & REFRIGERANT FOR A/C COMPRESSOR REPLACEMENT AT PW MAINT BUILDING | 330.32 | 330.32 |
| 47181 | 5/7/2015 | 1432501-1 0026 | CRYSTAL CLEAR MIRROR & GLASS FLOOD DAMAGE PARTIAL BUILDING PERMIT REFUND FOR B00-011-974 ON NOV 24, 2014 | 325.21 | 325.21 |
| 47144 | 4/20/2015 | ROHNERT PARK | GRANDYS, ANNA CITY CLERKS ASSOCIATION OF CALIFORNIA (CCAC) ANNUAL CONFERENCE TRAVEL ADVANCE | 300.00 | 300.00 |
| 47207 | 5/7/2015 | 8601 8600 | JOSLYN COVE COMM. SENIOR CTR ANNUAL BOARD MEMBER DUES FOR CITY REPRESENTATIVE JANET UNDERWOOD 7% IW PORTION FOR JOSLYN CENTER IMPROVEMENTS ENERGY EFFICIENT EXTERIOR LIGHTING | 250.00 35.98 | 285.98 |
| 47184 | 5/7/2015 | 39935 | DESERT REPROGRAPHICS, LLC (50) BINDING, COALLATION & PADDING OF BOOKLETS FOR BUILDING DEPT | 281.90 | 281.90 |

CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-----------------|---|-------------|-------------|
| 47227 | 5/7/2015 | | PUBLIC RECORD | | |
| | | 16943 | CITY CLERK DEPT LEGAL NOTICES PUBIC HEARING RE: TENNIS COURTS ON MAR 31, 2015 | 156.00 | |
| | | 16987 | CITY CLERK DEPT LEGAL NOTICES SHORT-TERM RENTALS PUBLIC HEARING ON APR 7, 2015 | 108.00 | 264.00 |
| 47203 | 5/7/2015 | | INTERNATIONAL NAMEPLATE | | |
| | | 392475 | (1) IW PATROL UNIT VEHICLE DECAL KIT | 250.49 | 250.49 |
| 47191 | 5/7/2015 | | GASSAWAY, DAVID | | |
| | | PHOENIX | TRANSFORMING LOCAL GOVERNMENT SEMINAR TRAVEL EXPENSE REIMB FOR APR 12 TO APR 15 | 234.47 | 234.47 |
| 47230 | 5/7/2015 | | RIVERSIDE COUNTY INFORMATION | | |
| | | 9990116000-1503 | SHERIFF MOTORCYCLE RADIO OPERATIONAL COSTS FOR MAR, 2015 | 214.34 | 214.34 |
| 47201 | 5/7/2015 | | INLAND LIGHTING SUPPLIES, INC. | | |
| | | 182899A | (25) IW LANE FOUNTAIN FLOURESCENT TUBE BULBS STOCK SUPPLY | 201.96 | 201.96 |
| 47233 | 5/7/2015 | | SIMPLOT PARTNERS | | |
| | | 208047006 | CITY LANDSCAPE MAINTENANCE SUPPLIES & GATORADE FOR PW DEPT | 181.93 | 181.93 |
| 47172 | 5/7/2015 | | CALIFORNIA JOINT POWERS | | |
| | | 5879 | HUMAN RESOURCES ACADEMY REGISTRATION FOR N.ROJO ON APR 21-23, 2015 | 175.00 | 175.00 |
| 47242 | 5/7/2015 | | VERIZON CALIFORNIA | | |
| | | 346-0407 | CITY HALL FAX SERVICE FOR APR 19-MAY 18, 2015 | 116.11 | |
| | | 200-1815 | TRAFFIC SIGNAL CONTROL PHONE LINE FOR APR 13-MAY 12, 2015 | 54.93 | 171.04 |
| 47188 | 5/7/2015 | | FERNANDO'S BUST-A-BUG | | |
| | | 87607 | CIVIC CENTER EXTERIOR & INTERIOR PEST CONTROL SERVICE FOR APR, 2015 | 96.00 | |
| | | 87608 | FIRE STATION PEST CONTROL SERVICE FOR APR, 2015 | 50.00 | |
| | | 87609 | WALK OF HONOR PEST CONTROL SERVICE FOR APR, 2015 | 20.00 | 166.00 |
| 47143 | 4/14/2015 | | EMPLOYMENT DEVELOPMENT DEPT | | |
| | | 00370351-360 | PAYROLL-T.PEABODY 4/10/2015 | 124.37 | 124.37 |
| 47148 | 4/20/2015 | | MORELION, WARREN | | |
| | | REIMB | PAYROLL CONTRIBUTION OVERPAYMENT REFUND 4/10/15 | 116.36 | 116.36 |
| 47198 | 5/7/2015 | | HOME DEPOT | | |
| | | 9113283 | BOLLARD LIGHTING SUPPLY FOR CITY ZONE A8 | 94.85 | 94.85 |
| 47160 | 5/7/2015 | | AROUND-THE-CLOCK | | |
| | | 150400106101 | AFTER HOURS PHONE ANSWERING SERVICE FOR MAR 16-APR 6, 2015 | 91.00 | 91.00 |
| 47210 | 5/7/2015 | | LASR-INK | | |
| | | 12028 | (1) LASER PRINTER INK CARTRIDGE FOR CITY HALL | 87.28 | 87.28 |

CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---------|-----------|----------------------------|--|-----------------------|-------------|
| 47187 | 5/7/2015 | 2-996-47453 | FEDERAL EXPRESS CORP. EXPRESS MAIL SERVICES FOR ENGINEERING & MARKETING DEPT ON MAR 10-27, 2015 | 81.62 | 81.62 |
| 47211 | 5/7/2015 | DTD 4/6/15 | LEAGUE OF CALIFORNIA CITIES LCC GENERAL MEMBERSHIP MEETING REGISTRATION FOR W.MCKINNEY & D.HANSON ON MAY 11 | 80.00 | 80.00 |
| 47170 | 5/7/2015 | 44-BS 405166 | BURRTEC WASTE & RECYCLING ONSITE STORAGE RENTAL FOR CHRISTMAS TREE DECORATIONS FOR APR, 2015 | 80.00 | 80.00 |
| 47212 | 5/7/2015 | 1400527 | LIEBERT CASSIDY WHITMORE PERSONNEL LEGAL SERVICES FOR FEB, 2015 | 73.50 | 73.50 |
| 47237 | 5/7/2015 | 2156 | STAPLES (8) BINDERS, SHEET PROTECTORS & MARKER SUPPLY FOR PLANNING DEPT | 62.54 | 62.54 |
| 47186 | 5/7/2015 | MAIL ORDER | DFM ASSOCIATES 2015 EDITION OF THE CALIFORNIA ELECTIONS CODE FOR CITY CLERK DEPT | 54.00 | 54.00 |
| 47200 | 5/7/2015 | 50579115 | IMPERIAL IRRIGATION DISTRICT 78560 VISTA DEL SOL #A BRIDGE LIGHTING UTILITIES FOR MAR 24-APR 21, 2015 | 52.32 | 52.32 |
| 47174 | 5/7/2015 | 988434104 | CANON SOLUTIONS AMERICA, INC. SCEXPN WIDE FORMAT COPIER/SCANNER MAINTENANCE FOR APR, 2015 | 50.12 | 50.12 |
| 47159 | 5/7/2015 | 66171 | AMERICAN FORENSIC NURSES (1) PUBLIC SAFETY BLOOD DRAW TESTING SERVICE | 40.00 | 40.00 |
| 47171 | 5/7/2015 | 094514 | CALIFORNIA DEPT OF JUSTICE BLOOD ALCOHOL ANALYSIS SERVICE FOR MAR, 2015 | 35.00 | 35.00 |
| 47149 | 4/20/2015 | 352000006506 | UNITED WAY OF THE DESERT PAYROLL EMPLOYEE CONTRIBUTIONS FOR APR 10, 2015 | 27.00 | 27.00 |
| 47154 | 4/24/2015 | 352000006506 | UNITED WAY OF THE DESERT PAYROLL EMPLOYEE CONTRIBUTIONS FOR APR 24, 2015 | 27.00 | 27.00 |
| 47221 | 5/7/2015 | 191734 191872 192049 | PALM DESERT ACE HARDWARE 3/8" GENERAL GROMMET KIT FOR PUBLIC WORKS DEPT (1) 8-OZ DUSTER SNAP BOLT & RING SPLIT FOR CITY FLAG RIBBON MAINTENANCE | 10.25 8.63 4.09 | 22.97 |
| 47161 | 5/7/2015 | 287243904839 | AT&T MOBILITY RAINBIRD LANDSCAPE CONTROLLER SIM CARD DATA SVC FOR MAR 12-APR 11, 2015 | 21.19 | 21.19 |

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CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---|----------|----------------|---|-------------|-------------------|
| 47219 | 5/7/2015 | 627757319-161 | NEXTEL COMMUNICATIONS R.BOWEN LANDSCAPE SPECIALIST PUSH TO TALK CELL SVC FOR MAR 12-APR 11, 2015 | 20.28 | 20.28 |
| 47195 | 5/7/2015 | 1509001-2 0016 | GROME, MICHAEL 2015 MOBILE VENDOR LATE PAYMENT PENALTY OVERPAYMENT REFUND | 7.50 | 7.50 |
| 47169 | 5/7/2015 | 18248443 | BIRCH COMMUNICATIONS, INC. TOLL-FREE/LONG DISTANCE PHONE SERVICE FOR APR 21-MAY 20, 2015 | 5.51 | 5.51 |
| 47189 | 5/7/2015 | 1510401-1 0016 | FINLEY, CHRISTINA L. 2015 PROFESSIONAL LICENSE RENEWAL OVERPAYMENT REFUND | 4.50 | 4.50 |
| 103 checks in this report | | | | | |
| TOTAL CITY WARRANTS 47143-47245: | | | | | 227,115.32 |

250

CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|----------------|-----------|-----------------|---|-------------|-------------|
| Wires : | | | | | |
| 1551 | 4/27/2015 | | CALIFORNIA PUBLIC EMPLOYEES | | |
| | | 100000014514583 | MEDICAL INSURANCE FOR MAY 2015 | 67,329.66 | 67,329.66 |
| 1546 | 4/14/2015 | | INTERNAL REVENUE SERVICE | | |
| | | 95-2489139 | FWT, FICA & MEDICARE FOR APR 10, 2015 | 37,788.89 | 37,788.89 |
| 1550 | 4/28/2015 | | INTERNAL REVENUE SERVICE | | |
| | | 95-2489139 | FWT, FICA & MEDICARE FOR APR 24, 2015 | 35,357.61 | 35,357.61 |
| 1545 | 4/13/2015 | | ICMA | | |
| | | | CONTRIBUTIONS 401A, 457 & ROTH IRA FOR APR 10, 2015 | 8,769.10 | 8,769.10 |
| 1552 | 4/27/2015 | | CALPERS RETIREMENT SYSTEM | | |
| | | 6392517834 | PAYROLL CONTRIBUTIONS FOR APR 24, 2015 | 8,723.13 | 8,723.13 |
| 1549 | 4/24/2015 | | ICMA | | |
| | | | CONTRIBUTIONS 401A, 457 & ROTH IRA FOR APR 24, 2015 | 8,712.20 | 8,712.20 |
| 1547 | 4/21/2015 | | CALPERS RETIREMENT SYSTEM | | |
| | | 6392517834 | PAYROLL CONTRIBUTIONS FOR APR 10, 2015 | 7,702.88 | 7,702.88 |
| 1548 | 4/14/2015 | | CALIFORNIA, STATE OF | | |
| | | 925-0060-2 | SDI & SWT DEPOSIT FOR APR 10, 2015 | 7,392.74 | 7,392.74 |

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**CITY OF INDIAN WELLS
05/07/2015 MEETING WARRANT LIST**

| CHECK # | DATE | INVOICE # | VENDOR NAME/DESCRIPTION | INVOICE AMT | CHECK TOTAL |
|---|-----------|------------|------------------------------------|-------------------|-------------|
| 1553 | 4/24/2015 | | CALIFORNIA, STATE OF | | |
| | | 925-0060-2 | SDI & SWT DEPOSIT FOR APR 24, 2015 | 7,122.96 | 7,122.96 |
| 2890 | 4/9/2015 | | INDIAN WELLS EMPLOYEE ASSOC. | | |
| | | 2379795 | PAYROLL EE DUES FOR APR 10, 2015 | 210.00 | 210.00 |
| 2892 | 4/23/2015 | | INDIAN WELLS EMPLOYEE ASSOC. | | |
| | | 2379795 | PAYROLL EE DUES FOR APR 24, 2015 | 210.00 | 210.00 |
| TOTAL PAYROLL WIRE DISBURSEMENTS 1545-1553, 2890 & 2892: | | | | 189,319.17 | |

| | |
|-----------------------------------|------------------|
| EFT 13878-13907 | 76,232.08 |
| Total Net Payroll 04/24/15 | 76,232.08 |

TOTAL CITY DISBURSEMENTS: 492,666.57

CO/CHA ACTION _____ MTG. DATE: 5-7-15
 APPROVED DENIED REC/FILE _____ CONT. _____
 OTHER _____
 VOTE: YES 3 NO 1 ABSTAIN 2
Homan/Reed

Note: Warrants 47143-47156 were issued prior to City Council approval.

CO/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

Staff Report – City Clerk

May 7, 2015

ALC - Sherry Owens
PS Regional Airport - Robert Burriman

Appointments to City Commissions, Committees and Boards

RECOMMENDED ACTION:

Council **APPOINTS** two qualified residents for two-year terms to the Palm Springs International Airport Commission and the Architecture and Landscape Committee beginning July 1, 2015 and ending June 30, 2017.

DISCUSSION:

The City received seven (7) applications from qualified resident voters who applied to fill the two (2) vacant seats, Palm Springs International Airport and Architecture and Landscape Committee.

On May 7, 2015, a Special Meeting was held so the City Council could interview the applicants.

Enclosed for your review, is the agreed upon process for voting for committee members as detailed in the June 2, 2004 memorandum. Please contact the Clerk's Office if you have any questions regarding the appointment process.

ATTACHMENTS:

1. June 2, 2004 Memorandum regarding appointment voting process
2. Applicant and voter status matrix

MEMORANDUM

DATE: June 2, 2004
TO: Mayor and City Council
FROM: Anna Grandys, Chief Deputy City Clerk
SUBJECT: Voting for Commission/Committee Members

Below is the process that will be implemented tomorrow in voting for the commission and committee members during the City Council meeting.

The ballots will be distributed to each Council Member, the votes will be tallied and the number of votes received per person will be announced. (The specific Council votes will not be announced, however they will be printed in the minutes.)

1. An applicant must receive 3 Council votes to be considered nominated for the commission or committee position.
2. If the number of applicants receiving 5, 4 or 3 votes is greater than the number of positions open, then a runoff will occur among the applicants at each level.
3. If the number of applicants receiving 5, 4 or 3 votes is less than the number of positions open, then a runoff will occur among the applicants receiving 2 and 1 votes. Those receiving 0 votes will not be continued into the runoff.
4. With the Grants and Art in Public Places Committees, there are positions open for 3 two-year terms and 2 one-year terms. During the voting, we will follow the procedures above to fill the 3 two-year terms first, and then fill the 2 one-year terms.
5. The ballots and voting will be completed for each commission/committee before starting the voting for the next commission/committee.
6. Once the ballot voting is completed for a commission/committee and the nominations for the open positions have been determined, the Council must make a motion, second and approve the nominations for that commission/committee by Council vote.

We have developed very detailed procedures for this process, above is a summary of the procedures to be followed during tomorrow's meeting.

City Attorney Steve Deitsch has agreed with the practice of verbally announcing the aggregate Council votes from the ballots during the Council meeting, and then including the specific Council votes in the meeting minutes. According to Steve, there must be a public method for announcing or displaying the specific Council votes for commissions/committees, and this can be through the minutes rather than announcing the votes during the meeting.

If you have any questions, please let me know.

2015 APPLICANTS FOR ADVISORY COMMITTEES

| | Name | # of Terms Left | Registered Voter Status | Architecture and Landscape Committee (1) Positions | Palm Springs Airport Commission (1) Position |
|---|-----------------------------|-----------------|-------------------------|--|--|
| 1 | Berriman, Robert | | Y | | X |
| 2 | Knickerbocker, Charlie | | Y | | X |
| 3 | Maye, Stacey | | Y | | X |
| 4 | McCartney, Clark | | Y | | X |
| 5 | Owens, Sherry | | Y | X | |
| 6 | Schabarum, Peter | | Y | | X |
| 7 | Wilmeth, Bob | | Y | | X |
| | | | | | |
| | Number of Applicants | | | 1 | 6 |

TERMS OF MEMBERS

| PLANNING COMMISSION | | | |
|---|----------------|---------------------|----------------------|
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Kleeman | Steve | 6/15 | Applied |
| Williams | Lorelee | 6/15 | Applied |
| Easton | Ron | 6/16 | |
| Pindiak | Dennis | 6/16 | |
| Staples | AJ | 6/16 | |
| ARCHITECTURE AND LANDSCAPE COMMITTEE | | | |
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Breitenstein | Mikel | 6/15 | Applied |
| Narz | David | 6/15 | TERMED OUT |
| Delateur | Steve | 6/16 | |
| Kaladjian | Harry | 6/16 | |
| Reed | Brenda | 6/16 | |
| COMMUNITIES ACTIVITIES COMMITTEE | | | |
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Blank | Linda | 6/15 | Applied |
| Boston | Lucile | 6/15 | Applied |
| Puls | Gina | 6/15 | Applied |
| Randall | Rocky | 6/16 | |
| Ferraro | Loretta | 6/16 | |
| GOLF RESORT ADVISORY COMMITTEE | | | |
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Bossone | Robert | 6/15 | Applied |
| Driscoll | Kevin | 6/15 | Applied |
| Sutton | Steve | 6/15 | Applied |
| Davis | Tom | 6/16 | |
| Sauerbrey | Ulrich | 6/16 | |
| GRANTS-IN-AID COMMITTEE | | | |
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Kipp | Roger | 6/15 | Applied |
| Rolston | Dave | 6/15 | Applied |
| Tobin May | Judy | 6/15 | Applied |
| Anaya | Rosemary | 6/14 | |
| Griffith | Donna | 6/14 | |
| PALM SPRINGS AIRPORT REPRESENTATIVE | | | |
| <i>Last</i> | <i>First</i> | <i>Term Expires</i> | <i>Status</i> |
| Gordon | Douglas | 6/15 | Did Not Apply |

ALC Vote Tally

| 1 st Vote | 2 nd Vote | 3 rd Vote |
|--|---|---|
| <input type="checkbox"/> Linkjendal, Marc <input checked="" type="checkbox"/> Owens, Sherry | <input type="checkbox"/> Linkjendal, Marc <input type="checkbox"/> Owens, Sherry | <input type="checkbox"/> Linkjendal, Marc <input type="checkbox"/> Owens, Sherry |

PS Airport Vote Tally

| 1 st Vote | 2 nd Vote | 3 rd Vote |
|------------------------------|------------------------------|------------------------------|
| <u>2</u> Berriman, Robert | <u>4</u> Berriman, Robert | _____ Berriman, Robert |
| _____ Knickerbocker, Charlie | _____ Knickerbocker, Charlie | _____ Knickerbocker, Charlie |
| _____ Maye, Stacey | _____ Maye, Stacey | _____ Maye, Stacey |
| _____ McCartney, Clark | _____ McCartney, Clark | _____ McCartney, Clark |
| <u>1</u> Shabarum, Peter | _____ Shabarum, Peter | _____ Shabarum, Peter |
| <u>2</u> Wilmeth, Bob | <u>1</u> Wilmeth, Bob | _____ Wilmeth, Bob |

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 4 NO 1 ABSTAIN _____
Psabody
May 7, 2015

Indian Wells City Council

Staff Report – Marketing & Community Services

Request from the City of Palm Desert to Sponsor their Annual Independence Day Celebration

RECOMMENDED ACTION:

Council **CONSIDERS** funding request from the City of Palm Desert for the 2015 Palm Desert Independence Day celebration.

DISCUSSION:

The City of Palm Desert requested the other Coachella Valley cities participate in the sponsorship of their annual 4th of July celebration to “offset the increased cost” required to produce this event. This year, Palm Desert is requesting \$2,500.

The City last sponsored Palm Desert’s Annual Independence Day Celebration in 2012 for \$2,500. The Council denied the request in 2013, and was not asked by Palm Desert in 2014.

FISCAL IMPACT:

If the City Council chooses to support this funding request, there is funding available from this current year marketing budget.

ATTACHMENT:

1. Letter from the City of Palm Desert



CITY OF PALM DESERT

73-510 FRED WARING DRIVE
PALM DESERT, CALIFORNIA 92260-2578
TEL: 760 346-0611
info@cityofpalmdesert.org

March 18, 2015

03:20:15 PM 12/20/14 CITY OF ID

Mr. Wade McKinney
City Manager
City of Indian Wells
44950 Eldorado Drive
Indian Wells, California 92210

Subject: Palm Desert's Annual Independence Day Celebration

Dear Mr. McKinney:

The Palm Desert City Council recently approved expenditures for the City's annual Independence Day Celebration scheduled for Saturday, July 4, 2015. As the only public event of its kind in the central Coachella Valley, Palm Desert is requesting sponsorship from its neighboring cities to help offset the increased costs of pyrotechnics, live entertainment, shuttle service for attendees, public safety, and other expenditures required to assure a safe and successful event.

With the exception of the last few years, the City of Indian Wells has been a longtime sponsor of this event. As such, the City of Palm Desert respectfully requests Indian Wells continued sponsorship in any amount seen fit. Please note that Rancho Mirage has guaranteed a two year event sponsorship in the amount of \$7,500, per year.

We appreciate your consideration. Feel free to contact me at (760) 346-0611, ext. 305, if you have any questions.

Sincerely,

John M. Wohlmuth
City Manager

akl

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 5 NO 0 ABSTAIN _____

Indian Wells City Council

May 7, 2015

Staff Report – City Clerk

Adopt Resolution Amending the City Council Policy Manual

RECOMMENDATION:

Council **ADOPTS** Resolution Bill No. 2015-20 amending the City Council Policy Manual.

DISCUSSION:

The Council has modified the City's Mission Statement, made a policy change relating to expanding public comment at special meetings, and increased the Council's options for the selection process of residents to Commissions, Committees and Boards. Staff has prepared the following revisions to the City Council Policy Manual:

| | |
|---------|--|
| Amended | Section 1.01.010, Mission Statement |
| Amended | Section 3.03.020, Types of Meetings |
| Amended | Section 3.04.030, Addressing the Council and Committees |
| Amended | Section 3.07.120, Policy for Selection and Appointment of Resident Members |

ATTACHMENT:

1. Resolution Bill No. 2015-20

RESOLUTION BILL NO. 2015-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING THE CITY COUNCIL POLICY MANUAL

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has determined that policies guiding its operation should be memorialized in a policy manual; and

WHEREAS, the City Council adopted Resolution No. 2012-40 which amended and restated the City Council Policy Manual on November 15, 2012; and

WHEREAS, the City Council desires to amend section detailing the City's mission statement, amending two sections in relation to public comments at special meetings, and amending section relating to the selection criteria for appointment of resident members to City various commissions, committees and boards in the City Council Policy Manual; and

WHEREAS, the added section and chapter, and the amended sections of the City Council Policy Manual, are attached hereto as Exhibit "A."

NOW, THEREFORE, the City Council of the City of Indian Wells **RESOLVES** as follows:

SECTION 1. The City Council **APPROVES** the amendments to the City Council Policy Manual, as set forth in Exhibit "A."

SECTION 2. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 7th day of May, 2015.

TY PEABODY
MAYOR

CERTIFICATION FOR RESOLUTION BILL NO. 2015-20

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells on the 7th day of May, 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**WADE G. MCKINNEY
CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

EXHIBIT "A"

"1.01.010 MISSION STATEMENT.

Create an unsurpassed quality of life for our residents and guests by providing superior public safety, exceptional service and outstanding amenities that will further enhance our image as a prestigious community and international resort destination."

3.03.020 TYPES OF MEETINGS.

"(b) Special Meetings.

A special meeting, workshop, study session, or Town Hall Meeting may be called at any time by the Mayor or by the majority of the Council. Written notice must be given at least 24 hours prior to the special meeting to all council members and to the media who have previously requested same in accordance with applicable provision of the Government Code. Such notice is not necessary for any member who submits a written waiver of notice to the City Clerk at or before the time set for the meeting, or for any member who is actually present at the special meeting. ~~No business other than that officially noticed may be discussed.~~

At all special meetings, public comments on the agenda items must be permitted before or during consideration of the agenda items. In addition, comments within the Council's subject matter jurisdiction will be heard during public comments section."

"3.04.030 ADDRESSING THE COUNCIL AND COMMITTEES.

Persons wishing to speak on an agenda item or during public comments are asked to complete a speaker blue card and submit the card to the City Clerk or other staff at the meeting. Speakers should discuss topics related to City business on the agenda, unless they are speaking during public comments within the Council's subject matter jurisdiction. Speaker's comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Commissioners, Committee Members, or staff in conversation will not be honored. Abusive language is inappropriate and not allowed. Speakers and any other member of the public will not approach the dais during the meeting without prior consent from the Mayor/Chair. Speakers should return to their seat after their comments and not continue to stand at the podium.

When the Mayor/Chair has recognized you, come forward to the podium and state your name and city of residence for the record. Any documents used by the speaker shall be given to the City Clerk for distribution to the Council. A three-minute limit is the policy of the Council; however, the time limit is at the discretion of the Council/Committee.

Applicants and appellants, especially in land use matters are given more time to speak. Whenever any group of persons wishes to address the Council or committee on the same subject matter, it shall be proper for the Mayor/Chair to request that a spokesperson be chosen by the group to address the body and, to limit the number of persons so addressing the body in order to avoid unnecessary repetition.

Public comment on regular business items normally follows staff's presentation of the staff report, clarifying questions from council members, the applicant comments, if any, and then the public comments are heard. After the Mayor has announced the public comments portion is done, or a motion has been made, or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority of the Council.

Speakers are encouraged to submit written public comments to the City Clerk preferably 24 hours prior to the distribution of the agenda packet. The written public comments will be included in the agenda packet, enabling the speaker to summarize his/her written comments within the three-minute time limit at the meeting. Any written comments on an agenda item received by the City Clerk prior to the meeting will be distributed to the Council or committee and then included in the official record of the meeting."

3.07.120 POLICY FOR SELECTION AND APPOINTMENT OF RESIDENT MEMBERS.

"(e) Selection Process.

As a part of the selection/appointment process applicable to proposed members other than council members, the Council may interview in open session of a Council meeting, any or all of the individuals submitting applications, as determined by the Council, in its discretion. After candidates, if any, have been interviewed, council members will confer as a group to discuss appointments.

The Council has the option, at its sole discretion, of re-appointing current commission/committee members, without inviting other applications, if said members have a two-year term remaining on the same commission, committee or board."

CC/HA ACTION _____ MTG. DATE: 5-7-15
APPROVED DENIED _____ REC/FILE _____ CONT. _____
OTHER _____
VOTE: YES 5 NO 4 ABSTAIN _____

Successor Agency to RDA

Staff Report – Finance

May 7, 2015

Adopt Resolution Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Dissolved Redevelopment Agency of the City of Indian Wells

RECOMMENDED ACTIONS:

Successor Agency **ADOPTS** Resolution Bill SA No. 2015-02 approving the Issuance of Refunding Bonds in order to Refund Certain Outstanding Bonds of the Dissolved Redevelopment Agency of the City of Indian Wells; and

APPROVES the Execution and Delivery of an Indenture of Trust Relating Thereto, and

REQUESTS Oversight Board Approval of the Issuance of the Refunding Bonds; and

PROVIDES for Other Matters Properly Relating Thereto

REPORT-IN-BRIEF:

To the extent possible, the Successor Agency is interested in refunding certain bonds in order to achieve debt service savings that will accrue to the benefit of both the Successor Agency and to applicable taxing entities. Staff has identified two series of bonds available for refunding. Under current market conditions, refunding the bonds could achieve approximately \$2.5 million in present value savings representing 5.4% of bonds refunded.

DISCUSSION:

Background:

The former Indian Wells Redevelopment Agency has two bond series that can achieve savings under current rates. The Series 2005 A Bonds with \$8,095,000 outstanding and the Series 2006 A Bonds with \$61,355,000 outstanding. The proposed refunding will refund all of the Series 2005 bonds and partially advance refund \$37,560,000 of outstanding Series 2006 A bonds. The proposed refunding is outlined in table 1 below.

Table 1 Proposed Bond Refunding Plan

| Bonds | Current Bonds | | Remaining Bonds |
|-------------|---------------|--------------------|-----------------|
| | Outstanding | Proposed Refunding | Outstanding |
| Series 2005 | \$ 8,095,000 | \$ 8,095,000 | \$ - |
| Series 2006 | \$ 61,355,000 | \$ 37,560,000 | \$ 23,795,000 |
| Total | \$ 69,450,000 | \$ 45,655,000 | \$ 23,795,000 |

The remaining portion of the Series 2006 A bonds were already advanced refunded in 2006 and cannot be advanced refunded a second time. If market conditions are favorable, the 2006 bonds may be refunded in 2016.

Analysis:

The attached resolution of the Agency approves the execution and delivery of following documents:

First Supplemental Indenture of Trust: Key legal document that describes the pledge of tax increment revenues and lays out the legal structure and terms of the Successor Agency's Refunding Bonds. It specifies payment dates, interest rates, maturity dates of the Refunding Bonds; revenues and accounts specifically pledged to the repayment of the Refunding Bonds; flow of funds, default and remedy provisions; defeasance provisions in the event the Refunding Bonds are prepaid; provisions relating to the issuance of additional debt and covenants of the Successor Agency. The Bond Indenture is drafted by Bond Counsel and executed by the Successor Agency and the Trustee.

Bond Purchase Agreement: The Bond Purchase Agreement describes the underwriter's terms and conditions for the purchase of the Successor Agency Bonds.

Irrevocable Refunding Instructions: The Irrevocable Refunding Instructions describe the term and conditions under which bond proceeds will be held until the owners of the Series 2005 and the Series 2006 Bonds are paid.

Once the Successor Agency approves these documents, they will be submitted to the Oversight Board and State Department of Finance for approval. On May 21, 2015, the Successor Agency will review and approve the Preliminary Officials Statement and an updated savings analysis. Without approval of this document, bonds cannot be sold.

FISCAL IMPACT:

Federal Reserve Policy and the performance of the economy between now and then will likely determine the ultimate level of savings, if any. Interest rates may be higher, lower, or unchanged. If savings are insufficient, no Refunding Bonds will be sold.

The expected savings from the refinancing are outlined in **Blue** below and will depend on bond market conditions in July of 2015.

| Summary of Refunding Results | Series 2005A (Tax-Exempt Refunding) | Series 2006A (Tax-Exempt Refunding) | Total |
|---|--|--|--------------|
| Dated Date | 6/1/2015 | 6/1/2015 | 6/1/2015 |
| Delivery Date | 6/1/2015 | 6/1/2015 | 6/1/2015 |
| Arbitrage Yield | 2.82% | 2.82% | 2.82% |
| Escrow Yield | | 0.42% | 0.42% |
| Value of Negative Arbitrage (Negative Carry) | | 1,022,220 | 1,022,220 |
| Bond Par Amount | 6,620,000 | 34,080,000 | 40,700,000 |
| True Interest Cost | 1.65% | 3.29% | 3.18% |
| Net Interest Cost | 1.79% | 3.66% | 3.54% |
| Average Coupon | 4.56% | 4.99% | 4.96% |
| Average Life | 4.404 | 13.379 | 11.919 |
| Par amount of refunded bonds | 8,095,000 | 37,560,000 | 45,655,000 |
| Average coupon of refunded bonds | 4.17% | 4.46% | 4.44% |
| Average life of refunded bonds | 3.957 | 13.044 | 11.432 |
| PV of prior debt | 8,576,901 | 44,495,716 | 53,072,617 |
| Net PV Savings | 521,028 | 1,969,966 | 2,490,994 |
| Percentage savings of refunded bonds | 6.44% | 5.24% | 5.46% |
| Percentage savings of refunding bonds | 7.87% | 5.78% | 6.12% |

Debt Service Schedule:

| Date | Existing Debt Service | ROPS Funds for Ref. Escrow | Prior Net Cash Flow | Refunding Debt Service | ROPS Funds for Pymt | Refunding Net Cash Flow | Savings |
|----------|-----------------------|----------------------------|---------------------|------------------------|---------------------|-------------------------|--------------|
| 9/1/2015 | \$ 1,867,956 | \$ 1,867,956 | | \$ 489,075 | \$ 489,075 | | |
| 9/1/2016 | \$ 3,442,913 | | \$ 3,442,913 | \$ 3,221,300 | | \$ 3,221,300 | \$ 221,613 |
| 9/1/2017 | \$ 3,439,056 | | \$ 3,439,056 | \$ 3,218,350 | | \$ 3,218,350 | \$ 220,706 |
| 9/1/2018 | \$ 3,441,856 | | \$ 3,441,856 | \$ 3,224,350 | | \$ 3,224,350 | \$ 217,506 |
| 9/1/2019 | \$ 3,442,056 | | \$ 3,442,056 | \$ 3,220,550 | | \$ 3,220,550 | \$ 221,506 |
| 9/1/2020 | \$ 3,443,631 | | \$ 3,443,631 | \$ 3,224,750 | | \$ 3,224,750 | \$ 218,881 |
| 9/1/2021 | \$ 3,445,769 | | \$ 3,445,769 | \$ 3,222,000 | | \$ 3,222,000 | \$ 223,769 |
| 9/1/2022 | \$ 3,444,781 | | \$ 3,444,781 | \$ 3,220,750 | | \$ 3,220,750 | \$ 224,031 |
| 9/1/2023 | \$ 3,614,750 | | \$ 3,614,750 | \$ 3,480,750 | | \$ 3,480,750 | \$ 134,000 |
| 9/1/2024 | \$ 3,615,856 | | \$ 3,615,856 | \$ 3,478,750 | | \$ 3,478,750 | \$ 137,106 |
| 9/1/2025 | \$ 3,610,444 | | \$ 3,610,444 | \$ 3,472,000 | | \$ 3,472,000 | \$ 138,444 |
| 9/1/2026 | \$ 3,611,206 | | \$ 3,611,206 | \$ 3,475,500 | | \$ 3,475,500 | \$ 135,706 |
| 9/1/2027 | \$ 3,612,719 | | \$ 3,612,719 | \$ 3,473,500 | | \$ 3,473,500 | \$ 139,219 |
| 9/1/2028 | \$ 3,614,769 | | \$ 3,614,769 | \$ 3,476,000 | | \$ 3,476,000 | \$ 138,769 |
| 9/1/2029 | \$ 3,613,831 | | \$ 3,613,831 | \$ 3,477,500 | | \$ 3,477,500 | \$ 136,331 |
| 9/1/2030 | \$ 3,612,863 | | \$ 3,612,863 | \$ 3,477,750 | | \$ 3,477,750 | \$ 135,113 |
| 9/1/2031 | \$ 3,613,038 | | \$ 3,613,038 | \$ 3,476,500 | | \$ 3,476,500 | \$ 136,538 |
| 9/1/2032 | \$ 3,617,363 | | \$ 3,617,363 | \$ 3,478,500 | | \$ 3,478,500 | \$ 138,863 |
| 9/1/2033 | \$ 3,610,388 | | \$ 3,610,388 | \$ 3,473,250 | | \$ 3,473,250 | \$ 137,138 |
| 9/1/2034 | \$ 3,619,113 | | \$ 3,619,113 | \$ 3,480,750 | | \$ 3,480,750 | \$ 138,363 |
| | \$69,334,356 | \$ 1,867,956 | \$67,466,400 | \$64,761,875 | \$ 489,075 | \$64,272,800 | \$ 3,193,600 |

Allocation of Savings:

The County Auditor will allocate reductions in annual debt service to the appropriate taxing entities as part of the DOF's recognized obligation payment schedule process. The primary beneficiaries, depending on the year and tax rate area are:

| | |
|---|-----|
| Desert Sands Unified School District | 38% |
| Coachella Valley Water District | 6% |
| County of Riverside | 36% |
| County Schools | 4% |
| College of the Desert | 8% |
| Coachella Valley Recreation & Park District | 2% |

It is expected that the City of Indian Wells will receive roughly 5% of the annual savings.

Process and Timing:

Staff anticipates the State Department of Finance review and approve the Successor Agency's refinancing not later than 65 days after Oversight Board action or mid-July. Upon approval, the refinancing of the outstanding bonds will be completed. Assuming timely approvals from all agencies including the State Department of Finance, the Successor Agency and the Authority anticipate issuing the Refunding Bonds in July 2015.

ATTACHMENTS:

1. Resolution SA Bill No. 2015-02
2. First Supplemental Indenture of Trust
3. Bond Purchase Agreement
4. Irrevocable Refunding Instructions 2005A
5. Irrevocable Refunding Instructions 2006A
6. Bond Refunding Plan from C.M. de Crinis & Co. Financial Advisors
7. Preliminary 2015 Tax Allocation Refunding Bonds Schedule

RESOLUTION SA BILL NO. 2015-02

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY APPROVING THE ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND CERTAIN OUTSTANDING BONDS OF THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF INDIAN WELLS, APPROVING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL INDENTURE OF TRUST RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF THE ISSUANCE OF THE REFUNDING BONDS, REQUESTING CERTAIN DETERMINATIONS BY THE OVERSIGHT BOARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, pursuant to Section 34172(a) of the California Health and Safety Code (unless otherwise noted, all Section references hereinafter being to such Code), the Redevelopment Agency of the City of Indian Wells (the "Former Agency") has been dissolved and no longer exists as a public body, corporate and politic, and pursuant to Section 34173, the City of Indian Wells (the "City") has become the successor entity to the Agency (the "Successor Agency"); and

WHEREAS, prior to the dissolution of the Former Agency, the Former Agency issued its Consolidated Whitewater Project Area Tax Allocation Refunding Bonds, Series 2005A (the "Series 2005A Bonds") and its Consolidated Whitewater Project Area Tax Allocation Bonds, Series 2006A (the "Series 2006A Bonds" and, together with the Series 2005A Bonds, the "Prior Bonds") in the respective initial aggregate principal amounts of \$14,125,000 and \$67,805,000 for the purpose of financing and refinancing redevelopment activities; and

WHEREAS, Section 34177.5 authorizes the Successor Agency to issue refunding bonds pursuant to Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code (the "Refunding Law") for the purpose of achieving debt service savings within the parameters set forth in Section 34177.5(a)(1) (the "Savings Parameters"); and

WHEREAS, to determine compliance with the Savings Parameters for purposes of the issuance by the Successor Agency of the Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A (the "Refunding Bonds"), the Successor Agency has caused its financial advisor, C.M. de Crinis & Co., Inc. (the "Financial Advisor"), to prepare an analysis of the potential savings that will accrue to the Successor Agency and to applicable taxing entities as a result of the use of the proceeds of the Refunding Bonds to repay the Prior Bonds and, thereby, to refund the Prior Bonds (the "Debt Service Savings Analysis"); and

WHEREAS, the Successor Agency wishes at this time to approve the issuance of the Refunding Bonds and to approve the form of and authorize the execution and delivery of the First Supplemental Indenture of Trust, expected to be dated as of July 1, 2015, by and between the Successor Agency and MUFG Union Bank, N.A., as trustee, providing for the issuance of the Refunding Bonds (the "First Supplemental Indenture") and the Irrevocable Refunding Instructions to be delivered to MUFG Union Bank, N.A., as fiscal agent for the Prior Bonds, one each for the Series 2005A Bonds and the Series 2006A Bonds, each to be dated as of the date of the issuance and delivery of the Refunding Bonds (collectively, the "Refunding Instructions"); and

WHEREAS, pursuant to Section 34179, an oversight board (the "Oversight Board") has been established for the Successor Agency; and

WHEREAS, the Successor Agency is now requesting that the Oversight Board approve the issuance of the Refunding Bonds pursuant to this Resolution and the First Supplemental Indenture; and

WHEREAS, the Successor Agency further requests that the Oversight Board make certain determinations described below on which the Successor Agency will rely in undertaking the refunding proceedings and the issuance of the Refunding Bonds; and

WHEREAS, the Successor Agency has determined to sell the Refunding Bonds to Citigroup Global Market Inc. (the "Underwriter") pursuant to the terms of a Bond Purchase Agreement (the "Purchase Agreement") between the Successor Agency and the Underwriter; and

WHEREAS, following approval by the Oversight Board of the issuance of the Refunding Bonds by the Successor Agency and upon submission of the Oversight Board Resolution to the California Department of Finance, the Successor Agency will, with the assistance of its Disclosure Counsel and the Financial Advisor, cause to be prepared a form of Official Statement describing the Refunding Bonds and containing material information relating to the Successor Agency and the Refunding Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Underwriter to persons and institutions interested in purchasing the Refunding Bonds.

NOW, THEREFORE, the City Council of the City of Indian Wells, serving as the successor agency to the dissolved Indian Wells Redevelopment Agency **RESOLVES** as follows:

SECTION 1. Determination of Savings. The Successor Agency has **DETERMINED** that there are significant potential savings available to the Successor Agency and to applicable taxing entities in compliance with the Savings Parameters by the issuance by the Successor Agency of the Refunding Bonds to provide funds to refund and defease the Prior Bonds, all as evidenced by the Debt Service Savings Analysis on

file with the City Clerk, as the secretary (the "Secretary") of the Successor Agency, which Debt Service Savings Analysis is hereby approved.

SECTION 2. Approval of Issuance of the Bonds. The Successor Agency hereby **AUTHORIZES** and **APPROVES** the issuance of the Refunding Bonds under Section 34177.5 and the Refunding Law in the aggregate principal amount of not to exceed \$70,000,000, provided that the Refunding Bonds are in compliance with the Savings Parameters at the time of sale and delivery. The Refunding Bonds may be issued in one or more series on a tax-exempt and/or taxable basis provided the conditions set forth in the immediately preceding sentence are met.

SECTION 3. Approval of Indenture. The Successor Agency hereby **APPROVES** the First Supplemental Indenture prescribing the terms and provisions of the Refunding Bonds and the application of the proceeds of the Refunding Bonds. Each of the Mayor, as the Chair and presiding officer of the Successor Agency, or the City Manager of the City of Indian Wells, as the chief administrative officer of the Successor Agency (each, an "Authorized Officer"), is hereby **AUTHORIZED** and **DIRECTED** to execute and deliver, and the Secretary of the Successor Agency, is hereby authorized and directed to attest to, the First Supplemental Indenture for and in the name and on behalf of the Successor Agency, in substantially the form on file with the Secretary of the Successor Agency, with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the First Supplemental Indenture. The Successor Agency hereby authorizes the delivery and performance of the First Supplemental Indenture.

SECTION 4. Approval of Refunding Instructions. The forms of the Refunding Instructions on file with the Secretary are hereby **APPROVED** and the Authorized Officers are, each acting alone hereby **AUTHORIZED** and **DIRECTED**, for and in the name and on behalf of the Successor Agency, to execute and deliver the Refunding Instructions. The Successor Agency hereby authorizes the delivery and performance of its obligations under the Refunding Instructions.

SECTION 5. Oversight Board Approval of the Issuance of the Bonds. The Successor Agency hereby requests the Oversight Board as authorized by Section 34177.5(f) and Section 34180 to approve the issuance of the Refunding Bonds pursuant to Section 34177.5(a)(1) and this Resolution and the First Supplemental Indenture.

SECTION 6. Determinations by the Oversight Board. The Successor Agency requests that the Oversight Board make the following determinations upon which the Successor Agency will rely in undertaking the refunding proceedings and the issuance of the Refunding Bonds:

(a) The Successor Agency is authorized, as provided in Section 34177.5(f), to recover its costs related to the issuance of the Refunding Bonds from the proceeds of the Refunding Bonds, including the cost of reimbursing the City for administrative staff time spent with respect to the authorization, issuance, sale and delivery of the Refunding Bonds; and

(b) The application of proceeds of the Refunding Bonds by the Successor Agency to the refunding and defeasance of the Prior Bonds, as well as the payment by the Successor Agency of costs of issuance of the Refunding Bonds, as provided in Section 34177.5(a), shall be implemented by the Successor Agency promptly upon sale and delivery of the Refunding Bonds, notwithstanding Section 34177.3 or any other provision of law to the contrary, without the approval of the Oversight Board, the California Department of Finance, the Riverside County Auditor-Controller or any other person or entity other than the Successor Agency; and

(c) The Successor Agency shall be entitled to receive its full Administrative Cost Allowance under Section 34181(a)(3) without any deductions with respect to continuing costs related to the Refunding Bonds, such as trustee's fees, auditing and fiscal consultant fees and continuing disclosure and rating agency costs (collectively, "Continuing Costs of Issuance"), and such Continuing Costs of Issuance shall be payable from property tax revenues pursuant to Section 34183. In addition and as provided by Section 34177.5(f), if the Successor Agency is unable to complete the issuance of the Refunding Bonds for any reason, the Successor Agency shall, nevertheless, be entitled to recover its costs incurred with respect to the refunding proceedings from such property tax revenues pursuant to Section 34183 without reduction in its Administrative Cost Allowance.

SECTION 7. Filing of Debt Service Savings Analysis and Resolution. The Secretary of the Successor Agency is hereby **AUTHORIZED** and **DIRECTED** to file the Debt Service Savings Analysis, together with a certified copy of this Resolution, with the Oversight Board, and, as provided in Section 34180(j) with the Riverside County Administrative Officer, the Riverside County Auditor-Controller and the California Department of Finance.

SECTION 8. Sale of Refunding Bonds. The Successor Agency hereby **APPROVES** the Purchase Agreement. The Authorized Officers, each acting alone, are hereby **AUTHORIZED** and **DIRECTED** to execute and deliver the Purchase Agreement for and in the name and on behalf of the Successor Agency, in substantially the form on file with the Secretary of the Successor Agency, with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Purchase Agreement. The Successor Agency hereby **AUTHORIZES** the delivery and performance of its obligations under the Purchase Agreement.

SECTION 9. Issuance of Refunding Bonds in Whole or in Part. It is the intent of the Successor Agency to sell and deliver the Refunding Bonds in whole, provided that there is compliance with the Savings Parameters. However, the Successor Agency will initially authorize the sale and delivery of the Refunding Bonds in whole or, if such Savings Parameters cannot be met with respect to the whole, then in part; provided that the Refunding Bonds so sold and delivered in part are in compliance with the Savings Parameters. The sale and delivery of the Refunding Bonds in part will in each instance provide sufficient funds only for the refunding of that portion of the Refunding Bonds that meet the Savings Parameters. In the event the Refunding Bonds are initially sold in part, the Successor Agency intends to sell and deliver additional parts of the Refunding Bonds without the prior approval of the Oversight Board provided that in each such instance the Refunding Bonds so sold and delivered in part are in compliance with the Savings Parameters.

SECTION 10. Municipal Bond Insurance and Surety Bonds. The Authorized Officers, each acting alone, are hereby **AUTHORIZED** and **DIRECTED** to take all actions necessary to obtain a municipal bond insurance policy and reserve account surety bonds for the Refunding Bonds from a municipal bond insurance company if it is determined, upon consultation with the Financial Advisor and the Underwriter, that such municipal bond insurance policy and/or surety bonds will reduce the true interest costs with respect to the Refunding Bonds.

SECTION 11. Approval of Official Statement. Following approval by the Oversight Board of the issuance of the Refunding Bonds by the Successor Agency and upon submission of the Oversight Board Resolution to the California Department of Finance, the Successor Agency will, with the assistance of its Disclosure Counsel and the Financial Advisor, cause to be prepared a form of Official Statement describing the Refunding Bonds and containing material information relating to the Successor Agency and the Refunding Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Underwriter to persons and institutions interested in purchasing the Refunding Bonds.

SECTION 12. Official Actions. The Authorized Officers and any and all other officers of the Successor Agency are hereby **AUTHORIZED** and **DIRECTED**, for and in the name and on behalf of the Successor Agency, to do any and all things and take any and all actions, which they, or any of them, may deem necessary or advisable in obtaining the requested approvals by the Oversight Board and the California Department of Finance and in the Issuance, sale and delivery of the Refunding Bonds. Whenever in this Resolution any officer of the Successor Agency is directed to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

SECTION 13. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the Successor Agency to the Redevelopment Agency of the City of Indian Wells, California, at a regular meeting held on the 7th day of May, 2015.

TY PEABODY
CHAIR

CERTIFICATION FOR RESOLUTION SA BILL NO. 2015-02

I, Wade G. McKinney, Secretary of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the Successor Agency to the Indian Wells Redevelopment Agency is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the Successor Agency to the Indian Wells Redevelopment Agency on the 7th day of May, 2015, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

WADE G. MCKINNEY
EXECUTIVE DIRECTOR/SECRETARY

STEPHEN P. DEITSCH
AGENCY COUNSEL

FIRST SUPPLEMENTAL INDENTURE OF TRUST

Dated as of July 1, 2015

by and between the

SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY

and

**MUFG UNION BANK, N.A.
as Trustee**

Relating to

**\$ _____
Successor Agency to the Indian Wells Redevelopment Agency
Consolidated Whitewater Redevelopment Project Area
Subordinated Tax Allocation Refunding Bonds, Series 2015A**

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EXHIBIT A FORM OF SERIES 2015A BOND

FIRST SUPPLEMENTAL INDENTURE OF TRUST

This FIRST SUPPLEMENTAL INDENTURE OF TRUST (this "First Supplement"), dated as of July 1, 2015, is by and between the SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY, a public entity existing under the laws of the State of California (the "Successor Agency"), as successor agency to the Redevelopment Agency of the City of Indian Wells (the "Former Agency"), and MUFG UNION BANK, N.A., a national banking association organized and existing under the laws of the United States of America, as trustee under the hereinafter defined Series 2014 Indenture (the "Trustee");

WITNESSETH:

WHEREAS, Section 34177.5 of the Dissolution Act (as such term is defined in the Series 2014 Indenture) authorizes the Successor Agency to issue bonds pursuant to the Refunding Law (as such term is defined in the Series 2014 Indenture) for the purpose of refunding outstanding tax allocation bonds and achieving debt service savings within the parameters set forth in said Section 34177.5(a); and

WHEREAS, pursuant to Section 34177.5 of the Dissolution Act and the Refunding Law, the Successor Agency has heretofore issued its Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2014A, in the initial principal amount of \$6,505,000 (the "Series 2014A Bonds") and its Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Taxable Tax Allocation Refunding Bonds, Series 2014A-T, in the initial principal amount of \$27,480,000 (the "Taxable Series 2014A-T Bonds" and, together with the Series 2014A Bonds, the "Series 2014 Bonds") pursuant to an Indenture of Trust dated as of May 1, 2014 (the "Series 2014 Indenture") in order to refund the Series 2003 Bonds (as defined in the Series 2014 Indenture) of the Former Agency; and

WHEREAS, the Series 2014 Indenture permits the issuance of Parity Debt (within the meaning of the Series 2014 Indenture) payable from Pledged Tax Revenues (as defined in the Series 2014 Indenture) on a parity with the Series 2014 Bonds, subject to certain terms and conditions; and

WHEREAS, the Successor Agency has determined that it will achieve debt service savings within the parameters of Section 34177.5(a) of the Dissolution Act by the issuance pursuant to the Redevelopment Law (as defined in the Series 2014 Indenture), the Dissolution Act and the Refunding Law of its \$ _____ aggregate principal amount of Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A (the "Series 2015A Bonds") in order to refund, (i) on a current basis, all of the Former Agency's outstanding Consolidated Whitewater Project Area Tax Allocation Refunding Bonds, Series 2005A (the "Series 2005A Bonds"), initially issued in the aggregate principal amount of \$14,125,000, and (ii) on an advance basis, a portion of the Former Agency's Consolidated Whitewater Project Area Tax Allocation Bonds, Series 2006A, initially issued in the aggregate principal amount of \$67,805,000 (the "Series 2006A Bonds"); and

WHEREAS, the Series 2015A Bonds are being issued as Parity Debt and, to that end, this First Supplement is entered into pursuant to and in accordance with the provisions of and

conditions applicable to the issuance of the Series 2015A Bonds as Parity Debt under the Series 2014 Indenture, and for the purposes of supplementing and amending the Series 2014 Indenture as necessary in connection with the issuance of the Series 2015A Bonds; and

WHEREAS, the Successor Agency has certified that all acts and proceedings required by law necessary to make the Series 2015A Bonds, when executed by the Successor Agency, authenticated and delivered by the Trustee, and duly issued, the valid, binding and legal special obligations of the Successor Agency, and to constitute this First Supplement a valid and binding agreement for the uses and purposes herein set forth in accordance with its terms, have been done and taken, and the execution and delivery of the First Supplement have been in all respects duly authorized.

NOW, THEREFORE, in consideration of the premises and the mutual agreements herein contained, the parties hereto do hereby agree as follows:

ARTICLE X

ADDITIONAL DEFINITIONS RELATING TO THE SERIES 2015A BONDS

Section 10.01. Definitions. Unless the context otherwise requires, the terms defined in this Section 10.01 shall, for all purposes of this First Supplement, have the respective meanings specified in this Section 10.01. All terms defined in Section 1.01 of the Series 2014 Indenture and not otherwise defined in this Section 10.01 shall, when used in this First Supplement, have the respective meanings given to such terms in said Section.

"Bonds" means the Series 2014 Bonds, the Series 2015A Bonds and any Parity Debt issued as bonds pursuant to a Supplemental Indenture.

"Closing Date" means, with respect to the Series 2015A Bonds, the date on which the Series 2015A Bonds are delivered to the original purchasers thereof.

"Continuing Disclosure [Certificate/Agreement]" means, with respect to the Series 2015A Bonds, that certain Continuing Disclosure [Certificate/Agreement] relating to the Series 2015A Bonds executed by the Successor Agency and dated the date of issuance and delivery of the Series 2015A Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

"First Supplement" means this First Supplemental Indenture of Trust, dated as of July 1, 2015, by and between the Successor Agency and the Trustee, as the same may be supplemented and amended from time to time in accordance with the terms of the Series 2014 Indenture.

"Indenture" means the Series 2014 Indenture, as supplemented and amended by this First Supplement, as it may be further supplemented or amended by any additional Supplemental Indenture entered into pursuant to the provisions thereof.

"Series 2005A Account" means the account by that name within the Refunding Fund established and held by the Trustee pursuant to Section 12.03.

"Series 2005A Bonds" means the Former Agency's Consolidated Whitewater Project Area Tax Allocation Refunding Bonds, Series 2005A, initially issued in the principal amount of \$14,125,000.

"Series 2005A Refunding Instructions" means those Irrevocable Refunding Instructions dated the date of issuance and delivery of the Series 2015A Bonds relating to the defeasance and refunding of the Series 2005A Bonds, executed by the Successor Agency and delivered to MUFG Union Bank, N.A, as Fiscal Agent.

"Series 2006A Account" means the account by that name within the Refunding Fund established and held by the Trustee pursuant to Section 12.03.

"Series 2006A Bonds" means the Former Agency's Consolidated Whitewater Project Area Tax Allocation Bonds, Series 2006A, initially issued in the principal amount of \$67,805,000.

"Series 2006A Refunding Instructions" means those Irrevocable Refunding Instructions dated the date of issuance and delivery of the Series 2015A Bonds relating to the defeasance and refunding of the Series 2006A Bonds, executed by the Successor Agency and delivered to MUFG Union Bank, N.A, as Fiscal Agent.

"Series 2014 Indenture" means the Indenture of Trust dated as of May 1, 2014, by and between the Successor Agency and the Trustee..

"Series 2015A Bonds" means the Successor Agency's Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A initially issued in the principal amount of \$_____.

"Series 2015A Bonds Insurance Policy" means [to come].

"Series 2015A Costs of Issuance Fund" means the fund by that name established and held by the Trustee pursuant to Section 12.02.

"Series 2015A Insurer" means [to come].

"Series 2015A Refunding Fund" means the Series 2015A Refunding Fund established and held by the Trustee pursuant to Section 12.03, together with the Series 2005A Account and the Series 2006A Account therein.

"Series 2015A Resolution" means Resolution No. 2015-__ adopted by the Successor Agency on April __, 2015

"Series 2015A Subaccount" means the subaccount by that name within the Reserve Account established and held by the Trustee pursuant to Section 12.04.

"Series 2015A Surety Bond" means [to come]

ARTICLE XI

AUTHORIZATION OF SERIES 2015A BONDS

Section 11.01. Authorization of Series 2015A Bonds. The Series 2015A Bonds have been authorized to be issued by the Successor Agency pursuant to the Series 2015A Resolution. The Series 2015A Bonds are being issued pursuant to the Redevelopment Law and the Refunding Law, in accordance with Section 34177.5 of the Dissolution Act, as Parity Debt in the aggregate principal amounts of _____ (\$_____), under and subject to the terms of the Series 2014 Indenture and the Series 2015A Resolution, for the purpose of refunding all of the Series 2005A Bonds and a portion of the Series 2006A Bonds. The Indenture, including this First Supplement, constitutes a continuing agreement with the Owners of all of the Series 2015A Bonds issued hereunder and at any time Outstanding to secure the full and final payment of principal of and premium, if any, and interest on all Series 2015A Bonds which may from time to time be executed and delivered hereunder, subject to the covenants, agreements, provisions and conditions herein contained. The Series 2015A Bonds shall be designated the "Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A."

Section 11.02. Terms of Series 2015A Bonds. The Series 2015A Bonds shall be dated as of the Closing Date with respect to the Series 2015A Bonds. The Series 2015A Bonds shall be issued in fully registered form without coupons in denominations of \$5,000. The Series 2015A Bonds shall be issued in Book-Entry Form as provided in Section 2.11 of the Series 2014 Indenture.

The Series 2015A Bonds shall mature on September 1 in each of the years and in the respective principal amounts, and shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) at the rates per annum, as set forth in the following table:

Series 2015A Maturity Schedule

| <u>Maturity</u> (September 1) | <u>Principal</u> <u>Amount</u> | <u>Interest</u> <u>Rate</u> |
|----------------------------------|-----------------------------------|--------------------------------|
|----------------------------------|-----------------------------------|--------------------------------|

Interest on the Series 2015A Bonds shall be payable on each Interest Payment Date commencing [March 1, 2016,] to the person whose name appears on the Registration Books as the Owner thereof as of the Record Date immediately preceding each such Interest Payment Date, such interest to be paid by check of the Trustee mailed by first class mail, postage prepaid, on each Interest Payment Date to the Owner at the address of such Owner as it appears on the Registration Books as of the preceding Record Date; provided however, that payment of interest may be by wire transfer to an account in the United States of America to any Owner of Series 2015A Bonds of the same series in the aggregate amount of \$1,000,000 or more who shall furnish written instructions to the Trustee before the applicable Record Date. Any such written instructions shall remain in effect until rescinded in writing by the Owner. Principal of and premium (if any) on any Series 2015A Bond shall be paid upon presentation and surrender thereof, at maturity or the prior redemption thereof, at the Trust Office and shall be payable in lawful money of the United States of America.

Each Series 2015A Bond shall be dated as of the Closing Date with respect to the Series 2015A Bonds and shall bear interest from the Interest Payment Date next preceding the date of authentication thereof, unless (a) it is authenticated after a Record Date and on or before the following Interest Payment Date, in which event it shall bear interest from such Interest Payment Date, or (b) unless it is authenticated on or before [February 15, 2016], in which event it shall bear interest from the Closing Date with respect to the Series 2015A Bonds; *provided, however,* that if, as of the date of authentication of any Series 2015A Bond, interest thereon is in default, such Series 2015A Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment thereon.

Section 11.03. Redemption. The Series 2015A Bonds shall be subject to redemption as provided in this Section 11.03.

(a) Optional Redemption. The Series 2015A Bonds maturing on and after September 1, [2026] shall be subject to redemption prior to their maturity at the option of the Successor Agency on or after September 1, 20[25], as a whole or in part on any date, from funds derived by the Successor Agency from any source and deposited with the Trustee not later than the date of redemption, at a redemption price equal to the principal amount of Series 2015A Bonds called for redemption, together with interest accrued thereon to the date fixed for redemption, without premium.

The Successor Agency shall be required to give the Trustee written notice of its intention to redeem Series 2015A Bonds under this Section 11.03(a) at least sixty (60) days prior to the date to be fixed for redemption or such later date as shall be permitted by the Trustee and the Successor Agency shall deposit or cause to be deposited all amounts required for any redemption pursuant to this Section 11.03(a) at least one Business Day prior to the date fixed for such redemption.

(b) Mandatory Sinking Fund Redemption. The Series 2015A Bonds maturing on September 1, 20__ and September 1, 20__ (the "Series 2015A Term Bonds") are also subject to redemption prior to their stated maturity, in part by lot, from Sinking Account installments deposited in the Sinking Account pursuant to Section 4.03(c) of the Series 2014 Indenture, on any September 1 on or after September 1, 20__ and September 1, 20__, respectively, at the principal amount thereof and interest accrued thereon to the date fixed for redemption, without premium, according to the following schedules:

Series 2015A Terms Bonds Maturing on September 1, 20__

| | |
|---|-------------------------------------|
| Redemption Date <u>(September 1)</u> | Principal Amount <u>Redeemed</u> |
|---|-------------------------------------|

*

*Maturity

Series 2015A Terms Bonds Maturing on September 1, 20__

| | |
|---|-------------------------------------|
| Redemption Date <u>(September 1)</u> | Principal Amount <u>Redeemed</u> |
|---|-------------------------------------|

*

*Maturity

(c) Redemption Procedures. The provisions of Section 2.03(c) through (f) shall apply to the redemption of the Series 2015A Bonds; provided, however, that any notice of redemption with respect to the Series 2015A Bonds pursuant to section 2.03(c) shall be sent to the Series 2015A Insurer instead of AGM.

Section 11.04. Form and Execution of Series 2015A Bonds. The Series 2015A Bonds, the form of Trustee's Certificate of Authentication, and the form of Assignment to appear thereon, shall be substantially in the respective forms set forth in Exhibit A attached hereto and by this reference incorporated herein, with necessary or appropriate variations, omissions and insertions, as permitted or required by this Indenture.

The Series 2015A Bonds shall be executed as provided in Section 2.05 of the Series 2014 Indenture, and shall otherwise be subject to Sections 2.05 and through 2.11 of the Indenture.

ARTICLE XII

APPLICATION OF PROCEEDS OF SERIES 2015A BONDS

Section 12.01. Application of Proceeds of Sale of Series 2015A Bonds. Upon the receipt of payment for the Series 2015A Bonds on the Closing Date, the net proceeds thereof, being \$_____ (consisting of the par amount of the Series 2015A Bonds, plus an original issue premium of \$_____, less the premium for the Series 2015A Bonds Insurance Policy, less the premium for the Series 2015A Surety Bond, and less an underwriter's discount of \$_____) shall be paid to the Trustee and deposited as follows:

(a) The Trustee shall deposit in the Series 2015A Costs of Issuance Fund the amount of \$_____, to be applied as provided in Section 12.02 hereof.

(b) The Trustee shall deposit in the Series 2005A Account of the Refunding Fund the amount of \$_____, to be applied as provided in Section 12.03 hereof.

(c) The Trustee shall deposit in the Series 2006A Account of the Refunding Fund the amount of \$_____, to be applied as provided in Section 12.03 hereof.

Additionally, on the Closing Date, the Trustee shall credit the Series 2015 Surety Bond to the Series 2015A Subaccount of the Reserve Account.

Section 12.02. Series 2015A Costs of Issuance Fund. There is hereby established a separate fund to be known as the "Series 2015A Costs of Issuance Fund," which shall be held by the Trustee in trust. The moneys in the Series 2015A Costs of Issuance Fund shall be used and withdrawn by the Trustee from time to time to pay the Costs of Issuance with respect to the Series 2015A Bonds and the costs associated with refunding the Series 2005A Bonds and the Series 2006A Bonds upon submission of a Written Request of the Successor Agency stating (a) the person to whom payment is to be made, (b) the amount to be paid, (c) the purpose for which the obligation was incurred, (d) that such payment is a proper charge against the Series 2015A Costs of Issuance Fund, and (e) that such amounts have not been the subject of a prior Written Request of the Successor Agency; in each case together with a statement or invoice for each amount requested thereunder. Each such Written Request of the Successor Agency shall be sufficient evidence to the Trustee of the facts stated therein, and the Trustee shall have no duty to confirm the accuracy of such facts. On the earlier of January 2, 2016, or the date of receipt by the Trustee of a Written Request of the Successor Agency, all amounts (if any) remaining in the Series 2015A Costs of Issuance Fund shall be withdrawn therefrom by the Trustee and be transferred to the Interest Account and used to pay interest on the Series 2015A Bonds.

Section 12.03. Refunding Fund. There is hereby created the Series 2015A Refunding Fund (the "Refunding Fund"), together with the Series 2005A Account and the Series 2006A Account therein, each of which is held by the Trustee in trust for the benefit of the Successor Agency. The moneys in the Refunding Fund shall be maintained separate and apart from other moneys of the Successor Agency.

The Trustee shall transfer all moneys on deposit in the Series 2005A Account of the Refunding Fund to the Fiscal Agent for deposit and application under and pursuant to the Series 2005A Refunding Instructions. The Trustee shall transfer all moneys on deposit in the Series

2006A Account of the Refunding Fund to the Fiscal Agent for deposit and application under and pursuant to the Series 2006A Refunding Instructions. Upon making such transfers, the Refunding Fund shall be closed.

Section 12.04. Series 2015A Subaccount of the Reserve Account. The Trustee shall establish a separate subaccount within the Reserve Account designated as the "Series 2015A Subaccount," to which the Trustee shall credit the Series 2015A Surety Bond. The Series 2015A Surety Bond is a Qualified Reserve Account Credit Instrument, as defined in the Series 2014 Indenture.

ARTICLE XIII MISCELLANEOUS

Section 13.01. Security for Series 2015A Bonds. The Series 2015A Bonds shall be Parity Debt within the meaning of such term in Section 1.01 of the Series 2014 Indenture and shall be secured in the manner and to the extent set forth in Article IV of the Series 2014 Indenture. Without limiting the foregoing, as provided in Section 4.01 and Section 4.02 of the Series 2014 Indenture, the Series 2015A Bonds shall be secured on a parity with all other Bonds issued under the Indenture, including the Series 2014 Bonds, by a first pledge of and lien on all of the Pledged Tax Revenues in the Redevelopment Obligation Retirement Fund, and all moneys in the Debt Service Fund and the accounts therein.

Section 13.02. Continuing Disclosure. The Successor Agency hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure [Certificate/Agreement]. Notwithstanding any other provision of this Indenture, failure of the Successor Agency to comply with the Continuing Disclosure Certificate shall not be considered an Event of Default; however, any Participating Underwriter (as defined in the Continuing Disclosure [Certificate/Agreement]) or any owner or beneficial owner of the Series 2015A Bonds may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Successor Agency to comply with its obligations under this Section 13.02.

Section 13.03. Tax Covenants. The Successor Agency agrees to comply with the requirements of Section 5.12 of the Series 2014 Indenture with respect to the Series 2015A Bonds.

Section 13.04. Benefits Limited to Parties. Nothing in this First Supplement, expressed or implied, is intended to give to any person other than the Successor Agency, the Trustee and the Owners of the Series 2015A Bonds, any right, remedy, claim under or by reason of this First Supplement. Any covenants, stipulations, promises or agreements in this First Supplement contained by and on behalf of the Successor Agency shall be for the sole and exclusive benefit of the Trustee and the Owners of the Series 2015A Bonds.

Section 13.05. Effect of this First Supplement. Except as in this First Supplement expressly provided or except to the extent inconsistent with any provision of this First Supplement, the Series 2015A Bonds shall be deemed to be Bonds under and within the meaning thereof as set forth in Section 1.01 of the Indenture, and every term and condition contained in the other provisions of this Indenture shall apply to the Series 2015A Bonds with full force and effect, with such omissions, variations and modifications thereof as may be appropriate to make the same conform to this First Supplement.

Section 13.06. Further Assurances. The Successor Agency will adopt, make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Indenture, and for the better assuring and confirming unto the Owners of the Series 2015A Bonds and the rights and benefits provided in the Indenture.

Section 13.07. Execution in Counterparts. This First Supplement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 13.08. Governing Law. This First Supplement shall be construed and governed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY has caused this First Supplemental Indenture of Trust to be signed in its name by its Executive Director and attested to by its Deputy City Clerk, and MUFG UNION BANK, N.A., in token of its acceptance of the trusts created hereunder, has caused this Indenture to be signed in its corporate name by its officer thereunto duly authorized, all as of the day and year first above written.

SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY

By _____
Executive Director

Attest:

Deputy City Clerk

MUFG UNION BANK, N.A.,
as Trustee

By _____
Authorized Officer

APPENDIX A

(FORM OF SERIES 2015A BOND)

No. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
COUNTY OF ALAMEDA

SUCCESSOR AGENCY TO THE
INDIAN WELLS REDEVELOPMENT AGENCY
Consolidated Whitewater Redevelopment Project Area
Subordinated Tax Allocation Refunding Bonds, Series 2015A

INTEREST RATE: MATURITY DATE: DATED DATE: CUSIP:
 September 1, _____ [Closing Date]

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

The SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY, a public entity existing under and by virtue of the laws of the State of California (the "Successor Agency"), for value received hereby promises to pay (but only out of the Pledged Tax Revenues and other moneys and securities hereinafter referred to) to the Registered Owner identified above or registered assigns (the "Registered Owner"), on the Maturity Date identified above, the Principal Amount identified above in lawful money of the United States of America; and to pay interest thereon at the Rate of Interest identified above in like lawful money from the date hereof, which date shall be the Interest Payment Date (as hereinafter defined) next preceding the date of authentication of this Bond unless this Bond is authenticated on or before an Interest Payment Date and after the fifteenth calendar day of the month preceding such Interest Payment Date (a "Record Date"), in which event it shall bear interest from such Interest Payment Date, or unless this Bond is authenticated on or prior to [February 15, 2016], in which event it shall bear interest from the Original Issue Date identified above; *provided, however*, that if, at the time of authentication of this Bond, interest is in default on this Bond, this Bond shall bear interest from the Interest Payment Date to which interest hereon has previously been paid or made available for payment), payable semiannually on March 1 and September 1 in each year, commencing [March 1, 2016] (the "Interest Payment Dates"), until payment of such Principal Amount in full. The Principal Amount hereof is payable upon presentation hereof at the principal corporate trust office of MUFG Union Bank, N.A., as trustee (the "Trustee"), in Los Angeles, California or such other location as the trustee may designate. Interest hereon is payable by check of the Trustee mailed by first class mail on each Interest Payment Date to the Registered Owner hereof at the address of such Registered Owner as it appears on the

registration books of the Trustee as of the preceding Record Date; provided that at the written request of the owner of at least \$1,000,000 aggregate principal amount of Bonds, which written request is on file with the Trustee prior to any Record Date, interest on such Bonds shall be paid on the succeeding Interest Payment Date by wire transfer to an account of a financial institution within the United States of America as shall be specified in such written request.

Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the hereinafter defined Indenture.

This Bond is one of a duly authorized issue of bonds of the Successor Agency designated as the "Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A" (the "Bonds") of an aggregate principal amount of _____ Dollars (\$_____) all of like tenor and date (except for such variation, if any, as may be required to designate varying numbers, maturities, interest rates or redemption provisions) and all issued pursuant to the provisions of the Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State (the "Refunding Law"), the Dissolution Act (as such term is defined in the Indenture), and the Community Redevelopment Law, constituting Part 1 of Division 24 of the California Health and Safety Code (the "Redevelopment Law"), and pursuant to an Indenture of Trust, dated as of May 1, 2014, by and between the Successor Agency and the Trustee, as supplemented and amended by a First Supplemental Indenture of Trust dated as of July 1, 2015, between the Successor Agency and the Trustee (collectively, the "Indenture"). The Successor Agency has heretofore issued certain obligations payable from Pledged Tax Revenues on a parity with the Bonds and may issue or incur additional obligations on a parity with the Bonds, but only subject to the terms of the Indenture. Reference is hereby made to the Indenture (copies of which are on file at the office of the Successor Agency) and all supplements thereto and to the Refunding Law, the Dissolution Act and the Redevelopment Law for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Pledged Tax Revenues, as that term is defined in the Indenture, and the rights thereunder of the owners of the Bonds and the rights, duties and immunities of the Trustee and the rights and obligations of the Successor Agency thereunder, to all of the provisions of which the Registered Owner of this Bond, by acceptance hereof, assents and agrees.

The Bonds have been issued by the Successor Agency to refinance redevelopment activities of the Successor Agency by refunding all of the Series 2005A Bonds and a portion of the Series 2006A Bonds. This Bond and the interest hereon and all other parity obligations and the interest thereon (to the extent set forth in the Indenture) are payable from, and are secured by a charge and lien on the Pledged Tax Revenues derived by the Successor Agency from the Consolidated Whitewater Redevelopment Project Area in the City of Indian Wells (the "Project Area"), a duly designated redevelopment project under the laws of the State of California, under and in accordance with the Indenture. As and to the extent set forth in the Indenture, all of the Pledged Tax Revenues are exclusively and irrevocably pledged in accordance with the terms hereof and the provisions of the Indenture, the Refunding Law, the Dissolution Act and the Redevelopment Law, to the payment of the principal of and interest and premium (if any) on the Bonds and any such parity obligations. The Bonds and any such parity obligations are secured by a pledge on, security interest in and lien on the Pledged Tax Revenues which is subordinate to or on a parity with the pledge, security interest and lien on the Pledged Tax Revenues in favor of certain outstanding obligations of the Successor Agency, as provided in the Indenture. Notwithstanding the foregoing, certain amounts out of Pledged Tax Revenues may be applied for other purposes as provided in the Indenture.

This Bond is not a debt of the City of Indian Wells, the County of Riverside, the State of California, or any of its political subdivisions, other than the Successor Agency, and neither said City, said County, said State, nor any of its political subdivisions, is liable hereon nor in any event shall this Bond be payable out of any funds or properties other than the Pledged Tax Revenues.

The rights and obligations of the Successor Agency and the owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Indenture, but no such modification or amendment shall permit a change in the terms of redemption or maturity of the principal of any outstanding Bond or of any installment of interest thereon or a reduction in the principal amount or the redemption price thereof or in the rate of interest thereon without the consent of the owner of such Bond, or shall reduce the percentages of the Bond owners required to effect any such modification or amendment.

The Bonds are subject to redemption as provided in the Indenture.

If an Event of Default, as defined in the Indenture, shall occur, the principal of all Bonds may be declared due and payable upon the conditions, in the manner and with the effect provided in the Indenture, but such declaration and its consequences may be rescinded and annulled as further provided in the Indenture.

The Bonds are issuable as fully registered Bonds without coupons in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Indenture, Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations and of the same maturity.

This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, at said corporate trust office of the Trustee in Los Angeles, California or such other place as designated by the Trustee, but only in the manner, subject to the limitations and upon payment of the charges provided in the Indenture, and upon surrender and cancellation of this Bond. Upon registration of such transfer a new Bond or Bonds, of authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor.

The Successor Agency and the Trustee may treat the Registered Owner hereof as the absolute owner hereof for all purposes, and the Successor Agency and the Trustee shall not be affected by any notice to the contrary.

It is hereby certified that all of the things, conditions and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time, form and manner as required by the Refunding Law, the Dissolution Act and the Redevelopment Law and the laws of the State of California and that the amount of this Bond, together with all other indebtedness of the Successor Agency, does not exceed any limit prescribed by the Refunding Law, the Dissolution Act and the Redevelopment Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Indenture.

This Bond shall not be entitled to any benefit under the Indenture or become valid or obligatory for any purpose until the Trustee's Certificate of Authentication hereon endorsed shall have been manually signed by the Trustee.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Successor Agency or the Trustee for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the Registered Owner hereof, Cede & Co., has an interest herein.

IN WITNESS WHEREOF, the SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY has caused this Bond to be executed in its name and on its behalf with the facsimile signature of its _____ and attested to by the facsimile signature of its Deputy City Clerk, all as of the Original Issue Date specified above.

SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY

By: _____

ATTEST:

Deputy City Clerk

TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This is one of the Bonds described in the within-mentioned Indenture.

Authentication Date: _____

MUFG UNION BANK, N.A., as Trustee

By: _____
Authorized Signatory

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or Tax Regulations:

| | | | |
|--------------|--|---|-----------------|
| TEN COM -- | as tenants in common | UNIF GIFT MIN ACT _____ | Custodian _____ |
| TEN ENT -- | as tenants by the entireties | (Cust.) | (Minor) |
| JT TEN -- | as joint tenants with right of survivorship and not as tenants in common | under Uniform Gifts to Minors Act _____ | (State) |
| COMM PROP -- | as community property | | |

ADDITIONAL ABBREVIATIONS MAY ALSO BE USED
THOUGH NOT IN THE LIST ABOVE

(FORM OF ASSIGNMENT)

For value received the undersigned hereby sells, assigns and transfers unto

(Name, Address and Tax Identification or Social Security Number of Assignee)
the within-registered Bond and hereby irrevocably constitute(s) and appoints(s)

_____ attorney,
to transfer the same on the registration books of the Trustee with full power of substitution in the premises.

Dated: _____

Signatures Guaranteed:

Note: Signature(s) must be guaranteed by an eligible guarantor.

Note: The signatures(s) on this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular without alteration or enlargement or any change whatsoever.

§ _____
**SUCCESSOR AGENCY TO THE
INDIAN WELLS REDEVELOPMENT AGENCY
CONSOLIDATED WHITEWATER REDEVELOPMENT PROJECT AREA
SUBORDINATED TAX ALLOCATION REFUNDING BONDS,
SERIES 2015A**

BOND PURCHASE AGREEMENT

_____, 2015

Successor Agency to the Indian Wells Redevelopment Agency
c/o City of Indian Wells
44-950 Eldorado Drive
Indian Wells, California 92210-7497

Ladies and Gentlemen:

Citigroup Global Markets Inc. (the "Underwriter"), offers to enter into this Bond Purchase Agreement (this "Purchase Agreement") with the Successor Agency to the Indian Wells Redevelopment Agency (the "Agency") which will be binding upon the Agency and the Underwriter upon the acceptance hereof by the Agency. This offer is made subject to its acceptance by the Agency by execution of this Purchase Agreement and its delivery to the Underwriter on or before 5:00 p.m., California time, on the date hereof. All terms used herein and not otherwise defined shall have the respective meanings given to such terms in the Indenture (as hereinafter defined).

The Agency acknowledges and agrees that: (i) the purchase and sale of the Bonds pursuant to this Purchase Agreement is an arm's length commercial transaction between the Agency and the Underwriter; (ii) in connection with such transaction, the Underwriter is acting solely as principal and not as agent or as fiduciary of the Agency; (iii) the Underwriter has not assumed fiduciary responsibility in favor of the Agency with respect to the offering contemplated hereby or the discussions, undertakings and procedures leading thereto (irrespective of whether the Underwriter has provided other services or are currently providing other services to the Agency on other matters); and (iv) the Agency has consulted with its own legal and financial advisors to the extent it has deemed appropriate.

1. Purchase and Sale. Upon the terms and conditions and upon the basis of the representations, warranties and agreements hereinafter set forth, the Underwriter hereby agrees to purchase from the Agency for offering to the public, and the Agency hereby agrees to sell to the Underwriter for such purpose, all (but not less than all) of the \$_____ aggregate principal amount of the Agency's [Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A] (the "Bonds"), at a purchase price equal to \$_____ (being the aggregate principal amount thereof, less an Underwriter's discount of \$_____ and [plus] [less] a [net] original issue [premium] [discount] of \$_____. In addition, on behalf of the Agency, the Underwriter shall wire the amount of \$_____ to the Insurer (defined below) to pay the costs of the premium for the Policy (defined below). The Bonds are to be purchased by the Underwriter from the

Agency. Such payment and delivery and the other actions contemplated hereby to take place at the time of such payment and delivery are herein sometimes called the "Closing."

2. The Bonds and Related Documents. The Bonds shall be substantially in the form described in, and shall be issued and secured under the provisions of a First Supplemental Indenture of Trust (the "Indenture"), dated as of _____ 1, 2015, by and between the Agency and MUFU Union Bank, N.A., as trustee (the "Trustee") and pursuant Part 1, Division 24 of the California Health and Safety Code (the "Law") and Article 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act") and a resolution of the Agency adopted _____, 2015 (the "Agency Resolution"). The issuance of the Bonds was approved by the Oversight Board for the Agency by resolution on _____, 2015 (the "Oversight Board Resolution"). The Bonds shall be as described in the Indenture and the Official Statement dated the date hereof relating to the Bonds (which, together with all exhibits and appendices included therein or attached thereto and such amendments or supplements thereto which shall be approved by the Underwriter, is hereinafter called the "Official Statement").

Certain maturities of the Bonds shall be insured under a municipal bond insurance policy (the "Policy") from [INSURER] (the "Insurer"), as shown on Exhibit A (the "Insured Bonds").

The net proceeds of the Bonds will be used to refund the Indian Wells Redevelopment Agency's (the "Former Agency") outstanding Consolidated White Water Project Area Tax Allocation Refunding Bonds, Series 2005A (the "2005A Bonds"), originally issued in the aggregate principal amount of \$14,125,000, and the Former Agency's outstanding Consolidated White Water Project Area Tax Allocation Bonds, Series 2006A (the "2006A Bonds" and, collectively with the 2005A Bonds, the "Prior Bonds"), originally issued in the aggregate principal amount of \$67,805,000.

The Agency will undertake pursuant to the provisions of a Continuing Disclosure Certificate, to be dated the date of the Closing (the "Disclosure Certificate") and executed by the Agency, to provide certain annual information and notices of the occurrence of certain events, if material. A description of the undertaking is set forth in the Preliminary Official Statement (as defined below) and will also be set forth in the Official Statement.

The Indenture, the Continuing Disclosure Certificate, the Irrevocable Refunding Instructions to MUFU Union Bank, N.A., as fiscal agent for the 2005A Bonds (the "2005A Refunding Instructions"), the Irrevocable Refunding Instructions to MUFU Union Bank, N.A., as fiscal agent for the 2006A Bonds (the "2006A Refunding Instructions" and, together with the 2005A Refunding Instructions, the "Refunding Instructions") and this Purchase Agreement are sometimes collectively referred to herein as the "Agency Legal Documents."

3. Offering. It shall be a condition to the Agency's obligations to sell and to deliver the Bonds to the Underwriter and to the Underwriter's obligations to purchase, to accept delivery of and to pay for the Bonds that the entire \$ _____ aggregate principal amount of the Bonds shall be issued, sold and delivered by the Agency and purchased, accepted and paid for by the Underwriter at the Closing. The Underwriter agrees to make a bona fide public offering of all of the Bonds at the initial public offering prices or yields set forth in Exhibit A hereto and on the inside front cover page of the Official Statement. The Underwriter reserves the right to change, subsequent to the initial public offering, such initial offering prices as it shall deem necessary in connection with the marketing of the Bonds.

4. Use and Preparation of Documents. The Agency has caused to be prepared and delivered to the Underwriter prior to the execution of this Purchase Agreement copies of the Preliminary Official Statement dated _____, 2015, relating to the Bonds (the "Preliminary Official Statement"), which was approved by a resolution of the Agency adopted on _____, 2015 (the "Agency OS Resolution"). The Agency ratifies, confirms and approves the use by the Underwriter prior to the date hereof of the Preliminary Official Statement. The Agency has previously deemed the Preliminary Official Statement to be final as of its date for purposes of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12"), except for information permitted to be omitted therefrom by Rule 15c2-12. The Agency hereby agrees to deliver or cause to be delivered to the Underwriter, within seven (7) business days of the date hereof, but not less than one (1) business day prior to Closing a sufficient number of copies of the final Official Statement relating to the Bonds, dated the date hereof, which includes all information permitted to be omitted by Rule 15c2-12 and any amendments or supplements to such Official Statement as have been approved by the Agency and the Underwriter (the "Official Statement") to enable the Underwriter to distribute a single copy of each Official Statement to any potential customer of the Underwriter requesting an Official Statement during the time period beginning when the Official Statement becomes available and ending 25 days after the End of the Underwriting Period (defined below). The Agency hereby approves of the use and distribution (including the electronic distribution) by the Underwriter of the Preliminary Official Statement and the Official Statement in connection with the offer and sale of the Bonds. The Agency shall have executed and delivered to the Underwriter a certification to such effect in the form attached hereto as Appendix B. The Underwriter agrees that it will not confirm the sale of any Bonds unless the confirmation of sale is accompanied or preceded by the delivery of a copy of the Official Statement.

5. Representations, Warranties and Agreements of the Agency. The Agency hereby represents, warrants and agrees as follows:

(a) The Agency is a public entity existing under the laws of the State of California, including the Law.

(b) The Agency has full legal right, power and authority to enter into the Agency Legal Documents and carry out and consummate the transactions contemplated by the Agency Legal Documents.

(c) By all necessary official action of the Agency prior to or concurrently with the acceptance hereof, the Agency has duly authorized and approved the preparation and use of the Preliminary Official Statement and the Official Statement, the execution and delivery of the Official Statement and the Agency Legal Documents, and the performance by the Agency of all transactions contemplated by the Agency Legal Documents; and the Agency Legal Documents will constitute legal, valid and binding obligations of the Agency, enforceable in accordance with their respective terms, except as enforcement may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles relating to or limiting creditors' rights generally.

(d) The Agency is not in any material respect in breach of or default under any applicable constitutional provision, law or administrative regulation to which it is subject or any applicable judgment or decree or any loan agreement, indenture, bond, note, resolution, agreement (including, without limitation, the Indenture) or other instrument to which the Agency is a party or to which the Agency or any of its property or assets is otherwise subject, and no event has occurred and is continuing which with the passage of time or the giving of notice, or both, would constitute such a

default or event of default under any such instrument; and the execution and delivery of the Agency Legal Documents, and compliance with the provisions on the Agency's part contained therein, will not conflict with or constitute a material breach of or a material default under any constitutional provision, law, administrative regulation, judgment, decree, loan agreement, indenture, bond, note, resolution, agreement or other instrument to which the Agency is a party or to which the Agency or any of its property or assets is otherwise subject, nor will any such execution, delivery, adoption or compliance result in the creation or imposition of any lien, charge or other security interest or encumbrance of any nature whatsoever upon any of the property or assets of the Agency or under the terms of any such constitutional provision, law, regulation or instrument, except as provided by the Indenture.

(e) Except as described in or contemplated by the Official Statement, all authorizations, approvals, licenses, permits, consents and orders of any governmental authority, board, agency or commission having jurisdiction of the matter which are required for the due authorization by, or which would constitute a condition precedent to or the absence of which would materially adversely affect the due performance by, the Agency of its obligations under the Agency Legal Documents have been duly obtained.

(f) Between the date of this Purchase Agreement and the date of the Closing, the Agency will not, without the prior written consent of the Underwriter, offer or issue any bonds, notes or other obligations for borrowed money, or incur any material liabilities, direct or contingent, payable from Tax Revenues (as defined in the Indenture), nor will there be any adverse change of a material nature in the financial position, results of operations or condition, financial or otherwise, of the Agency.

(g) To the best knowledge of the officer of the Agency executing this Purchase Agreement, after due inquiry, as of the date hereof, there is no action, suit, proceeding, inquiry or investigation, at law or in equity before or by any court, government agency, public board or body, pending or threatened against the Agency, affecting the existence of the Agency or the titles of its officers to their respective offices, or affecting or seeking to prohibit, restrain or enjoin the execution and delivery of the Indenture or the collection of the Tax Revenues or contesting or affecting, as to the Agency, the validity or enforceability of the Agency Legal Documents or contesting the exclusion from gross income of interest on the Bonds for federal income tax purposes, or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or contesting the powers of the Agency, or in any way contesting or challenging the consummation of the transactions contemplated hereby, or which might result in a material adverse change in the financial condition of the Agency or which might materially adversely affect the Tax Revenues of the Agency; nor, to the best knowledge of the Agency, is there any known basis for any such action, suit, proceeding, inquiry or investigation, wherein an unfavorable decision, ruling or finding would materially adversely affect the validity of the authorization, execution, delivery or performance by the Agency of the Agency Legal Documents.

(h) As of the time of acceptance hereof and as of the date of the Closing, the Agency does not and will not have outstanding any indebtedness which indebtedness is secured by a lien on the Tax Revenues of the Agency superior to or on a parity with the lien provided for in the Indenture on the Tax Revenues, other than as disclosed in the Official Statement.

(i) As of the time of acceptance hereof and as of the date of the Closing, the Agency has complied with the filing requirements of the Law, including, without limitation, the filing of all Recognized Obligation Payment Schedules, as required by the Law.

(j) As of the date thereof, the Preliminary Official Statement did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein in light of the circumstances under which they were made, not misleading (except that this representation does not include information relating to The Depository Trust Company or the book-entry-only system, the Insurer or the Policy).

(k) As of the date thereof and at all times subsequent thereto to and including the date which is 25 days following the End of the Underwriting Period (as such term is hereinafter defined) for the Bonds, the Official Statement did not and will not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances under which they were made not misleading (except that this representation does not include information relating to The Depository Trust Company or the book-entry-only system).

(l) If between the date hereof and the date which is 25 days after the End of the Underwriting Period for the Bonds, an event occurs which would cause the information contained in the Official Statement, as then supplemented or amended, to contain an untrue statement of a material fact or to omit to state a material fact required to be stated therein or necessary to make such information herein, in the light of the circumstances under which it was presented, not misleading, the Agency will notify the Underwriter, and, if in the opinion of the Underwriter or the Agency, or respective counsel, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the Agency will cooperate in the preparation of an amendment or supplement to the Official Statement in a form and manner approved by the Underwriter, and shall pay all expenses thereby incurred. For the purposes of this subsection, between the date hereof and the date which is 25 days of the End of the Underwriting Period for the Bonds, the Agency will furnish such information with respect to itself as the Underwriter may from time to time reasonably request. As used herein, the term "End of the Underwriting Period" means the later of such time as: (i) the Agency delivers the Bonds to the Underwriter; or (ii) the Underwriter does not retain, directly or as members of an underwriting syndicate, an unsold balance of the Bonds for sale to the public. Notwithstanding the foregoing, unless the Underwriter gives notice to the contrary, the "End of the Underwriting Period" shall be the date of Closing.

(m) If the information contained in the Official Statement is amended or supplemented pursuant to paragraph (l) hereof, at the time of each supplement or amendment thereto and (unless subsequently again supplemented or amended pursuant to such subparagraph) at all times subsequent thereto up to and including the date which is 25 days after the End of the Underwriting Period for the Bonds, the portions of the Official Statement so supplemented or amended (including any financial and statistical data contained therein) will not contain any untrue statement of a material fact required to be stated therein or necessary to make such information therein in the light of the circumstances under which it was presented, not misleading (except that this representation does not include information relating to The Depository Trust Company or the book-entry-only system).

(n) After the Closing, the Agency will not participate in the issuance of any amendment of or supplement to the Official Statement to which, after being furnished with a copy,

the Underwriter shall reasonably object in writing or which shall be disapproved by counsel for the Underwriter.

(o) Any certificate signed by any officer of the Agency and delivered to the Underwriter shall be deemed a representation by the Agency to the Underwriter as to the statements made therein.

(p) The Agency will apply the proceeds from the sale of the Bonds for the purposes specified in the Official Statement.

(q) The Agency has not been notified of any listing or proposed listing by the Internal Revenue Service to the effect that the Agency is not a bond issuer whose arbitrage certifications may not be relied upon.

(r) The Agency will furnish such information, execute such instruments and take such other action in cooperation with the Underwriter, at the expense of the Underwriter, as it may reasonably request in order to qualify the Bonds for offer and sale under the "blue sky" or other securities laws and regulations of such states and other jurisdictions of the United States of America as the Underwriter may designate; provided, however, that the Agency will not be required to execute a special or general consent to service of process or qualify as a foreign corporation in connection with any such qualification in any jurisdiction.

(s) The Agency will refrain from taking any action with regard to which the Agency may exercise control that results in the inclusion in gross income for federal income tax purposes of the interest on the Bonds or State of California income tax purposes of the interest on the Bonds.

(t) Except as disclosed in the Official Statement, the Agency has not defaulted in any material respect under any prior continuing disclosure undertaking within the previous five years.

(u) The Oversight Board has duly adopted the Oversight Board Resolution approving the issuance of the Bonds and no further Oversight Board approval or consent is required for the issuing of the Bonds or the consummation of the transactions described in the Preliminary Official Statement.

(v) The Department of Finance of the State (the "Department of Finance") has issued a letter, dated ____, 2015, approving the issuance of the bonds. No further Department of Finance approval or consent is required for the issuance of the Bonds or the consummation of the transactions described in the Preliminary Official Statement. Except as disclosed in the Preliminary Official Statement, the Agency is not aware of the Department of Finance directing or having any basis to direct the County Auditor-Controller to deduct unpaid unencumbered funds from future allocations of property tax to the Agency pursuant to Section 34183 of the Dissolution Act.

6. Closing. At 8:00 A.M., California time, on _____, 2015, or on such other date as may be mutually agreed upon by the Agency and the Underwriter, the Agency will, subject to the terms and conditions hereof, sell and deliver the Bonds to the Underwriter, duly executed and authenticated, together with the other documents hereinafter mentioned, and, subject to the terms and conditions hereof, the Underwriter will accept such delivery and pay the purchase price of the Bonds

as set forth in Section 1 hereof in federal funds. Sale, delivery and payment as aforesaid shall be made at the offices of Jones Hall, A Professional Law Corporation, San Francisco, California, or such other place as shall have been mutually agreed upon by the Agency and the Underwriter, except that the Bonds (with one certificate for each maturity and otherwise in a form suitable for the book-entry system) shall be delivered to the Underwriter in New York, New York, through the book-entry system of The Depository Trust Company ("DTC"). Unless the DTC Fast Automated Securities Transfer ("FAST") is utilized, the Bonds will be made available for inspection by DTC at least one business day prior to the Closing.

7. Closing Conditions. The Underwriter has entered into this Purchase Agreement in reliance upon the representations and warranties of the Agency contained herein, and in reliance upon the representations and warranties to be contained in the documents and instruments to be delivered at the Closing and upon the performance by the Agency of its obligations hereunder, both as of the date hereof and as of the date of the Closing. Accordingly, the Underwriter's obligations under this Purchase Agreement to purchase, to accept delivery of and to pay for the Bonds shall be conditioned upon the performance by the Agency of its obligations to be performed hereunder and under such documents and instruments at or prior to the Closing, and shall also be subject to the following additional conditions:

(a) The Underwriter shall receive, within seven (7) business days of the date hereof, but in no event less than one (1) day prior to Closing, copies of the Official Statement (including all information previously permitted to have been omitted from the Preliminary Official Statement by Rule 15c2-12 and any amendments or supplements as have been approved by the Underwriter), in such reasonable quantity as the Underwriter shall have requested;

(b) The representations and warranties of the Agency contained herein shall be true, complete and correct on the date hereof and on and as of the date of the Closing, as if made on the date of the Closing and the statements of the officers and other officials of the Agency and the Trustee made in any certificate or other document furnished pursuant to the provisions hereof are accurate;

(c) At the time of the Closing, the Agency Legal Documents shall have been duly authorized, executed and delivered by the respective parties thereto, and the Official Statement shall have been duly authorized, executed and delivered by the Agency, all in substantially the forms heretofore submitted to the Underwriter, with only such changes as shall have been agreed to in writing by the Underwriter, and shall be in full force and effect; and there shall be in full force and effect such resolution or resolutions of the governing body of the Agency as, in the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California ("Bond Counsel"), shall be necessary or appropriate in connection with the transactions contemplated hereby;

(d) At the time of the Closing, all necessary official action of the Agency relating to the Official Statement and the Agency Legal Documents shall have been taken and shall be in full force and effect and shall not have been amended, modified or supplemented in any material respect;

(e) At or prior to the Closing, the Underwriter shall have received copies of each of the following documents:

(1) Bond Counsel Opinions. The approving opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel to the Agency, dated the date of the Closing and substantially in the form included as Appendix F to the Official Statement;

(2) Supplemental Opinion of Bond Counsel. A supplemental opinion or opinions of Bond Counsel addressed to the Underwriter, in form and substance acceptable to the Underwriter, and dated the date of the Closing, stating that the Underwriter may rely on the opinions of Bond Counsel described in paragraph (1) above as if such opinion were addressed to the Underwriter and to the following effect:

(i) the Purchase Agreement has been duly executed and delivered by the Agency and (assuming due authorization, execution and delivery by and validity against the Underwriter) constitutes the valid and binding agreement of the Agency, except as enforcement thereof may be limited by bankruptcy, insolvency or other laws affecting enforcement of creditors' rights and by the application of equitable principles;

(ii) the statements contained in the Official Statement under the captions ["THE BONDS," "SECURITY FOR THE BONDS," "OTHER INFORMATION—Tax Matters,"] and in Appendices [D and F] insofar as such statements expressly summarize certain provisions of the Indenture or the opinion of Bond Counsel, are accurate in all material respects;

(iii) the Bonds are not subject to the registration requirements of the Securities Act of 1933, as amended, and the Indenture is exempt from qualification pursuant to the Trust Indenture Act of 1939, as amended; and

(iv) the Agency has taken all actions required to defease the Prior Bonds and such Prior Bonds are no longer outstanding under the terms of the Fiscal Agent Agreement pursuant to which they were issued.

(3) Financial Advisor Certificate. A certificate, dated the date of Closing, signed by a duly authorized official of C.M. de Crinis & Co. Inc., the Agency's Financial Advisor (the "Financial Advisor") addressed to the Underwriter and the Agency to the effect, that, in connection with its participation in the preparation of the Official Statement and without undertaking any independent investigation, and without having undertaken to determine independently the fairness, accuracy or completeness of the statements contained in the Official Statement, nothing has come to the attention of the Financial Advisor that would lead it to believe that the statements and information contained in the Official Statement as of the date thereof and the date of the Closing, contains an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances in which they were made, not misleading;

(4) Agency Counsel Opinion. An opinion of Counsel to the Agency ("Agency Counsel"), dated the date of the Closing and addressed to the Underwriter, in form and substance acceptable to the Underwriter to the following effect:

(i) the Agency is a public body, corporate and politic, duly organized and existing under the Constitution and laws of the State, with full right, power and authority to execute, deliver and perform its obligations under the Agency Legal Documents;

(ii) the Agency Resolution and the Agency OS Resolution were duly adopted at meetings of the Agency, called and held pursuant to law, with all public notice required by law and at which quorums were present and acting throughout; and the Agency Resolution and the Agency OS Resolution are in full force and effect and has not been modified amended or rescinded since their respective adoption date;

(iii) the Agency Legal Documents and the Official Statement have been duly authorized, executed and delivered by the Agency and, assuming due authorization, execution and delivery by the other parties thereto, the Agency Legal Documents constitute the valid, legal and binding obligations of the Agency enforceable in accordance with their respective terms, except as enforcement thereof may be limited by bankruptcy, insolvency or other laws affecting enforcement of creditors rights and by the application of equitable principles if equitable remedies are sought;

(iv) the execution and delivery of the Agency Legal Documents and the Official Statement and compliance with the provisions of the Agency Legal Documents, under the circumstances contemplated thereby, (1) do not and will not in any material respect conflict with or constitute on the part of the Agency a breach of or default under any agreement or other instrument to which the Agency is a party or by which it is bound, and (2) do not and will not in any material respect constitute on the part of the Agency a violation, breach of or default under any existing law, regulation, court order or consent decree to which the Agency is subject;

(v) to the best of such counsel's knowledge, except as otherwise disclosed in the Official Statement, there is no litigation or proceeding, pending and served, or threatened, challenging the creation, organization or existence of the Agency, or the validity of the Bonds or the Agency Legal Documents or seeking to restrain or enjoin any of the transactions referred to therein or contemplated thereby, or under which a determination adverse to the Agency would have a material adverse effect upon the financial condition or the revenues of the Agency, or which, in any manner, questions the right of the Agency to issue, sell and deliver the Bonds, to enter into the Indenture or to use the Tax Revenues for repayment of the Bonds or affects in any manner the right or ability of the Agency to collect or pledge the Tax Revenues; and

(vi) based upon his or her participation as Agency Counsel in the preparation of the Official Statement and without having undertaken to determine independently the fairness, accuracy or completeness of the statements contained in the Official Statement, Agency Counsel has no reason to believe that, as of the its date and as of date of Closing, the information in the Official Statement relating to the Agency, the Tax Revenues and the Project Area (excluding any financial or statistical data with respect thereto, as to which no opinion is expressed) contains any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(5) Trustee Counsel Opinion. The opinion of counsel to the Trustee, dated the date of the Closing, addressed to the Underwriter, to the effect that:

(i) The Trustee is a national banking association, duly organized and validly existing under the laws of the United States of America, having full power to enter into, accept and administer the trusts created under the Indenture and the Refunding Instructions.

(ii) The Indenture and the Refunding Instructions have been duly authorized, executed and delivered by the Trustee and the Indenture and the Refunding Instructions constitute the legal, valid and binding obligation of the Trustee, enforceable in accordance with its terms, except as enforcement thereof may be limited by bankruptcy, insolvency or other laws affecting the enforcement of creditors' rights generally and by the application of equitable principles, if equitable remedies are sought.

(iii) Except as may be required under Blue Sky or other securities laws of any state, no consent, approval, authorization or other action by any governmental or regulatory authority having jurisdiction over the Trustee that has not been obtained is or will be required for the execution and delivery of the Indenture or the Refunding Instructions, or the consummation of the transactions contemplated by the Indenture and the Refunding Instructions.

(6) Agency Certificate. A certificate of the Agency, dated the date of the Closing, signed on behalf of the Agency by a duly authorized officer of the Agency, to the effect that:

(i) the representations and warranties of the Agency contained herein are true and correct in all material respects on and as of the date of the Closing as if made on the date of the Closing;

(ii) no event affecting the Agency has occurred since the date of the Official Statement which has not been disclosed therein or in any supplement or amendment thereto which event should be disclosed in the Official Statement in order to make the statements therein, in the light of the circumstances under which they were made, not misleading; and

(iii) no further consent is required to be obtained for the inclusion of the Agency's audited financial statements, including the accompanying accountant's letter, for Fiscal Year 2013/14 in the Official Statement.

(7) Trustee's Certificate. A Certificate, dated the date of Closing, to the effect that:

(i) the Trustee is a national banking association duly organized and validly existing under the laws of the United States of America;

(ii) the Trustee has full power, authority and legal right to comply with the terms of the Indenture and the Refunding Instructions and to perform its obligations stated therein; and

(iii) the Indenture and the Refunding Instructions have been duly authorized, executed and delivered by the Trustee and (assuming due authorization, execution and delivery by the Agency) constitute legal, valid and binding obligations of the Trustee in accordance

with their respective terms, except as the enforcement thereof may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles relating to or limiting creditors' rights generally.

(8) Legal Documents. Executed copies of this Purchase Agreement and the other Agency Legal Documents.

(9) [Rating Letter. A letter from Standard & Poor's Credit Ratings Services ("S&P") to the effect that the Bonds have been assigned a rating of ["___"], which rating shall be in effect as of the Delivery Date.]

(10) Disclosure Letter. A letter of Orrick, Herrington & Sutcliffe LLP ("Disclosure Counsel"), dated the date of the Closing, addressed to the Underwriter, to the effect that, based upon its participation in the preparation of the Official Statement and without having undertaken to determine independently the fairness, accuracy or completeness of the statements contained in the Official Statement, such counsel has no reason to believe that, as of the date of the Closing, the Official Statement (excluding therefrom the reports, financial and statistical data and forecasts therein and the information included in the Appendices thereto and information relating to DTC, as to which no advice need be expressed) contains any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading;

(11) Fiscal Consultant Certificate. A certificate of Urban Analytics, dated the date of the Closing, addressed to the Agency and the Underwriter, in form and substance acceptable to the Underwriter, certifying as to the accuracy of [APPENDIX A—"REPORT OF FISCAL CONSULTANT"] and the information in the Official Statement under the captions ["SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY," "CONSOLIDATED WHITEWATER REDEVELOPMENT PROJECT AREA" and "ESTIMATED REVENUES AND BOND RETIREMENT"] consenting to the inclusion of such firm's Fiscal Consultant Report in the Official Statement, and stating that to the best of such firm's knowledge, but without having conducted any investigation with respect thereto, nothing has come to such firm's attention between the date of such report and the date hereof which would materially alter any of the conclusions set forth in such report;

(12) Oversight Board Resolution. A copy of the Oversight Board Resolution.

(13) Oversight Board Certificate. A certificate of the Clerk of the Oversight Board to the effect that the Oversight Board Resolution was validly adopted, remains in full force and effect, and has not been amended, rescinded or otherwise modified since its date of adoption.

(14) Parity Certificate. A copy of the executed certificate of the Agency required to be delivered to the Trustee as a condition of the issuance of the Bonds as "Parity Debt" within the meaning of the Indenture.

(15) Verification Report. A report, dated the date of the Closing, of Causey, Demgen & Moore, P.C., independent certified public accountants (the "Verification Agent"), to the effect that it has verified the accuracy of the mathematical computations of the

adequacy of the deposits in the redemption fund for the Prior Bonds for the full and timely payment of all principal (including premium, if any) and interest due with respect to the portion of the Agency obligations to be defeased with the funds held pursuant to the Refunding Instructions, as are then outstanding on the dates specified in the Official Statement at the then applicable redemption price.

(16) Bond Insurance Policy. The executed Policy of the Insurer insuring the scheduled payment of principal of and interest on the Insured Bonds, substantially in the form attached as Appendix I to the Official Statement.

(17) Insurer Counsel Opinion. An opinion of counsel to the Insurer, dated as of the date of Closing, addressed to the Underwriter and the Agency in form and substance acceptable to the Underwriter, substantially to the effect that: (i) the Insurer has been duly incorporated and is validly existing and in good standing under the laws of the State of its incorporation; (ii) the Policy constitutes the legal, valid and binding obligation of the Insurer enforceable in accordance with its terms, subject, as to enforcement, to bankruptcy, insolvency, reorganization, rehabilitation and other similar laws of general applicability relating to or affecting creditors' and/or claimants' rights against insurance companies and to general equity principles; and (iii) the information contained in the Official Statement under the caption ["BOND INSURANCE"] does not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

(18) Additional Documents. Such additional certificates, instruments and other documents as Bond Counsel, the Agency or the Underwriter may reasonably deem necessary.

All the opinions, letters, certificates, instruments and other documents mentioned above or elsewhere in this Purchase Agreement shall be deemed to be in compliance with the provisions hereof if, but only if, they are in form and substance satisfactory to the Underwriter.

If the Agency or the Trustee shall be unable to satisfy the conditions to the obligations of the Underwriter to purchase, to accept delivery of and to pay for the Bonds contained in this Purchase Agreement, if the Agency shall determine in good faith (and provide written notice to the Underwriter) that legislation has been introduced or proposals made by the Governor of the State which if enacted and effective would impose additional limitations or burdens on the Agency or the City of Indian Wells (the "City") by reason of the issuance of the Bonds or which purport to prohibit the issuance of the Bonds, or if the obligations of the Underwriter to purchase, to accept delivery of and to pay for the Bonds shall be terminated for any reason permitted by this Purchase Agreement, this Purchase Agreement shall terminate and the Underwriter shall be under no further obligation hereunder.

8. Termination. The Underwriter shall have the right to terminate this Purchase Agreement, without liability therefor, by notification to the Agency if at any time between the date hereof and prior to the Closing:

(a) any event shall occur which causes any statement contained in the Official Statement to be materially misleading or results in a failure of the Official Statement to state a material fact necessary to make the statements in the Official Statement, in the light of the circumstances under which they were made, not misleading; or

(b) the marketability of the Bonds or the market price thereof, in the opinion of the Underwriter, has been materially adversely affected by an amendment to the Constitution of the United States or by any legislation in or by the Congress of the United States or by the State, or the amendment of legislation pending as of the date of this Purchase Agreement in the Congress of the United States, or the recommendation to Congress or endorsement for passage (by press release, other form of notice or otherwise) of legislation by the President of the United States, the Treasury Department of the United States, the Internal Revenue Service or the Chairman or ranking minority member of the Committee on Finance of the United States Senate or the Committee on Ways and Means of the United States House of Representatives, or the proposal for consideration of legislation by either such Committee or by any member thereof, or the presentment of legislation for consideration as an option by either such Committee, or by the staff of the Joint Committee on Taxation of the Congress of the United States, or the favorable reporting for passage of legislation to either House of the Congress of the United States by a Committee of such House to which such legislation has been referred for consideration, or any decision of any Federal or State court or any ruling or regulation (final, temporary or proposed) or official statement on behalf of the United States Treasury Department, the Internal Revenue Service or other federal or State authority materially adversely affecting the federal or State tax status of the Agency, or the interest on bonds or notes or obligations of the general character of the Bonds; or

(c) any legislation, ordinance, rule or regulation shall be introduced in, or be enacted by any governmental body, department or agency of the State, or a decision by any court of competent jurisdiction within the State or any court of the United States shall be rendered which, in the reasonable opinion of the Underwriter, materially adversely affects the market price of the Bonds; or

(d) legislation shall be enacted by the Congress of the United States, or a decision by a court of the United States shall be rendered, or a stop order, ruling, regulation or official statement by, or on behalf of, the Securities and Exchange Commission or any other governmental agency having jurisdiction of the subject matter shall be issued or made to the effect that the issuance, offering or sale of obligations of the general character of the Bonds, or the issuance, offering or sale of the Bonds, including all underlying obligations, as contemplated hereby or by the Official Statement, is in violation or would be in violation of, or that obligations of the general character of the Bonds, or the Bonds, are not exempt from registration under, any provision of the federal securities laws, including the Securities Act of 1933, as amended and as then in effect, or that the Indenture needs to be qualified under the Trust Indenture Act of 1939, as amended and as then in effect; or

(e) additional material restrictions not in force as of the date hereof shall have been imposed upon trading in securities generally by any governmental authority or by any national securities exchange which restrictions materially adversely affect the Underwriter's ability to trade the Bonds; or

(f) a general banking moratorium shall have been established by federal or State authorities; or

(g) the United States has become engaged in hostilities which have resulted in a declaration of war or a national emergency or there has occurred any other outbreak of hostilities or a national or international calamity or crisis, or there has occurred any escalation of existing hostilities, calamity or crisis, financial or otherwise, the effect of which on the financial markets of the United

States being such as, in the reasonable opinion of the Underwriter, would affect materially and adversely the ability of the Underwriter to market the Bonds; or

(h) any rating of the Bonds shall have been downgraded, suspended or withdrawn by a national rating service, which, in the Underwriter's reasonable opinion, materially adversely affects the marketability or market price of the Bonds; or

(i) the commencement of any action, suit or proceeding described in Section 5(g) hereof which, in the judgment of the Underwriter, materially adversely affects the market price of the Bonds; or

(j) there shall be in force a general suspension of trading on the New York Stock Exchange.

9. Expenses. The Agency will pay or cause to be paid the approved expenses incident to the performance of its obligations hereunder and certain expenses relating to the sale of the Bonds, including, but not limited to, (a) the cost of the preparation and printing or other reproduction of the Agency Legal Documents (other than this Purchase Agreement); (b) the fees and disbursements of Bond Counsel, Disclosure Counsel, the Financial Advisor, Fiscal Consultant and any other experts or other consultants retained by the Agency; (c) the costs and fees of the credit rating agencies; (d) the cost of preparing and delivering the definitive Bonds; (e) the cost of providing immediately available funds on the Closing Date; (f) the cost of the printing or other reproduction of the Preliminary Official Statement and Official Statement and any amendment or supplement thereto, including a reasonable number of certified or conformed copies thereof; (g) the Underwriter's out-of-pocket expenses incurred with the financing; (h) the fees of Digital Assurance Certification, L.L.C. for a continuing disclosure undertaking compliance review; and (i) expenses (included in the expense component of the spread) incurred on behalf of the City's or the Agency's employees which are incidental to implementing this Purchase Agreement. The Underwriter will pay the expenses of the preparation of this Purchase Agreement and all other expenses incurred by the Underwriter in connection with the public offering and distribution of the Bonds, and the fee and disbursements of Underwriter's Counsel. The Underwriter is required to pay the fees of the California Debt and Investment Advisory Commission in connection with the offering of the Bonds. The Agency acknowledges that it has had an opportunity, in consultation with such advisors as it may deem appropriate, if any, to evaluate and consider such fees. Notwithstanding that such fees are solely the legal obligation of the Underwriter, the Agency agrees to reimburse the Underwriter for such fees.

The Underwriter shall pay, and the Agency shall be under no obligation to pay, all expenses incurred by the Underwriter in connection with the public offering and distribution of the Bonds.

10. Notices. Any notice or other communication to be given to the Agency under this Purchase Agreement may be given by delivering the same in writing at the Agency's address set forth above; Attention: Executive Director, and to the Underwriter under this Purchase Agreement may be given by delivering the same in writing to Citigroup Global Markets Inc., 444 S. Flower Street, 27th Floor, Los Angeles, California 90071, Attention: Victor Andrade.

11. Parties in Interest. This Purchase Agreement is made solely for the benefit of the Agency and the Underwriter and no other person shall acquire or have any right hereunder or by virtue hereof. All of the representations, warranties and agreements of the Agency contained in this Purchase Agreement shall remain operative and in full force and effect, regardless of: (i) any

investigations made by or on behalf of the Underwriter; (ii) delivery of and payment for the Bonds pursuant to this Purchase Agreement; and (iii) any termination of this Purchase Agreement.

12. Effectiveness and Counterpart Signatures. This Purchase Agreement shall become effective upon the execution of the acceptance by an authorized officer of the Agency and shall be valid and enforceable at the time of such acceptance and approval. This Purchase Agreement may be executed by the parties hereto by facsimile transmission and in separate counterparts, each of which when so executed and delivered (including delivery by facsimile transmission) shall be an original, but all such counterparts shall together constitute but one and the same instrument.

13. Headings. The headings of the sections of this Purchase Agreement are inserted for convenience only and shall not be deemed to be a part hereof.

14. Governing Law. This Purchase Agreement shall be construed in accordance with the laws of the State of California.

Very truly yours,

CITIGROUP GLOBAL MARKETS, INC.,

By: _____
Its: Authorized Officer

Accepted:

SUCCESSOR AGENCY TO THE
INDIAN WELLS REDEVELOPMENT AGENCY

By: _____
Chief Administrative Officer

EXHIBIT A

**SUCCESSOR AGENCY TO THE
INDIAN WELLS REDEVELOPMENT AGENCY
CONSOLIDATED WHITEWATER REDEVELOPMENT PROJECT AREA
SUBORDINATED TAX ALLOCATION REFUNDING BONDS,
SERIES 2015A**

| <i>Maturity Date (October 1)</i> | <i>Amount</i> | <i>Coupon</i> | <i>Yield</i> | <i>Price</i> |
|--------------------------------------|---------------|---------------|--------------|--------------|
|--------------------------------------|---------------|---------------|--------------|--------------|

APPENDIX B

RULE 15c2-12 CERTIFICATE

The undersigned hereby certifies and represents to Citigroup Global Markets Inc. (the "Underwriter") that [he/she] is a duly appointed and acting officer of the Successor Agency to the Indian Wells Redevelopment Agency, and as such is to execute and deliver this Certificate and further hereby certify and reconfirm on behalf of the Agency to the Underwriter as follows:

(1) This Certificate is delivered to enable the Underwriter to comply with Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule") in connection with the offering and sale of the Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A (the "Bonds").

(2) In connection with the offering and sale of the Bonds, there has been prepared a Preliminary Official Statement, dated as of _____, 2015, setting forth information concerning the Bonds and the Agency, as issuer of the Bonds, and the Agency (the "Preliminary Official Statement").

(3) As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the Bonds depending on such matters and the identity of the underwriter(s), all with respect to the Bonds.

(4) The Preliminary Official Statement is, except for the Permitted Omissions, deemed final within the meaning of the Rule and has been, and the information therein is accurate and complete in all material respects except for the Permitted Omissions.

(5) If, at any time prior to the execution of the final contract of purchase, any event occurs as a result of which the Preliminary Official Statement might include an untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, the Agency shall promptly notify the Underwriter thereof.

IN WITNESS WHEREOF, I have hereunto set my hand as of the __ day of _____, 2015.

SUCCESSOR AGENCY TO THE
INDIAN WELLS REDEVELOPMENT AGENCY

By _____
Authorized Officer

IRREVOCABLE REFUNDING INSTRUCTIONS

These IRREVOCABLE REFUNDING INSTRUCTIONS (these "Instructions"), dated July __, 2015, are given by the SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY, a public entity existing under the laws of the State of California (the "Successor Agency"), as successor agency of the REDEVELOPMENT AGENCY OF THE CITY OF INDIAN WELLS (the "Former Agency"), to MUFG UNION BANK, N.A., a national banking association organized and existing under the laws of the United States of America, acting as fiscal agent (the "Fiscal Agent") for the hereinafter defined Series 2005A Bonds;

WITNESSETH:

WHEREAS, the Former Agency has previously issued its Consolidated Whitewater Project Area Tax Allocation Refunding Bonds, Series 2005A (the "Series 2005A Bonds") for the purpose of financing and refinancing redevelopment activities with respect to the Redevelopment Project (as defined in the hereinafter mentioned Fiscal Agent Agreement), pursuant to a Fiscal Agent Agreement, dated as of September 1, 1992, between the Former Agency and Bank of America National Trust and Savings Association, as succeeded by the Fiscal Agent (as amended through the date hereof, the "Fiscal Agent Agreement"); and

WHEREAS, by implementation of California Assembly Bill X1 26, which amended provisions of the California Redevelopment Law, (found at Health and Safety Code Section 33000, et.seq.) and the California Supreme Court's decision in California Redevelopment Association v. Matosantos, the Former Agency was dissolved on February 1, 2012 in accordance with California Assembly Bill X1 26 approved by the Governor of the State of California on June 28, 2011 ("AB 26"), and on February 1, 2012, the Successor Agency, in accordance with and pursuant to AB 26, assumed the duties and obligations set forth in AB 26 for the Former Agency, including, without limitation, the obligations of the Former Agency under the Fiscal Agent Agreement and related documents to which the Former Agency was a party; and

WHEREAS, the Successor Agency has determined that it is in the best financial interests of the Successor Agency to refund, at this time, the Series 2005A Bonds; and

WHEREAS, in order to provide funds for such purpose, the Successor Agency is issuing Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A (the "Series 2015A Bonds") and applying a portion of the proceeds thereof, together with certain other moneys, to defease and redeem all of the outstanding Series 2005A Bonds; and

WHEREAS, the Series 2015A Bonds are being issued pursuant to an Indenture of Trust dated as of May 1, 2014, between the Successor Agency and MUFG Union Bank, N.A., as trustee (the "Trustee"), as supplemented and amended by a First Supplemental Indenture of Trust dated as of July 1, 2015, between the Successor Agency and the Trustee (collectively, the "Indenture"); and

WHEREAS, the Successor Agency wishes to give these Instructions to the Fiscal Agent for the purpose of providing the terms and conditions relating to the deposit and application of moneys to provide for the payment and redemption of the outstanding Series 2005A Bonds;

NOW, THEREFORE, the Successor Agency hereby irrevocably instructs the Fiscal Agent as follows:

Section 1. Establishment of the Series 2005A Bonds Escrow Fund. The Fiscal Agent shall establish and hold, separate and apart from all other funds and accounts held by it, a special fund known as the "Series 2005A Bonds Escrow Fund" (the "Escrow Fund"). All amounts on deposit in the Escrow Fund are hereby irrevocably pledged as a special trust fund for the redemption of all of the outstanding Series 2005A Bonds on September 1, 2015. Neither the Fiscal Agent, the Trustee nor any other person shall have a lien upon or right of set off against the amounts at any time on deposit in the Escrow Fund, and such amounts shall be applied only as provided herein.

Section 2. Deposit into the Series 2005A Bonds Escrow Fund; Investment of Amounts. Concurrently with delivery of the Series 2015A Bonds, the Successor Agency shall cause to be deposited in the Escrow Fund (i) the amount of \$_____ in immediately available funds to be derived from a portion of the proceeds of sale of the Series 2015A Bonds, plus (ii) the amount of \$_____ on deposit under the Fiscal Agent Agreement and relating to the Series 2005A Bonds (all as set forth on Schedule A attached hereto and made a part hereof), for a total deposit into the Escrow Fund of \$_____.

The Fiscal Agent will, on July __, 2015, use \$_____ of such amount to purchase certain securities and investments for the Escrow Fund, all as listed on Schedule B attached hereto and made a part hereof (which securities the Successor Agency represents are non-callable Federal Securities, as defined in the Fiscal Agent Agreement maturing on the dates and in the amounts necessary to make the payments described in Section 3), and will retain \$_____ in cash in the Escrow Fund.

The Successor Agency signifies that by making the deposit described herein, it is discharging the Series 2005A Bonds pursuant to Sections 9.01 of the Fiscal Agent Agreement.

The Fiscal Agent shall furnish the Successor Agency periodic cash transaction statements which include detail for all investment transactions effected by the Fiscal Agent or brokers selected by the Successor Agency pursuant to these Instructions. Upon the Successor Agency's election, such statements will be delivered via the Fiscal Agent's online service and upon electing such service, paper statements will be provided only upon request. The Successor Agency waives the right to receive brokerage confirmations of security transactions effected by the Fiscal Agent as they occur, to the extent permitted by law. The Successor Agency further understands that trade confirmations for securities transactions effected by the Fiscal Agent will be available upon request and at no additional cost and other trade confirmations may be obtained from the applicable broker.

Section 3. Proceedings for Redemption of Series 2005A Bonds. The Successor Agency hereby irrevocably elects, and directs the Fiscal Agent, to redeem, on September 1, 2015, from amounts on deposit in the Escrow Fund, all of the outstanding Series 2005A Bonds pursuant to the provisions of Section 13.03(a) of the Fiscal Agent Agreement. The Fiscal Agent acknowledges, that by accepting these instructions, it will give a notice of such redemption in the form attached hereto as Exhibit A in accordance with Section 2.03(d) of the Fiscal Agent Agreement in order to allow for the payment of regularly scheduled debt service on the Series 2005A Bonds and the redemption of the Series 2005A Bonds on September 1, 2015.

In addition to the notice of redemption referred to above, the Fiscal Agent shall, within three (3) business days of receipt of the amounts set forth in Section 2 above, post a notice of defeasance, in the form attached hereto as Exhibit B, to the Municipal Securities Rulemaking Board Electronic Municipal Market Access (EMMA) system accessible at the emma.msrb.org website.

Section 4. Application of Funds. The Fiscal Agent shall apply the amounts on deposit in the Escrow Fund to pay the regularly scheduled debt service on the Series 2005A Bonds through and including September 1, 2015 and to redeem the outstanding Series 2005A Bonds on September 1, 2015 at a price equal to 100% of the principal amount thereof plus accrued and unpaid interest, all in accordance with Section 13.03(a) of the Fiscal Agent Agreement.

Section 5. Transfer of Remaining Funds. On September 2, 2015, following the payment and redemption described above and payment of any amounts then owed to the Fiscal Agent, the Fiscal Agent shall withdraw any amounts remaining on deposit in the Escrow Fund and transfer such amounts to the Trustee for deposit into the Interest Account established under the Indenture to be used solely for the purpose of paying interest on the Series 2015A Bonds.

Section 6. Amendment. These Instructions shall be irrevocable by the Successor Agency. These Instructions may be amended or supplemented by the Successor Agency, but only if the Successor Agency shall file with the Fiscal Agent and the Trustee (a) an opinion of nationally recognized bond counsel engaged by the Successor Agency stating that such amendment or supplement will not, of itself, adversely affect the exclusion from gross income of interest on the Series 2005A Bonds or the Series 2015A Bonds under federal income tax law, and (b) a certification of an independent accountant or independent financial adviser engaged by the Successor Agency stating that such amendment or supplement will not affect the sufficiency of funds invested and held hereunder to make the payments required by Section 4.

Section 7. Application of Certain Terms of the Fiscal Agent Agreement. All of the terms of the Fiscal Agent Agreement relating to the payment of principal of and interest and repayment premium, if any, on the Series 2005A Bonds and the redemption thereof, and the protections, immunities and limitations from liability afforded the Fiscal Agent, are incorporated in these Instructions as if set forth in full herein.

Section 8. Counterparts. These Instructions may be signed in several counterparts, each of which will constitute an original, but all of which will constitute one and the same instrument.

Section 9. Governing Law. These Instructions shall be construed in accordance with and governed by the laws of the State of California.

**SUCCESSOR AGENCY TO THE INDIAN
WELLS REDEVELOPMENT AGENCY**

By: _____
City Manager

ACCEPTED:

MUFG UNION BANK, N.A.,
as Fiscal Agent

By: _____
Authorized Officer

Accepted with respect to Section 5

MUFG UNION BANK, N.A.,
as Trustee

By: _____
Authorized Officer

SCHEDULE A
FUNDS TRANSFERRED BY FISCAL AGENT
TO ESCROW FUND

| <u>Fund</u> | <u>Amount</u> |
|--------------------------------|---------------|
| Debt Service Fund | |
| [other] | |
| Total Funds Transferred | \$ _____ |

SCHEDULE B

SERIES 2005A BONDS ESCROW FUND INVESTMENT

| <u>Type (CUSIP)</u> | <u>Coupon</u> | <u>Maturity</u> | <u>Par Amount</u> | Total Purchase <u>Price</u> |
|-------------------------|---------------|-----------------|-------------------|--------------------------------|
|-------------------------|---------------|-----------------|-------------------|--------------------------------|

EXHIBIT A

FORM OF CONDITIONAL NOTICE OF FULL OPTIONAL REDEMPTION

Redevelopment Agency of the City of Indian Wells
Consolidated Whitewater Project Area
Tax Allocation Refunding Bonds, Series 2005A

Date of Issuance:

| Maturity Date (September 1) | Principal Amount | Interest Rate | CUSIP (Base: _____) |
|--------------------------------|------------------|---------------|------------------------|
| 2015 | \$ 880,000 | 3.750% | |
| 2016 | 915,000 | 3.875 | |
| 2017 | 950,000 | 4.000 | |
| 2018 | 985,000 | 4.000 | |
| 2019 | 1,025,000 | 4.100 | |
| 2020 | 1,065,000 | 4.250 | |
| 2021 | 1,115,000 | 4.250 | |
| 2022 | 1,160,000 | 4.250 | |

NOTICE IS HEREBY GIVEN that all of the above described bonds (the "Bonds") have been called for optional redemption on September 1, 2015 (the "Redemption Date") pursuant to Section 13.03(a) of the Fiscal Agent Agreement, dated as of September 1, 1992, between the Successor Agency to the Indian Wells Redevelopment Agency, as successor to the Redevelopment Agency of the City of Indian Wells, and MUFG Union Bank, N.A., as successor to the Bank of America National Trust and Savings Association, as fiscal agent (the "Fiscal Agent"), as heretofore amended and supplemented, at a redemption price equal to the principal amount thereof, plus accrued interest to the redemption date, without premium (the "Redemption Price"). Interest will not accrue on the Bonds after the redemption date.

Redemption of the Bonds as described in this notice shall be conditioned upon the receipt by the Fiscal Agent of the proceeds of the sale and delivery of the Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A in an amount sufficient for such redemption on or before the Redemption Date.

In the event such funds are not received by the Redemption Date, this notice shall be null and void and of no force and effect. The Bonds delivered for redemption shall be returned to the respective owners thereof, and said Bonds shall remain outstanding as though this notice of conditional redemption had not been given. Notice of a failure to receive funds, and cancellation of this redemption, shall be given by the Fiscal Agent by first class mail, postage prepaid, to the registered owners of the Bonds.

Payment of the Redemption Price on the Bonds called for redemption will be paid upon presentation of the Bonds at the Principal Corporate Trust Office of the Fiscal Agent, in the following manner:

If by Mail:

If by Hand or Overnight Mail:

IMPORTANT NOTICE

Under the Jobs and Growth Tax Relief Reconciliation Act of 2003 (the "Act"), 28% will be withheld if tax identification number is not properly certified.

**The Undersigned shall not be held responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the Redemption Notice. It is included solely for the convenience of the Holders.*

Dated: _____, 2015

MUFG Union Bank, N.A.
as Fiscal Agent

EXHIBIT B

FORM OF NOTICE OF DEFEASANCE

Redevelopment Agency of the City of Indian Wells
Consolidated Whitewater Project Area

Tax Allocation Refunding Bonds, Series 2005A

NOTICE IS HEREBY GIVEN, pursuant to the Continuing Disclosure Certificate dated as of October 1, 2005, which was executed and delivered by the Redevelopment Agency of the City of Indian Wells (the "Former Agency") in connection with the issuance and delivery of the captioned bonds (the "2005A Bonds"), and the Irrevocable Refunding Instructions dated July __, 2015 from the Successor Agency to the Indian Wells Redevelopment Agency (the "Successor Agency") to MUFG Union Bank, N.A., as fiscal agent for the 2005A Bonds (the "Fiscal Agent"), that the 2005A Bonds have been defeased and discharged under and within the meaning of the Fiscal Agent Agreement dated as of September 1, 1992, between the Successor Agency, as successor to the Former Agency and Bank of America National Trust and Savings Association, as currently succeeded by the Fiscal Agent, as heretofore amended and supplemented, pursuant to which the 2005A Bonds were issued. The 2005A Bonds that have been defeased consist of the following maturities:

| Maturity Date (September 1) | Principal Amount | Interest Rate | CUSIP (Base: _____) |
|--------------------------------|------------------|---------------|------------------------|
| 2015 | \$ 880,000 | 3.750% | |
| 2016 | 915,000 | 3.875 | |
| 2017 | 950,000 | 4.000 | |
| 2018 | 985,000 | 4.000 | |
| 2019 | 1,025,000 | 4.100 | |
| 2020 | 1,065,000 | 4.250 | |
| 2021 | 1,115,000 | 4.250 | |
| 2022 | 1,160,000 | 4.250 | |

Funds for the payment of debt service on the 2005A Bonds through September 1, 2015 and the redemption price of the 2005A Bonds on September 1, 2015, have been deposited with the Fiscal Agent, and the sufficiency of the funds and investments for the purpose of paying the principal and redemption price of and interest on the 2005A Bonds has been verified by _____, certified public accountants.

The Successor Agency has irrevocably elected to redeem all of the outstanding 2005A Bonds on September 1, 2015, at a redemption price equal to the par amount thereof, together with accrued interest thereon to the redemption date, without premium.

Dated: July __, 2015

MUFG Union Bank, N.A.,
as Fiscal Agent for the 2005A Bonds

IRREVOCABLE REFUNDING INSTRUCTIONS

These IRREVOCABLE REFUNDING INSTRUCTIONS (these "Instructions"), dated July __, 2015, are given by the SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY, a public entity existing under the laws of the State of California (the "Successor Agency"), as successor agency of the REDEVELOPMENT AGENCY OF THE CITY OF INDIAN WELLS (the "Former Agency"), to MUFJ UNION BANK, N.A., a national banking association organized and existing under the laws of the United States of America, acting as fiscal agent (the "Fiscal Agent") for the hereinafter defined Series 2006A Bonds;

WITNESSETH:

WHEREAS, the Former Agency has previously issued its Consolidated Whitewater Project Area Tax Allocation Bonds, Series 2006A (the "Series 2006A Bonds") for the purpose of financing and refinancing redevelopment activities with respect to the Redevelopment Project (as defined in the hereinafter mentioned Fiscal Agent Agreement), pursuant to a Fiscal Agent Agreement, dated as of September 1, 1992, between the Former Agency and Bank of America National Trust and Savings Association, as succeeded by the Fiscal Agent (as amended through the date hereof, the "Fiscal Agent Agreement"); and

WHEREAS, by implementation of California Assembly Bill X1 26, which amended provisions of the California Redevelopment Law, (found at Health and Safety Code Section 33000, et.seq.) and the California Supreme Court's decision in California Redevelopment Association v. Matosantos, the Former Agency was dissolved on February 1, 2012 in accordance with California Assembly Bill X1 26 approved by the Governor of the State of California on June 28, 2011 ("AB 26"), and on February 1, 2012, the Successor Agency, in accordance with and pursuant to AB 26, assumed the duties and obligations set forth in AB 26 for the Former Agency, including, without limitation, the obligations of the Former Agency under the Fiscal Agent Agreement and related documents to which the Former Agency was a party; and

WHEREAS, the Successor Agency has determined that it is in the best financial interests of the Successor Agency to refund, at this time, the Series 2006A Bonds; and

WHEREAS, in order to provide funds for such purpose, the Successor Agency is issuing Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A (the "Series 2015A Bonds") and applying a portion of the proceeds thereof, together with certain other moneys, to defease and redeem a portion of the outstanding Series 2006A Bonds; and

WHEREAS, the Series 2015A Bonds are being issued pursuant to an Indenture of Trust dated as of May 1, 2014, between the Successor Agency and MUFJ Union Bank, N.A., as trustee (the "Trustee"), as supplemented and amended by a First Supplemental Indenture of Trust dated as of July 1, 2015, between the Successor Agency and the Trustee (collectively, the "Indenture"); and

WHEREAS, the Successor Agency wishes to give these Instructions to the Fiscal Agent for the purpose of providing the terms and conditions relating to the deposit and application of moneys to provide for the payment and redemption of the outstanding Series 2006A Bonds;

NOW, THEREFORE, the Successor Agency hereby irrevocably instructs the Fiscal Agent as follows:

Section 1. Establishment of the Series 2006A Bonds Escrow Fund. The Fiscal Agent shall establish and hold, separate and apart from all other funds and accounts held by it, a special fund known as the "Series 2006A Bonds Escrow Fund" (the "Escrow Fund"). All amounts on deposit in the Escrow Fund are hereby irrevocably pledged as a special trust fund for the redemption the Series 2006A Bonds identified on Schedule A hereto (the "Refunded Series 2006A Bonds") on September 1, 2016. Neither the Fiscal Agent, the Trustee nor any other person shall have a lien upon or right of set off against the amounts at any time on deposit in the Escrow Fund, and such amounts shall be applied only as provided herein.

Section 2. Deposit into the Series 2006A Bonds Escrow Fund; Investment of Amounts. Concurrently with delivery of the Series 2015A Bonds, the Successor Agency shall cause to be deposited in the Escrow Fund (i) the amount of \$_____ in immediately available funds to be derived from a portion of the proceeds of sale of the Series 2015A Bonds, plus (ii) the amount of \$_____ on deposit under the Fiscal Agent Agreement and relating to the Refunded Series 2006A Bonds (all as set forth on Schedule B attached hereto and made a part hereof), for a total deposit into the Escrow Fund of \$_____.

The Fiscal Agent will, on July __, 2015, use \$_____ of such amount to purchase certain securities and investments for the Escrow Fund, all as listed on Schedule C attached hereto and made a part hereof (which securities the Successor Agency represents are non-callable Federal Securities, as defined in the Fiscal Agent Agreement maturing on the dates and in the amounts necessary to make the payments described in Section 3), and will retain \$_____ in cash in the Escrow Fund.

The Successor Agency signifies that by making the deposit described herein, it is discharging the Refunded Series 2006A Bonds pursuant to Sections 9.01 of the Fiscal Agent Agreement.

The Fiscal Agent shall furnish the Successor Agency periodic cash transaction statements which include detail for all investment transactions effected by the Fiscal Agent or brokers selected by the Successor Agency pursuant to these Instructions. Upon the Successor Agency's election, such statements will be delivered via the Fiscal Agent's online service and upon electing such service, paper statements will be provided only upon request. The Successor Agency waives the right to receive brokerage confirmations of security transactions effected by the Fiscal Agent as they occur, to the extent permitted by law. The Successor Agency further understands that trade confirmations for securities transactions effected by the Fiscal Agent will be available upon request and at no additional cost and other trade confirmations may be obtained from the applicable broker.

Section 3. Proceedings for Redemption of Refunded Series 2006A Bonds. The Successor Agency hereby irrevocably elects, and directs the Fiscal Agent, to redeem, on September 1, 2016, from amounts on deposit in the Escrow Fund, the Refunded Series 2006A Bonds pursuant to the provisions of Section 13.03(a) of the Fiscal Agent Agreement. The Fiscal Agent acknowledges, that by accepting these instructions, it will give a notice of such redemption in the form attached hereto as Exhibit A in accordance with Section 2.03(d) of the Fiscal Agent Agreement in order to allow for the redemption of the Refunded Series 2006A Bonds on September 1, 2016.

In addition to the notice of redemption referred to above, the Fiscal Agent shall, within three (3) business days of receipt of the amounts set forth in Section 2 above, post a notice of defeasance, in the form attached hereto as Exhibit B, to the Municipal Securities Rulemaking Board Electronic Municipal Market Access (EMMA) system accessible at the emma.msrb.org website.

Section 4. Application of Funds. The Fiscal Agent shall apply the amounts on deposit in the Escrow Fund to pay the regularly scheduled debt service on the Refunded Series 2006A Bonds through and including September 1, 2016 and to redeem the Refunded Series 2006A Bonds on September 1, 2016 at a price equal to 100% of the principal amount thereof plus accrued and unpaid interest, all in accordance with Section 13.03(a) of the Fiscal Agent Agreement.

Section 5. Transfer of Remaining Funds. On September 2, 2016, following the payment and redemption described above and payment of any amounts then owed to the Fiscal Agent, the Fiscal Agent shall withdraw any amounts remaining on deposit in the Escrow Fund and transfer such amounts to the Trustee for deposit into the Interest Account established under the Indenture to be used solely for the purpose of paying interest on the Series 2015A Bonds.

Section 6. Amendment. These Instructions shall be irrevocable by the Successor Agency. These Instructions may be amended or supplemented by the Successor Agency, but only if the Successor Agency shall file with the Fiscal Agent and the Trustee (a) an opinion of nationally recognized bond counsel engaged by the Successor Agency stating that such amendment or supplement will not, of itself, adversely affect the exclusion from gross income of interest on the Series 2006A Bonds or the Series 2015A Bonds under federal income tax law, and (b) a certification of an independent accountant or independent financial adviser engaged by the Successor Agency stating that such amendment or supplement will not affect the sufficiency of funds invested and held hereunder to make the payments required by Section 4.

Section 7. Application of Certain Terms of the Fiscal Agent Agreement. All of the terms of the Fiscal Agent Agreement relating to the payment of principal of and interest and repayment premium, if any, on the Refunded Series 2006A Bonds and the redemption thereof, and the protections, immunities and limitations from liability afforded the Fiscal Agent, are incorporated in these Instructions as if set forth in full herein.

Section 8. Counterparts. These Instructions may be signed in several counterparts, each of which will constitute an original, but all of which will constitute one and the same instrument.

Section 9. Governing Law. These Instructions shall be construed in accordance with and governed by the laws of the State of California.

**SUCCESSOR AGENCY TO THE INDIAN
WELLS REDEVELOPMENT AGENCY**

By: _____
City Manager

ACCEPTED:

MUFG UNION BANK, N.A.,
as Fiscal Agent

By: _____
Authorized Officer

Accepted with respect to Section 5

MUFG UNION BANK, N.A.,
as Trustee

By: _____
Authorized Officer

SCHEDULE A

Redevelopment Agency of the City of Indian Wells
Consolidated Whitewater Project Area Tax Allocation Bonds, Series 2006A

DEFEASED SERIES 2006A BONDS

| Maturity Date (September 1) | Principal Amount | Interest Rate | CUSIP ¹ (Base: _____) |
|--------------------------------|------------------|---------------|-------------------------------------|
| 2017 | | | |
| 2018 | | | |
| 2019 | | | |
| 2020 | | | |
| 2021 | | | |
| 2022 | | | |
| 2023 | | | |
| 2034 | | | |
| 2025 | | | |
| 2026 | | | |
| 2027 | | | |
| 2028 | | | |
| 2029 | | | |
| 2032 | | | |
| 2024 | | | |
| 2025 | | | |
| 2026 | | | |
| 2027 | | | |
| 2028 | | | |
| 2029 | | | |
| 2032 | | | |
| 2034 | | | |

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SCHEDULE B

**FUNDS TRANSFERRED BY FISCAL AGENT
TO ESCROW FUND**

| <u>Fund</u> | <u>Amount</u> |
|--------------------------------|-----------------|
| Debt Service Fund [other] | |
| Total Funds Transferred | \$ _____ |

SCHEDULE C

SERIES 2006A BONDS ESCROW FUND INVESTMENT

| <u>Type</u> <u>(CUSIP)</u> | <u>Coupon</u> | <u>Maturity</u> | <u>Par Amount</u> | <u>Total Purchase</u> <u>Price</u> |
|-------------------------------|---------------|-----------------|-------------------|---------------------------------------|
|-------------------------------|---------------|-----------------|-------------------|---------------------------------------|

EXHIBIT A

FORM OF CONDITIONAL NOTICE OF FULL OPTIONAL REDEMPTION

**Redevelopment Agency of the City of Indian Wells
Consolidated Whitewater Project Area
Tax Allocation Bonds, Series 2006A**

Date of Issuance:

| Maturity Date (September 1) | Principal Amount | Interest Rate | CUSIP (Base: _____) |
|--|-------------------------|----------------------|--------------------------------|
|--|-------------------------|----------------------|--------------------------------|

NOTICE IS HEREBY GIVEN that all of the above described bonds (the "Bonds") have been called for optional redemption on September 1, 2016 (the "Redemption Date") pursuant to Section 13.03(a) of the Fiscal Agent Agreement, dated as of September 1, 1992, between the Successor Agency to the Indian Wells Redevelopment Agency, as successor to the Redevelopment Agency of the City of Indian Wells, and MUFG Union Bank, N.A., as successor to the Bank of America National Trust and Savings Association, as fiscal agent (the "Fiscal Agent"), as heretofore amended and supplemented, at a redemption price equal to the principal amount thereof, plus accrued interest to the redemption date, without premium (the "Redemption Price"). Interest will not accrue on the Bonds after the redemption date.

Redemption of the Bonds as described in this notice shall be conditioned upon the receipt by the Fiscal Agent of the proceeds of the sale and delivery of the Successor Agency to the Indian Wells Redevelopment Agency Consolidated Whitewater Redevelopment Project Area Subordinated Tax Allocation Refunding Bonds, Series 2015A in an amount sufficient for such redemption on or before the Redemption Date.

In the event such funds are not received by the Redemption Date, this notice shall be null and void and of no force and effect. The Bonds delivered for redemption shall be returned to the respective owners thereof, and said Bonds shall remain outstanding as though this notice of conditional redemption had not been given. Notice of a failure to receive funds, and cancellation of this redemption, shall be given by the Fiscal Agent by first class mail, postage prepaid, to the registered owners of the Bonds.

Payment of the Redemption Price on the Bonds called for redemption will be paid upon presentation of the Bonds at the Principal Corporate Trust Office of the Fiscal Agent, in the following manner:

If by Mail:

If by Hand or Overnight Mail:

IMPORTANT NOTICE

Under the Jobs and Growth Tax Relief Reconciliation Act of 2003 (the "Act"), 28% will be withheld if tax identification number is not properly certified.

**The Undersigned shall not be held responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the Redemption Notice. It is included solely for the convenience of the Holders.*

Dated: ____, 2015

**MUFG Union Bank, N.A.
as Fiscal Agent**

EXHIBIT B

FORM OF NOTICE OF DEFEASANCE

**Redevelopment Agency of the City of Indian Wells
Consolidated Whitewater Project Area
Tax Allocation Bonds, Series 2006A**

NOTICE IS HEREBY GIVEN, pursuant to the Continuing Disclosure Certificate dated as of October 1, 2006, which was executed and delivered by the Redevelopment Agency of the City of Indian Wells (the "Agency") in connection with the issuance and delivery of the captioned bonds (the "2006A Bonds"), and the Irrevocable Refunding Instructions dated July __, 2015 from the Successor Agency to the Indian Wells Redevelopment Agency (the "Successor Agency") to MUFG Union Bank, N.A., as fiscal agent for the 2006A Bonds (the "Fiscal Agent"), that the 2006A Bonds listed below have been defeased and discharged under and within the meaning of the Fiscal Agent Agreement dated as of September 1, 1992, between the Former Agency and Bank of America National Trust and Savings Association, as currently succeeded by the Fiscal Agent, as heretofore amended and supplemented, pursuant to which the 2006A Bonds were issued. The 2006A Bonds that have been defeased consist of the following maturities:

| Maturity Date (September 1) | Principal Amount | Interest Rate | CUSIP[‡] (Base: _____) |
|--|-------------------------|----------------------|--|
| 2017 | | | |
| 2018 | | | |
| 2019 | | | |
| 2020 | | | |
| 2021 | | | |
| 2022 | | | |
| 2023 | | | |
| 2024 | | | |
| 2025 | | | |
| 2026 | | | |
| 2027 | | | |
| 2028 | | | |
| 2029 | | | |
| 2032 | | | |
| 2034 | | | |

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Funds for the payment of debt service on the 2006A Bonds through September 1, 2016 and the redemption price of the 2006A Bonds on September 1, 2016, have been deposited with the Fiscal Agent, and the sufficiency of the funds and investments for the purpose of paying the principal and redemption price of and interest on the 2006A Bonds has been verified by _____, certified public accountants.

The Successor Agency has irrevocably elected to redeem the 2006A Bonds listed above on September 1, 2016, at a redemption price equal to the par amount thereof, together with accrued interest thereon to the redemption date, without premium.

Dated: July __, 2015

MUFG Union Bank, N.A.,
as Fiscal Agent for the 2006A Bonds



C.M. de CRINIS & CO., INC.

MEMORANDUM

To: Successor Agency to the Redevelopment Agency of the City of Indian Wells

Date: April 21, 2015

From: C.M.de Crinis - Financial Advisor to the County of Riverside Public Financing Authority Tax Allocation Bonds Refunding Program

RE: Bond Refunding Plan

Introduction

As a result of ABx1 26 and the California Supreme Court decision in the Matosantos case challenging the constitutionality of AB 26, all redevelopment agencies in the State were dissolved as of February 1, 2012, including the Redevelopment Agency of the City of Indian Wells (the "Redevelopment Agency"), and successor agencies to the former redevelopment agencies were designated to expeditiously wind down the affairs of the former redevelopment agencies. The City of Indian Wells (the "City") acts as successor agency to the Redevelopment Agency (the "Successor Agency").

The primary provisions enacted by ABx1 26 relating to the dissolution and wind down of former redevelopment agency affairs are codified in Parts 1.8 (commencing with Section 34161) and 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code of the State, as amended on June 27, 2012 by Assembly Bill No. 1484 ("AB 1484"), enacted as Chapter 26, Statutes of 2012 (as amended from time to time, the "Dissolution Act").

Refunding Bonds under the Dissolution Act - Section 34177.5 of the Health & Safety Code, which was added to the Dissolution Act by AB 1484, authorizes the Successor Agency to issue bonds for the purpose of refunding outstanding tax allocation bonds of the Redevelopment Agency or the Successor Agency to provide debt service savings

provided that (A) the total interest cost to maturity on the refunding bonds plus the principal amount of the refunding bonds does not exceed the total remaining interest cost to maturity on the bonds to be refunded plus the remaining principal of the bonds to be refunded, and (B) the principal amount of the refunding bonds does not exceed the amount required to defease the refunded bonds, to establish customary debt service reserves, and to pay related costs of issuance. If the foregoing conditions are satisfied, the initial principal amount of the refunding bonds may be greater than the outstanding principal amount of the bonds to be refunded.

Section 34177.5(h) of the Dissolution Act requires the Successor Agency to make diligent efforts to ensure that the lowest long-term cost financing is obtained, and requires the successor agency to make use of an independent financial advisor in developing financing proposals and to make the work products of the financial advisor available to the Department of Finance at its request.

This report is written by C.M. de Crinis & Co. Inc, which has been engaged as the independent financial advisor to the Successor Agency to analyze the possible refunding of the Successor Agency's outstanding bonds. The bonds that are candidates for refunding are listed herein.

Overview of Bond Refunding Plan

The Successor Agency financing team has identified two (2) Series of Bonds totaling \$44,190,000 that are refunding candidates. The \$8,095,000 in Series 2005 Tax Allocations Bonds and \$37,560,000 in advance refundable Series 2006 Tax Allocation Bonds (the "Bonds") in its Whitewater Project Area. The refunding plan is to issue one series of refunding bonds consolidating these two issues (the "Refunding Bonds").

The Series 2006 Tax Allocation Bond refunding is an advance refunding and the first call date is 9/1/16. The Refunding Bonds proceeds will be invested in an escrow held by the Trustee and used to pay debt service until the 9/1/16 call date. The rate of earnings expected in the escrow is .423% resulting in Net Present Value savings of \$2.5 million with a negative arbitrage carry cost of \$1,022,220 through the call date, under current market conditions.

The Successor Agency has determined to refund the 2005 Bonds, which are currently callable and the Series 2006 Bonds which are first callable on their 9/1/16 call date. With regard to the 2006 Bonds, the Successor Agency has decided to capture the savings now and not speculate on interest rates in 2016. The Successor Agency plans to redeem and refund all of the Bonds that produce acceptable net present value savings. Section 34177.5(g) provides that any refunding bonds shall be secured by a pledge of, and lien on, and shall be repaid from moneys deposited from time to time in the Successor Agency's Redevelopment Property Tax Trust Fund. The Refunding Bonds will be issued on parity with the Successor Agency's Series 2014 subordinate tax allocation bonds.

If savings are insufficient the Successor Agency may forgo or delay the refinancing. Agency Staff has determined a minimum net combined present value target of at or near 3% of the principal bonds refunded. The 2005 Bonds can be refunded or repaid at any time upon 30 day notice and are treated as a current refunding and the 2006 Bonds will be considered an advance refunding under Federal Tax Law. Bonds can only be advance refunding once under Federal Tax Law.

Outstanding Project Area Bonds – Refunding Candidates

The Redevelopment Agency issued the following outstanding bonds:

1. \$141,125,000 Indian Wells Redevelopment Agency Whitewater Project Area Tax Allocation Bonds, Series 2005 A. These bonds have a final maturity date of September 1, 2022 and were first callable 9/1/2015. Currently \$8,095,000 in Bonds are outstanding and refundable.
2. \$67,805,000 Indian Wells Redevelopment Agency Whitewater Project Area Tax Allocation Bonds, Series 2006 A. These bonds have a final maturity date of September 1, 2022 and were first callable 9/1/2016. Currently \$37,560,000 in Bonds are advance refundable.

| Date | Existing Debt Service | ROPS Funds for Ref. Escrow | Prior Net Cash Flow | Refunding Debt Service | ROPS Funds for Pymt | Refunding Net Cash Flow | Savings |
|----------|-----------------------|----------------------------|---------------------|------------------------|---------------------|-------------------------|--------------|
| 9/1/2015 | \$ 1,867,956 | \$ 1,867,956 | | \$ 489,075 | \$ 489,075 | | |
| 9/1/2016 | \$ 3,442,913 | | \$ 3,442,913 | \$ 3,221,300 | | \$ 3,221,300 | \$ 221,613 |
| 9/1/2017 | \$ 3,439,056 | | \$ 3,439,056 | \$ 3,218,350 | | \$ 3,218,350 | \$ 220,706 |
| 9/1/2018 | \$ 3,441,856 | | \$ 3,441,856 | \$ 3,224,350 | | \$ 3,224,350 | \$ 217,506 |
| 9/1/2019 | \$ 3,442,056 | | \$ 3,442,056 | \$ 3,220,550 | | \$ 3,220,550 | \$ 221,506 |
| 9/1/2020 | \$ 3,443,631 | | \$ 3,443,631 | \$ 3,224,750 | | \$ 3,224,750 | \$ 218,881 |
| 9/1/2021 | \$ 3,445,769 | | \$ 3,445,769 | \$ 3,222,000 | | \$ 3,222,000 | \$ 223,769 |
| 9/1/2022 | \$ 3,444,781 | | \$ 3,444,781 | \$ 3,220,750 | | \$ 3,220,750 | \$ 224,031 |
| 9/1/2023 | \$ 3,614,750 | | \$ 3,614,750 | \$ 3,480,750 | | \$ 3,480,750 | \$ 134,000 |
| 9/1/2024 | \$ 3,615,856 | | \$ 3,615,856 | \$ 3,478,750 | | \$ 3,478,750 | \$ 137,106 |
| 9/1/2025 | \$ 3,610,444 | | \$ 3,610,444 | \$ 3,472,000 | | \$ 3,472,000 | \$ 138,444 |
| 9/1/2026 | \$ 3,611,206 | | \$ 3,611,206 | \$ 3,475,500 | | \$ 3,475,500 | \$ 135,706 |
| 9/1/2027 | \$ 3,612,719 | | \$ 3,612,719 | \$ 3,473,500 | | \$ 3,473,500 | \$ 139,219 |
| 9/1/2028 | \$ 3,614,769 | | \$ 3,614,769 | \$ 3,476,000 | | \$ 3,476,000 | \$ 138,769 |
| 9/1/2029 | \$ 3,613,831 | | \$ 3,613,831 | \$ 3,477,500 | | \$ 3,477,500 | \$ 136,331 |
| 9/1/2030 | \$ 3,612,863 | | \$ 3,612,863 | \$ 3,477,750 | | \$ 3,477,750 | \$ 135,113 |
| 9/1/2031 | \$ 3,613,038 | | \$ 3,613,038 | \$ 3,476,500 | | \$ 3,476,500 | \$ 136,538 |
| 9/1/2032 | \$ 3,617,363 | | \$ 3,617,363 | \$ 3,478,500 | | \$ 3,478,500 | \$ 138,863 |
| 9/1/2033 | \$ 3,610,388 | | \$ 3,610,388 | \$ 3,473,250 | | \$ 3,473,250 | \$ 137,138 |
| 9/1/2034 | \$ 3,619,113 | | \$ 3,619,113 | \$ 3,480,750 | | \$ 3,480,750 | \$ 138,363 |
| | \$69,334,356 | \$ 1,867,956 | \$67,466,400 | \$64,761,875 | \$ 489,075 | \$64,272,800 | \$ 3,193,600 |

| Summary of Refunding Results | Series 2005A (Tax-Exempt Refunding) | Series 2006A (Tax-Exempt Refunding) | Total |
|---|--|--|--------------|
| Dated Date | 6/1/2015 | 6/1/2015 | 6/1/2015 |
| Delivery Date | 6/1/2015 | 6/1/2015 | 6/1/2015 |
| Arbitrage Yield | 2.82% | 2.82% | 2.82% |
| Escrow Yield | | 0.42% | 0.42% |
| Value of Negative Arbitrage (Negative Carry) | | 1,022,220 | 1,022,220 |
| Bond Par Amount | 6,620,000 | 34,080,000 | 40,700,000 |
| True Interest Cost | 1.65% | 3.29% | 3.18% |
| Net Interest Cost | 1.79% | 3.66% | 3.54% |
| Average Coupon | 4.56% | 4.99% | 4.96% |
| Average Life | 4.404 | 13.379 | 11.919 |
| Par amount of refunded bonds | 8,095,000 | 37,560,000 | 45,655,000 |
| Average coupon of refunded bonds | 4.17% | 4.46% | 4.44% |
| Average life of refunded bonds | 3.957 | 13.044 | 11.432 |
| PV of prior debt | 8,576,901 | 44,495,716 | 53,072,617 |
| Net PV Savings | 521,028 | 1,969,966 | 2,490,994 |
| Percentage savings of refunded bonds | 6.44% | 5.24% | 5.46% |
| Percentage savings of refunding bonds | 7.87% | 5.78% | 6.12% |

Bond Structure and Credit Considerations

The \$40,700,000 in Series 2015 Refunding Bonds will be issued on a subordinate basis to the \$ 33,550,000 in Agency Series 2006, 2010 Bonds and parity to the \$30,410,000 in 2014 refunding Series A and Series A- T Bonds issued by the Riverside County Financing Authority.

The term and repayment dates of the Series 2015 Refunding Bonds will be identical to the outstanding bonds being refunded with a final maturity of September 1, 2034. Savings will be proportional in each year. The Series 2015 Bonds will be issued under a supplemental subordinate lien indenture and the senior lien will be closed to issuance of additional bonds. The 2005 and 2006 Bonds are currently AMBAC insured and have an AMBAC Bond Reserve Fund Surety Policy. AMBAC's credit rating is below investment grade at Caa2 by



Moody's and the Standard & Poor's Rating has been withdrawn. A new debt service reserve fund surety policy will be of benefit to all bond holders.

The only viable remaining insurance and reserve fund surety providers, Assured Guarantee Municipal and Build America Mutual have higher ratings. Their Standard and Poor's ratings are "AA".

It is expected that the Series 2015 Authority Bonds will received a rating from Standard & Poor's of "A" based on the project area characteristics, debt service coverage of 1.4X and term and will qualify for bond insurance and a bond reserve fund surety policy. This is also the Rating received on the Series 2014 Bonds. Given the strong overall debt service coverage, the impact of issuing subordinate bonds is expected to be minimal. The current rating is "AA-" on the Non Housing Series, 2006 and 2010. No Moody's or Fitch Rating will be applied for. A Bond Reserve Fund Surety Policy is expected to be available and is essential to the refunding plan.

Process and Timing

We anticipate having the Oversight Board and State Department of Finance review and approve the Successor Agency's refinancing plan in May of 2015 in order to prepare for a refinancing of the outstanding bonds as soon as approvals can be obtained. The Successor Agency Board and Oversight Board are expected to approve the refinancing at their May 7th and May 8th 2015 meetings and assuming timely approvals from all agencies including the State Department of Finance, the Successor Agency and the Authority anticipate issuing the Refunding Bonds in June of 2015. The Refunding Bonds will be underwritten by Citigroup Global Markets.

Allocation of Savings

It is expected that reductions in annual debt service will be allocated by the County Auditor to the appropriate taxing entities semi annually as part of the ROPS process. The allocation may be impacted by existing pass through agreements as generally property tax allocation cannot exceed 100% of an entities share of the 1% general property tax. The primary impacted tax entities share of general property taxes, depending on the year, pass thru agreements, and tax rate area, are the Desert Sands Unified School District with 38 %, the Coachella Valley Water District with 6% and County of Riverside with 36%., County Schools with 4%, College of the Desert with 8%, and Coachella Valley Recreation & Park District with 2 %. It is expected that the City of Indian Wells will receive under 4% of the annual savings.

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SOURCES AND USES OF FUNDS

Indian Wells Successor Agency
2015 Tax Allocation Refunding Bonds
*** Preliminary and Subject to Change ***

| Sources: | Series 2005A (Tax-Exempt Refunding) | Series 2006A (Tax-Exempt Refunding) | Total |
|-----------------------------------|---|---|----------------------|
| Bond Proceeds: | | | |
| Par Amount | 6,620,000.00 | 34,080,000.00 | 40,700,000.00 |
| Premium | 831,684.75 | 6,203,730.40 | 7,035,415.15 |
| | <u>7,451,684.75</u> | <u>40,283,730.40</u> | <u>47,735,415.15</u> |
| Other Sources of Funds: | | | |
| Total 2005A 9/1/15 Principal | 880,000.00 | | 880,000.00 |
| Total 2005A 9/1/15 Interest | 164,915.63 | | 164,915.63 |
| Excess 2006A 9/1/15 Interest | | 823,040.63 | 823,040.63 |
| | <u>1,044,915.63</u> | <u>823,040.63</u> | <u>1,867,956.26</u> |
| | 8,496,600.38 | 41,106,771.03 | 49,603,371.41 |
| Uses: | | | |
| Refunding Escrow Deposits: | | | |
| Cash Deposit | 8,259,915.63 | 732.51 | 8,260,648.14 |
| Open Market Purchases | | 39,843,575.33 | 39,843,575.33 |
| | <u>8,259,915.63</u> | <u>39,844,307.84</u> | <u>48,104,223.47</u> |
| Other Fund Deposits: | | | |
| 9/1/15 Refunding D/S | 69,537.50 | 419,537.50 | 489,075.00 |
| Delivery Date Expenses: | | | |
| Cost of Issuance | 46,356.27 | 238,643.73 | 285,000.00 |
| Underwriter's Discount | 26,358.60 | 135,695.01 | 162,053.61 |
| Bond Insurance | 79,003.12 | 406,710.94 | 485,714.06 |
| Surety Policy | 11,323.13 | 58,291.87 | 69,615.00 |
| | <u>163,041.12</u> | <u>839,341.55</u> | <u>1,002,382.67</u> |
| Other Uses of Funds: | | | |
| Additional Proceeds | 4,106.13 | 3,584.14 | 7,690.27 |
| | 8,496,600.38 | 41,106,771.03 | 49,603,371.41 |

Notes:

- Assumes insured bonds with 'A' underlying rating
- Assumes insurance cost @ 75 bps of total debt service
- Assumes surety cost @ 2.00% of reserve requirement

BOND PRICING

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Bond Component | Maturity Date | Amount | Rate | Yield | Price | Yield to Maturity | Call Date | Call Price | Call Date for Arb Yield | Call Price for Arb Yield | Premium (-Discount) |
|--|---------------|------------|--------|--------|-----------|-------------------|------------|------------|-------------------------|--------------------------|---------------------|
| Series 2005A (Tax-Exempt Refunding), Tax Exempt Serial Bond: | | | | | | | | | | | |
| | 09/01/2016 | 850,000 | 3.000% | 0.390% | 103.251 | | | | | | 27,633.50 |
| | 09/01/2017 | 875,000 | 3.000% | 0.760% | 104.987 | | | | | | 43,636.25 |
| | 09/01/2018 | 900,000 | 4.000% | 1.070% | 109.332 | | | | | | 83,988.00 |
| | 09/01/2019 | 935,000 | 4.000% | 1.350% | 110.908 | | | | | | 101,989.80 |
| | 09/01/2020 | 970,000 | 5.000% | 1.570% | 117.218 | | | | | | 167,014.60 |
| | 09/01/2021 | 1,020,000 | 5.000% | 1.780% | 118.963 | | | | | | 193,422.60 |
| | 09/01/2022 | 1,070,000 | 5.000% | 2.020% | 120.000 | | | | | | 214,000.00 |
| | | 6,620,000 | | | | | | | | | 831,684.75 |
| Series 2006A (Tax-Exempt Refunding), Tax-Exempt Serial Bond: | | | | | | | | | | | |
| | 09/01/2016 | 415,000 | 3.000% | 0.390% | 103.251 | | | | | | 13,491.65 |
| | 09/01/2017 | 425,000 | 3.000% | 0.760% | 104.987 | | | | | | 21,194.75 |
| | 09/01/2018 | 445,000 | 4.000% | 1.070% | 109.332 | | | | | | 41,527.40 |
| | 09/01/2019 | 460,000 | 4.000% | 1.350% | 110.908 | | | | | | 50,176.80 |
| | 09/01/2020 | 485,000 | 5.000% | 1.570% | 117.218 | | | | | | 83,507.30 |
| | 09/01/2021 | 505,000 | 5.000% | 1.780% | 118.963 | | | | | | 95,763.15 |
| | 09/01/2022 | 530,000 | 5.000% | 2.020% | 120.000 | | | | | | 106,000.00 |
| | 09/01/2023 | 1,940,000 | 5.000% | 2.200% | 121.016 | | | | | | 407,710.40 |
| | 09/01/2024 | 2,035,000 | 5.000% | 2.320% | 122.191 | | | | | | 451,586.85 |
| | 09/01/2025 | 2,130,000 | 5.000% | 2.420% | 123.292 | | | | | | 496,119.60 |
| | 09/01/2026 | 2,240,000 | 5.000% | 2.560% | 121.871 C | 2.729% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 489,910.40 |
| | 09/01/2027 | 2,350,000 | 5.000% | 2.700% | 120.470 C | 2.991% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 481,045.00 |
| | 09/01/2028 | 2,470,000 | 5.000% | 2.830% | 119.185 C | 3.210% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 473,869.50 |
| | 09/01/2029 | 2,595,000 | 5.000% | 2.910% | 118.403 C | 3.363% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 477,557.85 |
| | 09/01/2030 | 2,725,000 | 5.000% | 2.980% | 117.724 C | 3.491% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 482,979.00 |
| | 09/01/2031 | 2,860,000 | 5.000% | 3.040% | 117.145 C | 3.597% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 490,347.00 |
| | 09/01/2032 | 3,005,000 | 5.000% | 3.090% | 116.666 C | 3.685% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 500,813.30 |
| | 09/01/2033 | 3,150,000 | 5.000% | 3.130% | 116.284 C | 3.759% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 512,946.00 |
| | 09/01/2034 | 3,315,000 | 5.000% | 3.170% | 115.903 C | 3.825% | 09/01/2025 | 100.000 | 09/01/2025 | 100.000 | 527,184.45 |
| | | 34,080,000 | | | | | | | | | 6,203,730.40 |
| | | 40,700,000 | | | | | | | | | 7,035,415.15 |

| | | |
|------------------------|---------------|-------------|
| Dated Date | 06/01/2015 | |
| Delivery Date | 06/01/2015 | |
| First Coupon | 09/01/2015 | |
| Par Amount | 40,700,000.00 | |
| Premium | 7,035,415.15 | |
| Production | 47,735,415.15 | 117.286032% |
| Underwriter's Discount | -162,053.61 | -0.398166% |
| Purchase Price | 47,573,361.54 | 116.887866% |
| Accrued Interest | | |
| Net Proceeds | 47,573,361.54 | |

BOND SUMMARY STATISTICS

Indian Wells Successor Agency
2015 Tax Allocation Refunding Bonds
*** Preliminary and Subject to Change ***

| | |
|---------------------------------|---------------|
| Dated Date | 06/01/2015 |
| Delivery Date | 06/01/2015 |
| Last Maturity | 09/01/2034 |
| Arbitrage Yield | 2.817059% |
| True Interest Cost (TIC) | 3.184166% |
| Net Interest Cost (NIC) | 3.543293% |
| All-In TIC | 3.379979% |
| Average Coupon | 4.960189% |
| Average Life (years) | 11.919 |
| Duration of Issue (years) | 9.280 |
| Par Amount | 40,700,000.00 |
| Bond Proceeds | 47,735,415.15 |
| Total Interest | 24,061,875.00 |
| Net Interest | 17,188,513.46 |
| Total Debt Service | 64,761,875.00 |
| Maximum Annual Debt Service | 3,480,750.00 |
| Average Annual Debt Service | 3,364,253.25 |
| Underwriter's Fees (per \$1000) | |
| Average Takedown | |
| Other Fee | 3.981661 |
| Total Underwriter's Discount | 3.981661 |
| Bid Price | 116.887866 |

| Bond Component | Par Value | Price | Average Coupon | Average Life |
|------------------------|---------------|---------|----------------|--------------|
| Tax Exempt Serial Bond | 40,700,000.00 | 117.286 | 4.960% | 11.919 |
| | 40,700,000.00 | | | 11.919 |

| | TIC | All-In TIC | Arbitrage Yield |
|----------------------------|---------------|---------------|-----------------|
| Par Value | 40,700,000.00 | 40,700,000.00 | 40,700,000.00 |
| + Accrued Interest | | | |
| + Premium (Discount) | 7,035,415.15 | 7,035,415.15 | 7,035,415.15 |
| - Underwriter's Discount | -162,053.61 | -162,053.61 | |
| - Cost of Issuance Expense | | -285,000.00 | |
| - Other Amounts | | -555,329.06 | -485,714.06 |
| Target Value | 47,573,361.54 | 46,733,032.48 | 47,249,701.09 |
| Target Date | 06/01/2015 | 06/01/2015 | 06/01/2015 |
| Yield | 3.184166% | 3.379979% | 2.817059% |

SUMMARY OF REFUNDING RESULTS

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| | Series 2005A (Tax-Exempt Refunding) | Series 2006A (Tax-Exempt Refunding) | Total |
|---------------------------------------|---|---|---------------|
| Dated Date | 06/01/2015 | 06/01/2015 | 06/01/2015 |
| Delivery Date | 06/01/2015 | 06/01/2015 | 06/01/2015 |
| Arbitrage Yield | 2.817059% | 2.817059% | 2.817059% |
| Escrow Yield | | 0.423162% | 0.423162% |
| Value of Negative Arbitrage | | 1,022,220.16 | 1,022,220.16 |
| | | | |
| Bond Par Amount | 6,620,000.00 | 34,080,000.00 | 40,700,000.00 |
| True Interest Cost | 1.651063% | 3.294155% | 3.184166% |
| Net Interest Cost | 1.793213% | 3.655200% | 3.543293% |
| Average Coupon | 4.555436% | 4.986070% | 4.960189% |
| Average Life | 4.404 | 13.379 | 11.919 |
| | | | |
| Par amount of refunded bonds | 8,095,000.00 | 37,560,000.00 | 45,655,000.00 |
| Average coupon of refunded bonds | 4.171101% | 4.459795% | 4.442079% |
| Average life of refunded bonds | 3.957 | 13.044 | 11.432 |
| | | | |
| PV of prior debt | 8,576,901.05 | 44,495,716.22 | 53,072,617.27 |
| Net PV Savings | 521,027.89 | 1,969,965.86 | 2,490,993.75 |
| Percentage savings of refunded bonds | 6.436416% | 5.244851% | 5.456125% |
| Percentage savings of refunding bonds | 7.870512% | 5.780416% | 6.120378% |

SAVINGS

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Date | Prior Debt Service | Prior Receipts | Prior Net Cash Flow | Refunding Debt Service | Refunding Receipts | Refunding Net Cash Flow | Savings |
|------------|--------------------|----------------|---------------------|------------------------|--------------------|-------------------------|--------------|
| 09/01/2015 | 1,867,956.26 | 1,867,956.26 | | 489,075.00 | 489,075.00 | | |
| 09/01/2016 | 3,442,912.52 | | 3,442,912.52 | 3,221,300.00 | | 3,221,300.00 | 221,612.52 |
| 09/01/2017 | 3,439,056.26 | | 3,439,056.26 | 3,218,350.00 | | 3,218,350.00 | 220,706.26 |
| 09/01/2018 | 3,441,856.26 | | 3,441,856.26 | 3,224,350.00 | | 3,224,350.00 | 217,506.26 |
| 09/01/2019 | 3,442,056.26 | | 3,442,056.26 | 3,220,550.00 | | 3,220,550.00 | 221,506.26 |
| 09/01/2020 | 3,443,631.26 | | 3,443,631.26 | 3,224,750.00 | | 3,224,750.00 | 218,881.26 |
| 09/01/2021 | 3,445,768.76 | | 3,445,768.76 | 3,222,000.00 | | 3,222,000.00 | 223,768.76 |
| 09/01/2022 | 3,444,781.26 | | 3,444,781.26 | 3,220,750.00 | | 3,220,750.00 | 224,031.26 |
| 09/01/2023 | 3,614,750.00 | | 3,614,750.00 | 3,480,750.00 | | 3,480,750.00 | 134,000.00 |
| 09/01/2024 | 3,615,856.26 | | 3,615,856.26 | 3,478,750.00 | | 3,478,750.00 | 137,106.26 |
| 09/01/2025 | 3,610,443.76 | | 3,610,443.76 | 3,472,000.00 | | 3,472,000.00 | 138,443.76 |
| 09/01/2026 | 3,611,206.26 | | 3,611,206.26 | 3,475,500.00 | | 3,475,500.00 | 135,706.26 |
| 09/01/2027 | 3,612,718.76 | | 3,612,718.76 | 3,473,500.00 | | 3,473,500.00 | 139,218.76 |
| 09/01/2028 | 3,614,768.76 | | 3,614,768.76 | 3,476,000.00 | | 3,476,000.00 | 138,768.76 |
| 09/01/2029 | 3,613,831.26 | | 3,613,831.26 | 3,477,500.00 | | 3,477,500.00 | 136,331.26 |
| 09/01/2030 | 3,612,862.50 | | 3,612,862.50 | 3,477,750.00 | | 3,477,750.00 | 135,112.50 |
| 09/01/2031 | 3,613,037.50 | | 3,613,037.50 | 3,476,500.00 | | 3,476,500.00 | 136,537.50 |
| 09/01/2032 | 3,617,362.50 | | 3,617,362.50 | 3,478,500.00 | | 3,478,500.00 | 138,862.50 |
| 09/01/2033 | 3,610,387.50 | | 3,610,387.50 | 3,473,250.00 | | 3,473,250.00 | 137,137.50 |
| 09/01/2034 | 3,619,112.50 | | 3,619,112.50 | 3,480,750.00 | | 3,480,750.00 | 138,362.50 |
| | 69,334,356.40 | 1,867,956.26 | 67,466,400.14 | 64,761,875.00 | 489,075.00 | 64,272,800.00 | 3,193,600.14 |

Savings Summary

| | |
|-------------------------------|--------------|
| Savings PV date | 06/01/2015 |
| Savings PV rate | 2.817059% |
| PV of savings from cash flow | 2,483,303.47 |
| Plus: Refunding funds on hand | 7,690.27 |
| Net PV Savings | 2,490,993.74 |

SUMMARY OF BONDS REFUNDED

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Bond | Maturity Date | Interest Rate | Par Amount | Call Date | Call Price |
|---|---------------|---------------|---------------|------------|------------|
| Indian Wells RDA - Consolidated Whitewater - Series 2005A, IW_05A: | | | | | |
| BOND | 09/01/2015 | 3.750% | 880,000.00 | | |
| | 09/01/2016 | 3.875% | 915,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2017 | 4.000% | 950,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2018 | 4.000% | 985,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2019 | 4.100% | 1,025,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2020 | 4.250% | 1,065,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2021 | 4.250% | 1,115,000.00 | 09/01/2015 | 100.000 |
| | 09/01/2022 | 4.250% | 1,160,000.00 | 09/01/2015 | 100.000 |
| | | | 8,095,000.00 | | |
| Indian Wells RDA - Consolidated Whitewater - Series 2006A (62% AR), IW_06A: | | | | | |
| BOND | 09/01/2016 | 4.000% | 585,000.00 | | |
| | 09/01/2017 | 4.000% | 605,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2018 | 4.000% | 635,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2019 | 4.000% | 660,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2020 | 4.000% | 690,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2021 | 4.000% | 715,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2022 | 4.125% | 745,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2023 | 4.125% | 2,155,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2024 | 4.250% | 2,245,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2025 | 4.250% | 2,335,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2026 | 4.250% | 2,435,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2027 | 4.250% | 2,540,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2028 | 4.375% | 2,650,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2029 | 4.375% | 2,765,000.00 | 09/01/2016 | 100.000 |
| TERM | 09/01/2030 | 4.500% | 2,885,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2031 | 4.500% | 3,015,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2032 | 4.500% | 3,155,000.00 | 09/01/2016 | 100.000 |
| TERM02 | 09/01/2033 | 4.750% | 3,290,000.00 | 09/01/2016 | 100.000 |
| | 09/01/2034 | 4.750% | 3,455,000.00 | 09/01/2016 | 100.000 |
| | | | 37,560,000.00 | | |
| | | | 45,655,000.00 | | |

BOND DEBT SERVICE BREAKDOWN

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Date | Series 2005A (Tax-Exempt Refunding) | Series 2006A (Tax-Exempt Refunding) | Total |
|------------|---|---|------------|
| 09/01/2015 | 69,537.50 | 419,537.50 | 489,075 |
| 03/01/2016 | 139,075.00 | 839,075.00 | 978,150 |
| 09/01/2016 | 989,075.00 | 1,254,075.00 | 2,243,150 |
| 03/01/2017 | 126,325.00 | 832,850.00 | 959,175 |
| 09/01/2017 | 1,001,325.00 | 1,257,850.00 | 2,259,175 |
| 03/01/2018 | 113,200.00 | 826,475.00 | 939,675 |
| 09/01/2018 | 1,013,200.00 | 1,271,475.00 | 2,284,675 |
| 03/01/2019 | 95,200.00 | 817,575.00 | 912,775 |
| 09/01/2019 | 1,030,200.00 | 1,277,575.00 | 2,307,775 |
| 03/01/2020 | 76,500.00 | 808,375.00 | 884,875 |
| 09/01/2020 | 1,046,500.00 | 1,293,375.00 | 2,339,875 |
| 03/01/2021 | 52,250.00 | 796,250.00 | 848,500 |
| 09/01/2021 | 1,072,250.00 | 1,301,250.00 | 2,373,500 |
| 03/01/2022 | 26,750.00 | 783,625.00 | 810,375 |
| 09/01/2022 | 1,096,750.00 | 1,313,625.00 | 2,410,375 |
| 03/01/2023 | | 770,375.00 | 770,375 |
| 09/01/2023 | | 2,710,375.00 | 2,710,375 |
| 03/01/2024 | | 721,875.00 | 721,875 |
| 09/01/2024 | | 2,756,875.00 | 2,756,875 |
| 03/01/2025 | | 671,000.00 | 671,000 |
| 09/01/2025 | | 2,801,000.00 | 2,801,000 |
| 03/01/2026 | | 617,750.00 | 617,750 |
| 09/01/2026 | | 2,857,750.00 | 2,857,750 |
| 03/01/2027 | | 561,750.00 | 561,750 |
| 09/01/2027 | | 2,911,750.00 | 2,911,750 |
| 03/01/2028 | | 503,000.00 | 503,000 |
| 09/01/2028 | | 2,973,000.00 | 2,973,000 |
| 03/01/2029 | | 441,250.00 | 441,250 |
| 09/01/2029 | | 3,036,250.00 | 3,036,250 |
| 03/01/2030 | | 376,375.00 | 376,375 |
| 09/01/2030 | | 3,101,375.00 | 3,101,375 |
| 03/01/2031 | | 308,250.00 | 308,250 |
| 09/01/2031 | | 3,168,250.00 | 3,168,250 |
| 03/01/2032 | | 236,750.00 | 236,750 |
| 09/01/2032 | | 3,241,750.00 | 3,241,750 |
| 03/01/2033 | | 161,625.00 | 161,625 |
| 09/01/2033 | | 3,311,625.00 | 3,311,625 |
| 03/01/2034 | | 82,875.00 | 82,875 |
| 09/01/2034 | | 3,397,875.00 | 3,397,875 |
| | 7,948,137.50 | 56,813,737.50 | 64,761,875 |

ESCROW DESCRIPTIONS DETAIL

Indian Wells Successor Agency
2015 Tax Allocation Refunding Bonds
*** Preliminary and Subject to Change ***

| Type of Security | CUSIP or ID | Maturity Date | Par Amount | Rate | Yield | Price | Interest Class | Interest Frequency | Interest Day Basis |
|---|-------------|---------------|------------|---------|--------|------------|----------------|--------------------|--------------------|
| Series 2006A (Tax-Exempt Refunding), Global Proceeds Escrow, Jun 1, 2015: | | | | | | | | | |
| TBond | 912810DS4 | 08/15/2015 | 747,000 | 10.625% | 0.373% | 102.119991 | Periodic | Semiannual | ACT/ACT |
| TBond | 912810DV7 | 02/15/2016 | 786,000 | 9.250% | 0.321% | 106.301319 | Periodic | Semiannual | ACT/ACT |
| TSTRIP-I | 912834MR6 | 07/15/2016 | 38,383,000 | | 0.425% | 99.525000 | Zero Coupon | Semiannual | ACT/ACT |
| | | | 39,916,000 | | | | | | |

ESCROW COST DETAIL

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Type of Security | Maturity Date | Par Amount | Rate | Yield | Price | Cost | Accrued Interest | Total Cost |
|--|---------------|------------|---------|--------|------------|---------------|------------------|---------------|
| Series 2006A (Tax-Exempt Refunding), Global Proceeds Escrow: | | | | | | | | |
| TBond | 08/15/2015 | 747,000 | 10.625% | 0.373% | 102.119991 | 762,836.33 | 23,240.57 | 786,076.90 |
| TBond | 02/15/2016 | 786,000 | 9.250% | 0.321% | 106.301319 | 835,528.37 | 21,289.31 | 856,817.68 |
| TSTRIP-I | 07/15/2016 | 38,383,000 | | 0.425% | 99.525000 | 38,200,680.75 | | 38,200,680.75 |
| | | 39,916,000 | | | | 39,799,045.45 | 44,529.88 | 39,843,575.33 |

| Escrow | Purchase Date | Cost of Securities | Cash Deposit | Total Escrow Cost | Yield |
|--|---------------|--------------------|--------------|-------------------|-----------|
| Series 2005A (Tax-Exempt Refunding), Global Proceeds Escrow: | | | | | |
| | 06/01/2015 | | 8,259,915.63 | 8,259,915.63 | |
| Series 2006A (Tax-Exempt Refunding), Global Proceeds Escrow: | | | | | |
| | 06/01/2015 | 39,843,575.33 | 732.51 | 39,844,307.84 | 0.423162% |
| | | 39,843,575.33 | 8,260,648.14 | 48,104,223.47 | |

ESCROW REQUIREMENTS

Indian Wells Successor Agency
2015 Tax Allocation Refunding Bonds
*** Preliminary and Subject to Change ***

| Period Ending | Principal | Interest | Principal Redeemed | Total |
|------------------|--------------|--------------|-----------------------|---------------|
| 09/01/2015 | 880,000.00 | 987,956.26 | 7,215,000.00 | 9,082,956.26 |
| 03/01/2016 | | 823,040.63 | | 823,040.63 |
| 09/01/2016 | 585,000.00 | 823,040.63 | 36,975,000.00 | 38,383,040.63 |
| | 1,465,000.00 | 2,634,037.52 | 44,190,000.00 | 48,289,037.52 |

ESCROW CASH FLOW

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Date | Principal | Interest | Net Escrow Receipts | Present Value to 06/01/2015 @ 0.4231622% |
|------------|---------------|------------|---------------------|--|
| 08/15/2015 | 747,000.00 | 76,036.88 | 823,036.88 | 822,322.04 |
| 02/15/2016 | 786,000.00 | 36,352.50 | 822,352.50 | 819,903.50 |
| 07/15/2016 | 38,383,000.00 | | 38,383,000.00 | 38,201,349.79 |
| | 39,916,000.00 | 112,389.38 | 40,028,389.38 | 39,843,575.33 |

Escrow Cost Summary

| | |
|------------------------------|---------------|
| Purchase date | 06/01/2015 |
| Purchase cost of securities | 39,843,575.33 |
| Target for yield calculation | 39,843,575.33 |

ESCROW SUFFICIENCY

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Date | Escrow Requirement | Net Escrow Receipts | Excess Receipts | Excess Balance |
|------------|--------------------|---------------------|-----------------|----------------|
| 06/01/2015 | | 8,260,648.14 | 8,260,648.14 | 8,260,648.14 |
| 08/15/2015 | | 823,036.88 | 823,036.88 | 9,083,685.02 |
| 09/01/2015 | 9,082,956.26 | | -9,082,956.26 | 728.76 |
| 02/15/2016 | | 822,352.50 | 822,352.50 | 823,081.26 |
| 03/01/2016 | 823,040.63 | | -823,040.63 | 40.63 |
| 07/15/2016 | | 38,383,000.00 | 38,383,000.00 | 38,383,040.63 |
| 09/01/2016 | 38,383,040.63 | | -38,383,040.63 | |
| | 48,289,037.52 | 48,289,037.52 | 0.00 | |

ESCROW STATISTICS

Indian Wells Successor Agency
 2015 Tax Allocation Refunding Bonds
 *** Preliminary and Subject to Change ***

| Escrow | Total Escrow Cost | Modified Duration (years) | Yield to Receipt Date | Yield to Disbursement Date | Perfect Escrow Cost | Value of Negative Arbitrage | Cost of Dead Time |
|--|-------------------|---------------------------|-----------------------|----------------------------|---------------------|-----------------------------|-------------------|
| Series 2005A (Tax-Exempt Refunding), Global Proceeds Escrow: | 8,259,915.63 | | | | 8,202,351.36 | | 57,564.27 |
| Series 2006A (Tax-Exempt Refunding), Global Proceeds Escrow: | 39,844,307.84 | 1.092 | 0.423162% | 0.379956% | 38,687,332.41 | 1,022,220.16 | 134,755.27 |
| | 48,104,223.47 | | | | 46,889,683.77 | 1,022,220.16 | 192,319.54 |

Delivery date 06/01/2015
 Arbitrage yield 2.817059%

SUMMARY OF REFUNDING RESULTS

Riverside County Redevelopment Program
Series 2005A (Tax-Exempt Refunding)

| | |
|--|--------------|
| Dated Date | 06/01/2015 |
| Delivery Date | 06/01/2015 |
| Arbitrage yield | 2.817059% |
| Escrow yield | |
| Value of Negative Arbitrage | |
| Bond Par Amount | 6,620,000.00 |
| True Interest Cost | 1.651063% |
| Net Interest Cost | 1.793213% |
| Average Coupon | 4.555436% |
| Average Life | 4.404 |
| Par amount of refunded bonds | 8,095,000.00 |
| Average coupon of refunded bonds | 4.171101% |
| Average life of refunded bonds | 3.957 |
| PV of prior debt to 06/01/2015 @ 2.817059% | 8,576,901.05 |
| Net PV Savings | 521,027.89 |
| Percentage savings of refunded bonds | 6.436416% |
| Percentage savings of refunding bonds | 7.870512% |

SAVINGS

Riverside County Redevelopment Program
Series 2005A (Tax-Exempt Refunding)

| Date | Prior Debt Service | Prior Receipts | Prior Net Cash Flow | Refunding Debt Service | Refunding Receipts | Refunding Net Cash Flow | Savings |
|------------|--------------------|----------------|---------------------|------------------------|--------------------|-------------------------|------------|
| 09/01/2015 | 1,044,915.63 | 1,044,915.63 | | 69,537.50 | 69,537.50 | | |
| 09/01/2016 | 1,211,831.26 | | 1,211,831.26 | 1,128,150.00 | | 1,128,150.00 | 83,681.26 |
| 09/01/2017 | 1,211,375.00 | | 1,211,375.00 | 1,127,650.00 | | 1,127,650.00 | 83,725.00 |
| 09/01/2018 | 1,208,375.00 | | 1,208,375.00 | 1,126,400.00 | | 1,126,400.00 | 81,975.00 |
| 09/01/2019 | 1,208,975.00 | | 1,208,975.00 | 1,125,400.00 | | 1,125,400.00 | 83,575.00 |
| 09/01/2020 | 1,206,950.00 | | 1,206,950.00 | 1,123,000.00 | | 1,123,000.00 | 83,950.00 |
| 09/01/2021 | 1,211,687.50 | | 1,211,687.50 | 1,124,500.00 | | 1,124,500.00 | 87,187.50 |
| 09/01/2022 | 1,209,300.00 | | 1,209,300.00 | 1,123,500.00 | | 1,123,500.00 | 85,800.00 |
| | 9,513,409.39 | 1,044,915.63 | 8,468,493.76 | 7,948,137.50 | 69,537.50 | 7,878,600.00 | 589,893.76 |

Savings Summary

| | |
|-------------------------------|------------|
| Savings PV date | 06/01/2015 |
| Savings PV rate | 2.817059% |
| PV of savings from cash flow | 516,921.76 |
| Plus: Refunding funds on hand | 4,106.13 |
| Net PV Savings | 521,027.89 |

UNREFUNDED BOND DEBT SERVICE

Riverside County Redevelopment Program
Series 2006A (Tax-Exempt Refunding)

| Period Ending | Principal | Coupon | Interest | Debt Service |
|------------------|------------|--------|---------------|---------------|
| 09/01/2015 | 905,000 | 4.000% | 519,643.75 | 1,424,643.75 |
| 09/01/2016 | 360,000 | 4.000% | 1,003,087.50 | 1,363,087.50 |
| 09/01/2017 | 375,000 | 4.000% | 988,687.50 | 1,363,687.50 |
| 09/01/2018 | 390,000 | 4.000% | 973,687.50 | 1,363,687.50 |
| 09/01/2019 | 405,000 | 4.000% | 958,087.50 | 1,363,087.50 |
| 09/01/2020 | 420,000 | 4.000% | 941,887.50 | 1,361,887.50 |
| 09/01/2021 | 435,000 | 4.000% | 925,087.50 | 1,360,087.50 |
| 09/01/2022 | 455,000 | 4.125% | 907,687.50 | 1,362,687.50 |
| 09/01/2023 | 1,310,000 | 4.125% | 888,918.76 | 2,198,918.76 |
| 09/01/2024 | 1,365,000 | 4.250% | 834,881.26 | 2,199,881.26 |
| 09/01/2025 | 1,425,000 | 4.250% | 776,868.76 | 2,201,868.76 |
| 09/01/2026 | 1,485,000 | 4.250% | 716,306.26 | 2,201,306.26 |
| 09/01/2027 | 1,550,000 | 4.250% | 653,193.76 | 2,203,193.76 |
| 09/01/2028 | 1,615,000 | 4.375% | 587,318.76 | 2,202,318.76 |
| 09/01/2029 | 1,680,000 | 4.375% | 516,662.50 | 2,196,662.50 |
| 09/01/2030 | 1,760,000 | 4.500% | 443,162.50 | 2,203,162.50 |
| 09/01/2031 | 1,835,000 | 4.500% | 363,962.50 | 2,198,962.50 |
| 09/01/2032 | 1,920,000 | 4.500% | 281,387.50 | 2,201,387.50 |
| 09/01/2033 | 2,005,000 | 4.750% | 194,987.50 | 2,199,987.50 |
| 09/01/2034 | 2,100,000 | 4.750% | 99,750.00 | 2,199,750.00 |
| | 23,795,000 | | 13,575,256.31 | 37,370,256.31 |

SUMMARY OF REFUNDING RESULTS

Riverside County Redevelopment Program
Series 2006A (Tax-Exempt Refunding)

| | |
|--|---------------|
| Dated Date | 06/01/2015 |
| Delivery Date | 06/01/2015 |
| Arbitrage yield | 2.817059% |
| Escrow yield | 0.423162% |
| Value of Negative Arbitrage | 1,022,220.16 |
| | |
| Bond Par Amount | 34,080,000.00 |
| True Interest Cost | 3.294155% |
| Net Interest Cost | 3.655200% |
| Average Coupon | 4.986070% |
| Average Life | 13.379 |
| | |
| Par amount of refunded bonds | 37,560,000.00 |
| Average coupon of refunded bonds | 4.459795% |
| Average life of refunded bonds | 13.044 |
| | |
| PV of prior debt to 06/01/2015 @ 2.817059% | 44,495,716.22 |
| Net PV Savings | 1,969,965.86 |
| Percentage savings of refunded bonds | 5.244851% |
| Percentage savings of refunding bonds | 5.780416% |

SAVINGS

Riverside County Redevelopment Program
Series 2006A (Tax-Exempt Refunding)

| Date | Prior Debt Service | Prior Receipts | Prior Net Cash Flow | Refunding Debt Service | Refunding Receipts | Refunding Net Cash Flow | Savings |
|------------|--------------------|----------------|---------------------|------------------------|--------------------|-------------------------|--------------|
| 09/01/2015 | 823,040.63 | 823,040.63 | | 419,537.50 | 419,537.50 | | |
| 09/01/2016 | 2,231,081.26 | | 2,231,081.26 | 2,093,150.00 | | 2,093,150.00 | 137,931.26 |
| 09/01/2017 | 2,227,681.26 | | 2,227,681.26 | 2,090,700.00 | | 2,090,700.00 | 136,981.26 |
| 09/01/2018 | 2,233,481.26 | | 2,233,481.26 | 2,097,950.00 | | 2,097,950.00 | 135,531.26 |
| 09/01/2019 | 2,233,081.26 | | 2,233,081.26 | 2,095,150.00 | | 2,095,150.00 | 137,931.26 |
| 09/01/2020 | 2,236,681.26 | | 2,236,681.26 | 2,101,750.00 | | 2,101,750.00 | 134,931.26 |
| 09/01/2021 | 2,234,081.26 | | 2,234,081.26 | 2,097,500.00 | | 2,097,500.00 | 136,581.26 |
| 09/01/2022 | 2,235,481.26 | | 2,235,481.26 | 2,097,250.00 | | 2,097,250.00 | 138,231.26 |
| 09/01/2023 | 3,614,750.00 | | 3,614,750.00 | 3,480,750.00 | | 3,480,750.00 | 134,000.00 |
| 09/01/2024 | 3,615,856.26 | | 3,615,856.26 | 3,478,750.00 | | 3,478,750.00 | 137,106.26 |
| 09/01/2025 | 3,610,443.76 | | 3,610,443.76 | 3,472,000.00 | | 3,472,000.00 | 138,443.76 |
| 09/01/2026 | 3,611,206.26 | | 3,611,206.26 | 3,475,500.00 | | 3,475,500.00 | 135,706.26 |
| 09/01/2027 | 3,612,718.76 | | 3,612,718.76 | 3,473,500.00 | | 3,473,500.00 | 139,218.76 |
| 09/01/2028 | 3,614,768.76 | | 3,614,768.76 | 3,476,000.00 | | 3,476,000.00 | 138,768.76 |
| 09/01/2029 | 3,613,831.26 | | 3,613,831.26 | 3,477,500.00 | | 3,477,500.00 | 136,331.26 |
| 09/01/2030 | 3,612,862.50 | | 3,612,862.50 | 3,477,750.00 | | 3,477,750.00 | 135,112.50 |
| 09/01/2031 | 3,613,037.50 | | 3,613,037.50 | 3,476,500.00 | | 3,476,500.00 | 136,537.50 |
| 09/01/2032 | 3,617,362.50 | | 3,617,362.50 | 3,478,500.00 | | 3,478,500.00 | 138,862.50 |
| 09/01/2033 | 3,610,387.50 | | 3,610,387.50 | 3,473,250.00 | | 3,473,250.00 | 137,137.50 |
| 09/01/2034 | 3,619,112.50 | | 3,619,112.50 | 3,480,750.00 | | 3,480,750.00 | 138,362.50 |
| | 59,820,947.01 | 823,040.63 | 58,997,906.38 | 56,813,737.50 | 419,537.50 | 56,394,200.00 | 2,603,706.38 |

Savings Summary

| | |
|-------------------------------|--------------|
| Savings PV date | 06/01/2015 |
| Savings PV rate | 2.817059% |
| PV of savings from cash flow | 1,966,381.72 |
| Plus: Refunding funds on hand | 3,584.14 |
| Net PV Savings | 1,969,965.86 |