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# City Council Meeting Agenda

Thursday, November 19, 2015

1:30 PM

City Hall Council Chamber



The Indian Wells City Council welcomes and encourages participation at City Council meetings. The Council requests speakers present their remarks in a respectful manner, within the 3 minute time limit, and focus on issues which directly affect the City or which are within the subject jurisdiction of the City. Please fill out a blue Speaker Request form and give it to the City Clerk, preferably before the start of the meeting.

Any public records, relating to an open session agenda item, that is distributed within 72 hours of 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 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. PUBLIC COMMENTS**

The Council requests speakers present their remarks in a respectful manner, within the 3 minutes time limit, and focus on issues which directly affect the City or which are within the subject jurisdiction of the City. The Mayor will call upon the members of the public to address the Council. When you're called please come forward to the podium, and state your name for the record.

The Brown Act, with certain exceptions, does not permit the Council to discuss or take action on issues not listed on the agenda. The Council may respond briefly to statements made or questions posed, request clarification, or refer the item to Staff.

A. PUBLIC COMMENTS

B. RESPONSE TO PRIOR PUBLIC COMMENTS

**4. CONSENT CALENDAR**

All matters listed under Consent Calendar are considered to be routine and will be passed by one vote. There will be no discussion of these items unless a Council Member or a member of the public requests specific item(s) be discussed separately. Item(s) removed from the Consent Calendar will be heard immediately after approval of the remaining consent items. Public comments are limited to 3 minutes per speaker, please state your name for the record.

**A. [RES-150-15](#) Final Tract Map No. 29663-11 (Toscana)****RECOMMENDED ACTIONS:**

Council **ADOPTS** Resolution approving Final Tract Map No. 29663-11 and finding said map in substantial conformance with the approved Vesting Tentative Tract Map No. 29663; and

**AUTHORIZES and DIRECTS** the City Clerk and the City Engineer/Public Works Director to execute Final Tract Map No. 29663-11; and

**AUTHORIZES and DIRECTS** the City Manager to execute the Subdivision Improvement Agreement for same.

***Attachments:*** [Resolution](#)

**B. [1285-15](#) City Treasurer's Report for August 2015****RECOMMENDED ACTION:**

Council **RECEIVES** and **FILES** the City Treasurer's Report for August 2015.

***Attachments:*** [Treasurer's Report August 2015](#)

**C. [1283-15](#) FAMD Warrants and Demands****RECOMMENDED ACTION:**

Council **APPROVES** the November 19, 2015 FAMD Warrants and Demands.

***Attachments:*** [FAMD Warrants](#)

**D. [1284-15](#) City Warrants and Demands****RECOMMENDED ACTION:**

Council **APPROVES** the November 19, 2015 City Warrants and Demands.

***Attachments:*** [City Warrants](#)

## 5. PUBLIC HEARINGS

For Public Hearing items Staff presents the staff report, the applicant may address the Council, followed by questions from the Council. Then the Mayor will open the public hearing to allow public testimony. After the public has provided testimony, the item is closed to further comment and brought to the Council for discussion and action. Further public testimony will not be received after the hearing is closed unless the Council agrees to allow additional testimony.

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and/or California Public Resources Code Section 21177, anyone who challenges any public hearing matter in court (regarding planning, zoning and/or environmental decisions) may be limited to raising only those issues you or someone else raised at the Public Hearing, or in written correspondence received by the City at or before the hearing.

**A. [RES-151-15](#)                      **Community Development Block Grant Program Application****

**RECOMMENDED ACTIONS:**

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

**FINDS** the project to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities; and

**ADOPTS** Resolution approving submittal of the Fiscal Year 2016-17 Community Development Block Grant program application; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute all necessary documents for same.

***Attachments:***    [Resolution](#)  
                              [CDBG Application](#)

- B. [RES-152-15](#) **New Americans with Disabilities Act (ADA) Ramp and Path of Travel from Highway 111 to the Main Entry at Miramonte Resort Hotel Located at 45-000 Indian Wells Lane (APN: 633-170-014), and Finding the Project Exempt Under CEQA**

**RECOMMENDED ACTIONS:**

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

**FINDS** the project to be exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15301, Existing Facilities; and

**ADOPTS** Resolution approving Modification to Conditional Use Permit No. 2-96-5 to construct new ADA compliant ramp and path of travel from the public right-of-way along Highway 111 to the main entry doors at the Miramonte Resort Hotel located at 45-000 Indian Wells Lane.

**Attachments:** [Resolution](#)  
[Vicinity Map](#)  
[Area of Work](#)  
[Plan View](#)  
[Site Photos](#)  
[Letter of Justification](#)

**6. GENERAL BUSINESS**

The Mayor will call upon the members of the public to address the Council regarding the agenda item being considered. After the public has provided comment, the item is closed to further comment and brought to the Council for discussion and action. Public comments are limited to 3 minutes per speaker, please state your name for the record.

**A. [1281-15](#) Grants-in-Aid Committee Recommendations for FY 2015-16 Funding Cycle**

**RECOMMENDED ACTIONS:**

Council **APPROVES** the Grants-in-Aid Committee funding recommendations for Fiscal Year 2015-16 funding cycle, except for Desert Arc; and

**APPROVES** requisition for \$30,000 to Coachella Valley Rescue Mission for emergency food and shelter program; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute the funding contracts; and

**AUTHORIZES** and **DIRECTS** the processing of the remaining Fiscal Year 2015-16 requisitions; and

Separate discussion and motion:

Council **APPROVES** the Grants-in-Aid Committee funding recommendation for Desert Arc.

**Attachments:** [Spreadsheet](#)  
[Requisition](#)

**B. [1278-15](#) Public Input Process on CV Link Project**

**RECOMMENDED ACTION:**

Council provides **DIRECTION** to City Staff on preferred method to gain public input regarding the CV Link project.

**C. [1279-15](#) 45-300 Club Drive Building Update**

**RECOMMENDED ACTION:**

Council provides **DIRECTION** to Staff regarding City owned 45-300 Club Drive Building.

**D. [1280-15](#) Appointment to Community Activities Committee****RECOMMENDED ACTION:**

Council **APPOINTS** a resident to fill the vacancy on the Community Activities Committee remainder of the term beginning November 17, 2015 through June 30, 2017.

**Attachments:** [Blythin](#)  
[Clark](#)  
[Memo Appointment Voting Process](#)

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

The City Manager or Department Heads may make brief announcements, informal comments, or brief the Council on items of interest.

**8. COUNCIL MEMBERS' REPORTS AND COMMENTS**

On their own initiative, Council Members may make a brief announcement or report on their activities including their committee assignments.

**A. Council Member Mertens**

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

**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**

- Coachella Valley Mountains Conservancy
- 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**

- Jacueline Cochran Regional Airport Commssion
- 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

**9. CITY ATTORNEY REPORTS AND COMMENTS**

**10. CLOSED SESSION**

Once the closed session has ended, the City Attorney or presiding officer will make any announcement required by the Brown Act relative to reportable actions taken during the closed session.

- A. [1276-15](#) **Public Employee Performance Evaluation Pursuant to Government Code Section 54957. Title: City Attorney.**

**11. ADJOURNMENT**

To a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on December 17, 2015 in the City Hall Council Chambers.

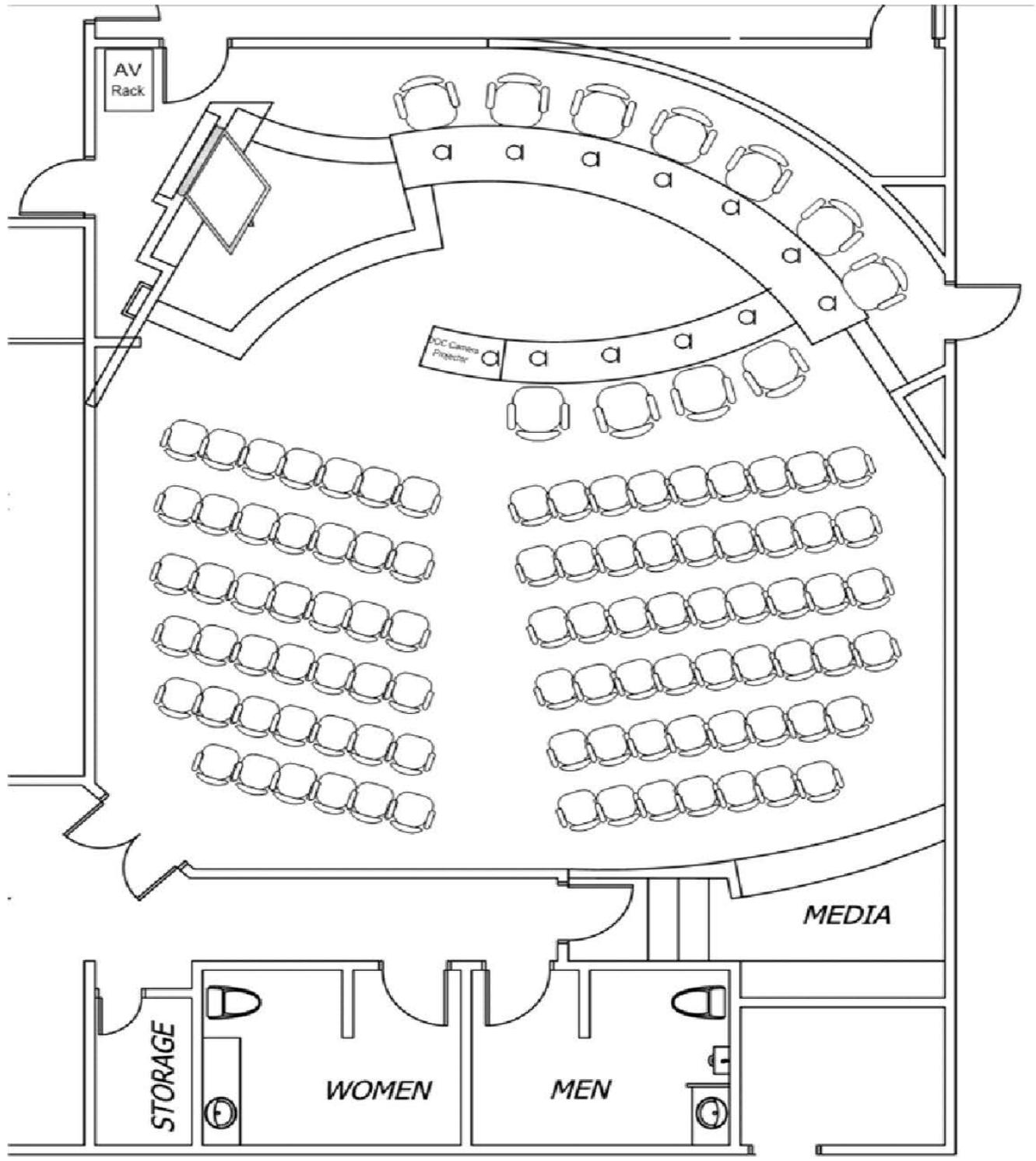
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Chief Deputy City Clerk at (760) 346-2489. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility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

Affidavit of Posting

I, Anna Grandys, certify that on November 13, 2015, I caused to be posted a notice of a City Council Meeting to be held on November 19, 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].

  
Anna Grandys  
City Clerk



Our City should be very proud of Donny  
 and his staff for putting on two very special  
 and successful events - Veterans Day and Pottery Party  
 (sell out)

I also want to congratulate Steve <sup>at Clark</sup> ~~Tom~~  
 and his staff for putting on a spectacular  
 party for Northstar <sup>on Monday night at the business</sup> ~~center~~ <sup>high end</sup> meeting <sup>and</sup> ~~planners~~

The food, entertainment and drinks  
 were spectacular

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**Joseph Daniel Davis**

Attorney At Law

JOSEPH DANIEL DAVIS, ESQ. (SB#49231)  
215 North Marengo Avenue, Third Floor  
Pasadena, California 91101  
Tel: (310) 552-2121 Fax: (310) 282-0473

Attorneys for Plaintiffs

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

OCT 21 2015

H. CARVER

JC  
OCT 21 2015

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF RIVERSIDE**

MELANIE HABER, AN INDIVIDUAL,  
JOSHUA WEISS, AN INDIVIDUAL;  
ETHAN WEISS, A MINOR, BY AND  
THROUGH HIS GUARDIAN AD  
LITEM, MELANIE HABER AND DOES  
1 TO 20, INCLUSIVE,

Plaintiffs,

v.

CITY OF INDIAN WELLS AND DOES  
1 THROUGH 20, INCLUSIVE,

Defendants.

CASE NO: INC 1303916  
[Complaint filed: 06/19/2013]

Honorable James Latting  
Department "PS-1"

PLAINTIFFS' TRIAL BRIEF

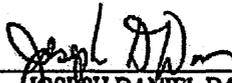
TRIAL DATE: October 19, 2015

TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF RECORD:

COME NOW plaintiffs Melanie Haber, Joshua Weiss and Ethan Weiss and  
hereby submit the following Trial Brief.

Dated: October 12, 2015.

JOSEPH DANIEL DAVIS  
ATTORNEY AT LAW

  
JOSEPH DANIEL DAVIS

Attorneys for Plaintiffs



11/19/2015

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File #: RES-150-15 Item #: A.

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## ***Indian Wells City Council*** ***Staff Report - Public Works***

### **Final Tract Map No. 29663-11 (Toscana)**

#### **RECOMMENDED ACTIONS:**

Council **ADOPTS** Resolution approving Final Tract Map No. 29663-11 and finding said map in substantial conformance with the approved Vesting Tentative Tract Map No. 29663; and

**AUTHORIZES and DIRECTS** the City Clerk and the City Engineer/Public Works Director to execute Final Tract Map No. 29663-11; and

**AUTHORIZES and DIRECTS** the City Manager to execute the Subdivision Improvement Agreement for same.

#### **DISCUSSION:**

##### Background:

The Applicant, Toscana Land, LLC, has requested approval of Final Tract Map 29663-11 consisting of 43 single-family residential lots and four lettered lots designated for private streets, golf course, parkway landscaping, and a well site. Staff is recommending the City Council determine the Final Map is in substantial conformance with the approved Revised Vesting Tentative Map 29663 and conditions of approval. Once the map is approved by Council and recorded, the property will be improved and the lots sold.

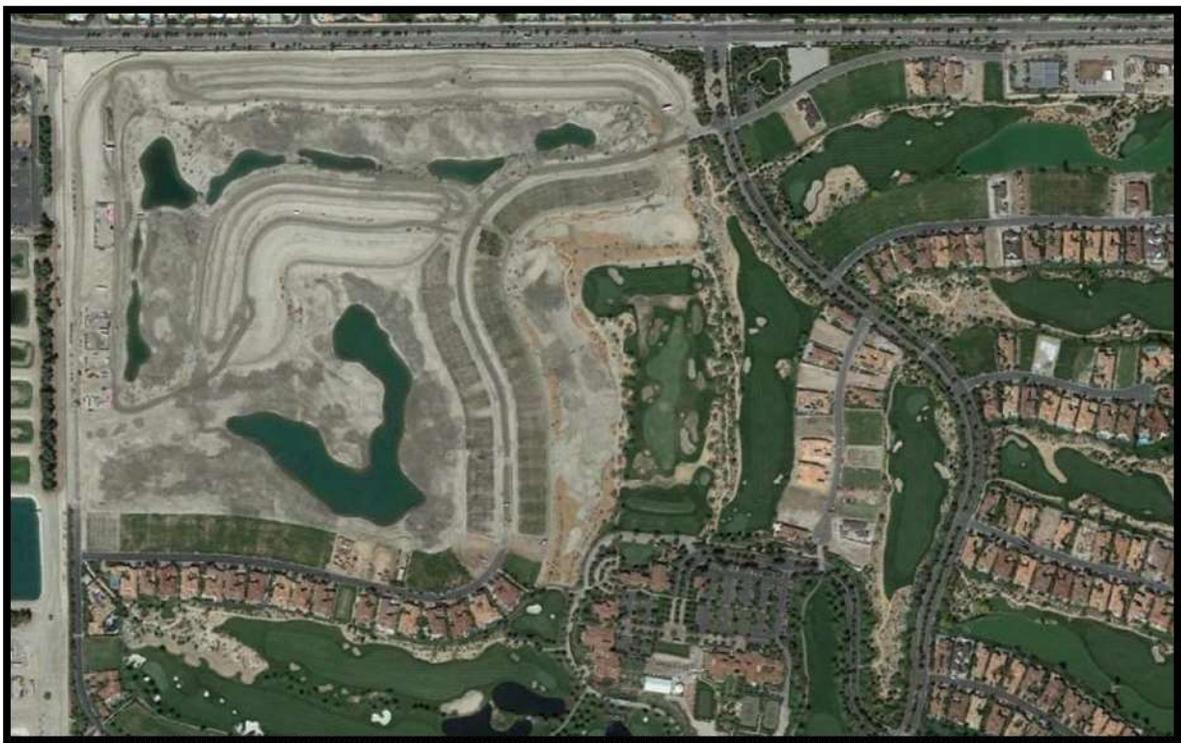
The Toscana Country Club development spans approximately one square mile between Fred Waring Drive and Hovley Lane East. The Development Agreement originally approved in April 2001 allowed a maximum of 660 single family residential lots. Subsequently, the Vesting Tentative Map for Tract No. 29663 (Toscana) was approved by Council in April 2001 allowing a maximum of 626 single-family lots. Conditional Use Permit 2000-01 and a Disposition and Development Agreement were included, allowing staff to recommend that Council approve Final Maps or any phase thereof.

Council subsequently approved two Revised Vesting Tentative Maps for Tract No. 29663. In October 2011 Council approved a Revised Vesting Tentative Map allowing a 10,000 square minimum lot size and a smaller product type (home), and increased the maximum number of single-family lots to 652. In addition, in September 2012 Council approved a Revised Vesting Tentative Map, which made minor modifications to lot configurations, resulting in a maximum number of single-family lots of 651. Approval of Final Tract Map 29663-11, along with all previously approved tract maps, lot line adjustments, parcel mergers, and the remaining 18 residential lots not yet mapped, Toscana will consist of a grand total of 633 residential lots at build-out subject to minor adjustment.

**Analysis:**

Final Tract Map 29663-11 is located in the northwest portion of Toscana, and will include 43 single-family residential lots and four lettered lots designated for private streets, golf course, parkway landscaping, and a future water well site to be deeded from the applicant to the Coachella Valley Water District. Included within the limits of Final Tract Map 29663-11 are golf holes 10 through 17 of the North Course, scheduled to be open by mid-November 2015. Preparation of the lots for homes will include grading, street and storm drain improvements, water and sewer service installations, and dry utility installations. The specific location of the proposed tract is shown below.

**Aerial View of Final Tract Map No. 29663-11**



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**File #:** RES-150-15 **Item #:** A.

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The Applicant has satisfied all of the conditions established by the City for approval of the final map. These conditions are reflected in the final tract map, the improvement plans, and the subdivision improvement agreement. The improvements are guaranteed by performance and labor and material bonds.

**ENVIRONMENTAL REVIEW:**

Final Tract Map No. 29663-11 complies with the California Environmental Quality Act (CEQA) as specified in Environmental Assessment No. 2000-01, a Mitigated Negative Declaration and Monitoring Program for the Toscana Country Club Project as approved by City Council in 2001.

**FISCAL IMPACT:**

There is no direct financial impact to the City as a result of this project. The Applicant has paid the fees required to process the map and improvement plans, and has also paid the infrastructure inspection fees. Building permit fees will be collected as each lot is developed.

**ATTACHMENT:**

1. Resolution

**RESOLUTION NO. 2015-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 29663-11 AND FINDING SUCH MAP IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED VESTING TENTATIVE MAP 29663**

**WHEREAS**, Vesting Tentative Tract Map No. 29663 had been previously approved by the City of Indian Wells (City); and

**WHEREAS**, the City has received a request to approve Final Tract Map No. 29663-11 based upon the approved Vesting Tentative Tract Map No. 29663; and

**WHEREAS**, pursuant to the City of Indian Wells Subdivision Code Section 20.24.120(a), the City Engineer found the submitted Final Tract Map No. 29663-11 to be correct in form and sufficient; and

**WHEREAS**, on September 30, 2012 a duly noticed public hearing to consider Revised Vesting Tentative Tract Map No. 29663 was held by the City Council; and

**WHEREAS**, the City Council has considered the Staff Report and all of the information, testimony, and evidence provided during the City Council's meeting on September 30, 2012.

**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.** Final Tract Map No. 29663-11 is **APPROVED**, as shown in Exhibit "A", attached hereto and by this reference incorporated herein.

**SECTION 3.** Final Tract Map No. 29663-11 shall be subject to those conditions as approved by Vesting Tentative Tract Map No. 29663 by this reference incorporated herein.

**SECTION 4.** The Subdivision Improvement Agreement and Improvement Securities for Final Tract Map No. 29663-11 shall be subject to approval as to form by the City Attorney, and the City Manager is **AUTHORIZED** and **DIRECTED** to sign said document following such approval by the City Attorney.

**SECTION 5.** This Resolution shall take effect upon adoption.

**SECTION 6.** The City Clerk shall certify to the adoption of this Resolution and shall mail by first class, prepaid, United States mail, a certified copy of this Resolution to the Applicant.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 5<sup>th</sup> day of November, 2015.

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**TY PEABODY  
MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2015-\_\_**

I, Anna Grandys, 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 5<sup>th</sup> day of November, 2015, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANNA GRANDYS  
CITY CLERK**

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**STEPHEN P. DEITSCH  
CITY ATTORNEY**

EXHIBIT "A"

SHEET 1 OF 6 SHEETS

TRACT MAP NO. 29663-11

IN THE CITY OF INDIAN WELLS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN HEREON...

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES...

WE HEREBY DEDICATE FEE TITLE FOR LOT 45 TO COACHELLA VALLEY WATER DISTRICT FOR WELL SITE PURPOSES...

WE HEREBY RETAIN FOR PRIVATE STREET PURPOSES AND MAINTENANCE THEREOF...

TORCAMA LAND, LLC A DELAWARE LIMITED LIABILITY COMPANY

PHILIP K. SMITH, JR., PRESIDENT DATED

CERTIFICATE OF ACCEPTANCE

I HEREBY CERTIFY THAT UNDER AUTHORITY GRANTED TO ME BY RESOLUTION NO. 2012-02 DATED FEBRUARY 10, 2012...

ALIA FERNANDEZ SECRETARY DATED

NOTARY ACKNOWLEDGEMENT

I, A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED...

STATE OF CALIFORNIA

ON 2015 BEFORE ME WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE...

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA...

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC AND FOR THE STATE COMMISSION EXPIRES: COMMISSION NUMBER

RECORDER'S STATEMENT

FILED THIS DAY 2015 AT AMPM IN BOOK OF MAPS, AT PAGES OF THE CITY CLERK, CITY OF INDIAN WELLS.

PETER ALDANA ASSESSOR/COUNTY CLERK-RECORDER

SUBDIVISION GUARANTEED CHICAGO TITLE COMPANY

ENGINEER'S STATEMENT

I HEREBY STATE THAT I AM A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA AND THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION...



ALAN R. LEVIN, RCE 27122 EXP 3/31/17 DATED

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF TRACT 29663-11 CONSISTING OF SIX (6) SHEETS...

KENYA SEJMALO, RCE 66615 EXP 8/30/17 DATED

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND I AM SATISFIED SAID MAP IS TECHNICALLY CORRECT.

ERIC NELSON, PLS 8560 EXP 9/30/17 DATED

CITY CLERK'S STATEMENT

RESOLVED THAT THIS MAP CONSISTING OF SIX SHEETS BE, AND THE SAME IS, HEREBY ADOPTED AS THE OFFICIAL MAP OF TRACT NO. 29663-11...

ANNA GRANDYS CITY CLERK CITY OF INDIAN WELLS, CALIFORNIA

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66030 OF THE SUBDIVISION MAP ACT THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR OTHER INTERESTS HAVE BEEN OMITTED...

ALL INTERESTS MAINTENANCE EASEMENT IN FAVOR OF THE CITY OF INDIAN WELLS...

AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS, IN FAVOR OF UNIPAD STATE COUNTY MUNICIPAL OR LOCAL TAXES...

AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS, IN FAVOR OF UNIPAD STATE COUNTY MUNICIPAL OR LOCAL TAXES...

TAX BOND CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ HAS BEEN EXECUTED IN FULL PAYMENT OF THE CITY OF INDIAN WELLS...

DATED: 2015

CASH TAX BOND DON KENT COUNTY TAX COLLECTOR

KEGIA WARDER-HEM CLERK OF THE BOARD OF SUPERVISORS

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP...

DATED: 2015

DON KENT, COUNTY TAX COLLECTOR

DEPUTY

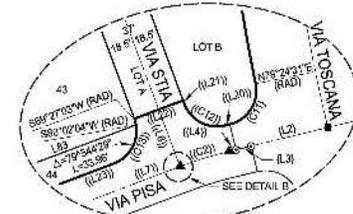
# TRACT MAP NO. 29663-11

BEING A SUBDIVISION OF A PORTION OF LOT 289 PER TRACT NO. 29663-1, IN THE CITY OF INDIAN WELLS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 448, PAGES 1-11 THROUGH 70 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALLAN LEVIN ASSOCIATES OCTOBER, 2015  
PROCEDURE OF SURVEY

### NOTES

1. SEE SHEET NUMBER 3 FOR ENGINEER'S NOTES.



DETAIL A  
NOT TO SCALE



DETAIL B  
NOT TO SCALE

### EASEMENT NOTES

- 1. AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED MARCH 26, 1891 AS INSTRUMENT NUMBER 87587 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 2. AN 8' LANDSCAPE MAINTENANCE EASEMENT IN FAVOR OF THE CITY OF INDIAN WELLS, PER TRACT MAP 29663-1 MB 34946-73.
- 3. AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS, IN FAVOR OF VERIZON CALIFORNIA, INC., RECORDED JUNE 11, 2004 AS INSTRUMENT NUMBER 2004-0450096 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 4. AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS, IN FAVOR OF VERIZON CALIFORNIA, INC., RECORDED JUNE 11, 2004 AS INSTRUMENT NUMBER 2004-0450096 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 5. AN EASEMENT FOR UNDERGROUND PIPELINES, IN FAVOR OF COACHELLA VALLEY WATER DISTRICT, RECORDED SEPTEMBER 10, 2009 AS INSTRUMENT NUMBER 2009-0417790 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 6. AN EASEMENT FOR UNDERGROUND PIPELINES, IN FAVOR OF COACHELLA VALLEY WATER DISTRICT, RECORDED MARCH 3, 2015 AS INSTRUMENT NUMBER 2015-0082822 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 7. AN EASEMENT FOR UNDERGROUND PIPELINES, IN FAVOR OF COACHELLA VALLEY WATER DISTRICT, RECORDED MARCH 3, 2015 AS INSTRUMENT NUMBER 2015-0082823 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 8. AN EASEMENT FOR UNDERGROUND PIPELINES, IN FAVOR OF COACHELLA VALLEY WATER DISTRICT, RECORDED MARCH 3, 2015 AS INSTRUMENT NUMBER 2015-0082825 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 9. AN EASEMENT FOR UNDERGROUND PIPELINES, IN FAVOR OF COACHELLA VALLEY WATER DISTRICT, RECORDED MAY 25, 2015 AS INSTRUMENT NUMBER 2015-3224773 OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
- 10. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS PER INSTRUMENT NO. 2003-121488, RECORDED DECEMBER 3, 2003 MODIFICATIONS OF SAID COVENANTS, CONDITIONS, AND RESTRICTIONS AND EASEMENTS PER INSTRUMENT NO. 2004-1021847, OF OFFICIAL RECORDS, RECORDED DECEMBER 27, 2004. BLANKET IN NATURE.

FD 1 1/2" IP WITH PP FLUSH IN AC. NOT LEGIBLE. ACCEPTED AS CL INTERSECTION OF HOVLEY LANE EAST AND VIA TOSCANA PER MB 34946-73

FD 1 1/2" IP WITH PP STAMPED HCE 32581 FLUSH IN AC PER MB 4371-3

FD 1 1/2" IP WITH PP STAMPED HCE 33591 FLUSH PER MB 44360-64

[N89°48'25"E 2656.58' MB 14578-77, MB 13275-76]  
[N89°45'16"E 2658.89' MB 25079-84]  
[N89°46'03"E 2658.54' PM 10117-8, PM 52496-68]

[N89°28'32"E 2668.04']  
[N89°28'32"E 2656.07' MB 28548-100]

HOVLEY LANE EAST  
BASIS OF BEARINGS

TRACT 20663-7  
LOT B  
MB 4371-3

TRACT 20663-8  
MB 443/80-84  
LOT 39

TRACT 20663-1  
MB 349/46-70  
LOT 289

TRACT 20663-1  
MB 349/46-70  
PORTION  
LOT 289  
REMAINDER

TRACT 20663-4  
MB 432/46-82

ID	DIRECTION	DIST	ID	DIRECTION	DIST
L1	N 00°31'28"W	124.40'	L13	N 21°42'04"W	195.98'
L2	N 76°17'55"E	56.20' (RAD)	L14	N 22°18'38"W	89.12'
L3	N 78°17'55"E	11.03'	L45	N 38°19'38"W	87.28'
L4	N 78°17'55"E	5.11'	L46	N 31°00'33"W	349.00'
L5	N 69°27'03"E	0.38'	L47	N 04°45'36"E	75.74'
L6	N 20°32'57"W	43.00'	L48	N 33°26'28"E	79.93'
L7	N 89°27'03"E	223.03'	L49	N 70°19'38"E	80.38'
L8	N 91°11'18"E	183.85'	L50	N 70°00'34"W	95.22'
L9	N 24°42'04"W	226.85'	L51	N 12°41'03"E	180.00'
L10	N 01°03'37"W	387.88'	L52	N 77°10'57"W	46.00'
L11	N 77°18'57"W	231.71'	L53	N 12°41'03"E	100.00'
L12	N 80°02'37"W	475.49'	L54	N 77°18'59"W	312.00'
L13	N 00°00'46"E	42.30'	L55	N 89°02'37"W	438.88'
L14	N 00°00'46"E	180.37'	L56	N 30°57'23"E	159.42'
L15	N 89°46'25"E	2581.28'	L57	N 30°00'48"E	186.57'
L16	N 00°13'32"W	12.00'	L58	N 89°58'14"W	59.75'
L17	N 45°22'32"W	32.44'	L59	N 00°00'46"E	1851.18'
L18	N 89°47'12"E	11.50'	L60	N 00°00'46"E	378.22'
L19	N 00°12'58"W	38.74'	L61	N 91°18'32"E	180.78'
L20	N 79°17'55"E	5.37'	L62	N 30°00'48"E	284.85'
L21	N 20°32'57"W	2.85'	L63	N 30°38'08"E	76.71'
L22	N 89°27'03"E	37.03'	L64	N 02°59'02"E	76.59'
L23	N 89°27'03"E	180.07'	L65	N 04°03'54"E	79.45'
L24	N 86°41'48"E	183.83'	L66	N 02°04'29"W	274.80'
L25	N 22°05'58"E	159.83'	L67	N 13°36'03"E	74.52'
L26	N 89°30'03"E	81.28'	L68	N 11°06'11"E	82.45'
L27	N 88°38'19"W	74.42'	L69	N 18°17'55"E	185.31'
L28	N 88°14'49"W	74.43'	L70	N 88°18'54"E	34.24'
L29	N 83°48'48"W	82.46'	L71	N 13°36'27"W	164.11'
L30	N 00°31'28"W	189.45'	L72	N 89°00'48"E	113.02'
L31	N 06°49'50"E	260.81'	L73	N 83°17'53"E	78.22'
L32	N 13°36'57"W	125.50'	L74	N 88°18'54"W	78.14'
L33	N 78°48'38"W	89.83'	L75	N 84°54'31"W	78.78'
L34	N 88°38'19"E	161.47'	L76	N 84°10'59"E	70.89'
L35	N 28°12'33"E	161.59'	L77	N 67°43'00"W	70.21'
L36	N 81°48'20"E	85.35'	L78	N 67°09'56"W	78.30'
L37	N 76°00'36"E	151.83'	L79	N 88°18'40"W	70.22'
L38	N 85°11'03"E	189.45'	L80	N 88°18'40"W	72.70'
L39	N 11°48'03"E	88.25'	L81	N 83°38'57"E	74.56'
L40	N 17°57'08"W	120.12'	L82	N 20°57'01"W	71.00'
L41	N 03°02'01"E	81.27'	L83	N 89°27'03"E	158.58'
L42	N 83°58'13"E	76.36'			

SCALE: 1" = 200'





# TRACT MAP NO. 29663-11

BEING A SUBDIVISION OF A PORTION OF LOT 289 PER TRACT NO. 29663-1, IN THE CITY OF INDIAN WELLS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INCLUDING CERTAIN EASEMENTS, EJECTA, AND UNLAWFUL ENCROACHMENTS.

ALLAN LEVIN ASSOCIATES OCTOBER, 2015

**NOTES**

1. SEE SHEET NUMBER 9 FOR ENGINEERS NOTES.
2. SEE SHEET NUMBER 2 FOR EASEMENT NOTES.

(N88°48'25"E 268.85')  
 (N89°42'24"E 200.50' 254.45' 77.45')  
 (N88°48'05"E 205.54' 117.74' 54.66-89')

HOVLEY LANE EAST



44  
 (48,167 AC)

SEE SHEET NO. 4

SEE SHEET NO. 6

# TRACT MAP NO. 29663-11

IN THE CITY OF IRVINE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF TRACT NO. 2886, IN THE CITY OF IRVINE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON TRACT MAP NO. 29663-10, AND THROUGH THE CITY OF IRVINE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INCLUDING THE COUNTY RECORDS OF SAID COUNTY.

ALLAN LEVIN ASSOCIATES OCTOBER, 2015

### NOTES

1. SEE SHEET NUMBER 3 FOR ENGINEER'S NOTES.
2. SEE SHEET NUMBER 2 FOR EASEMENT NOTES.

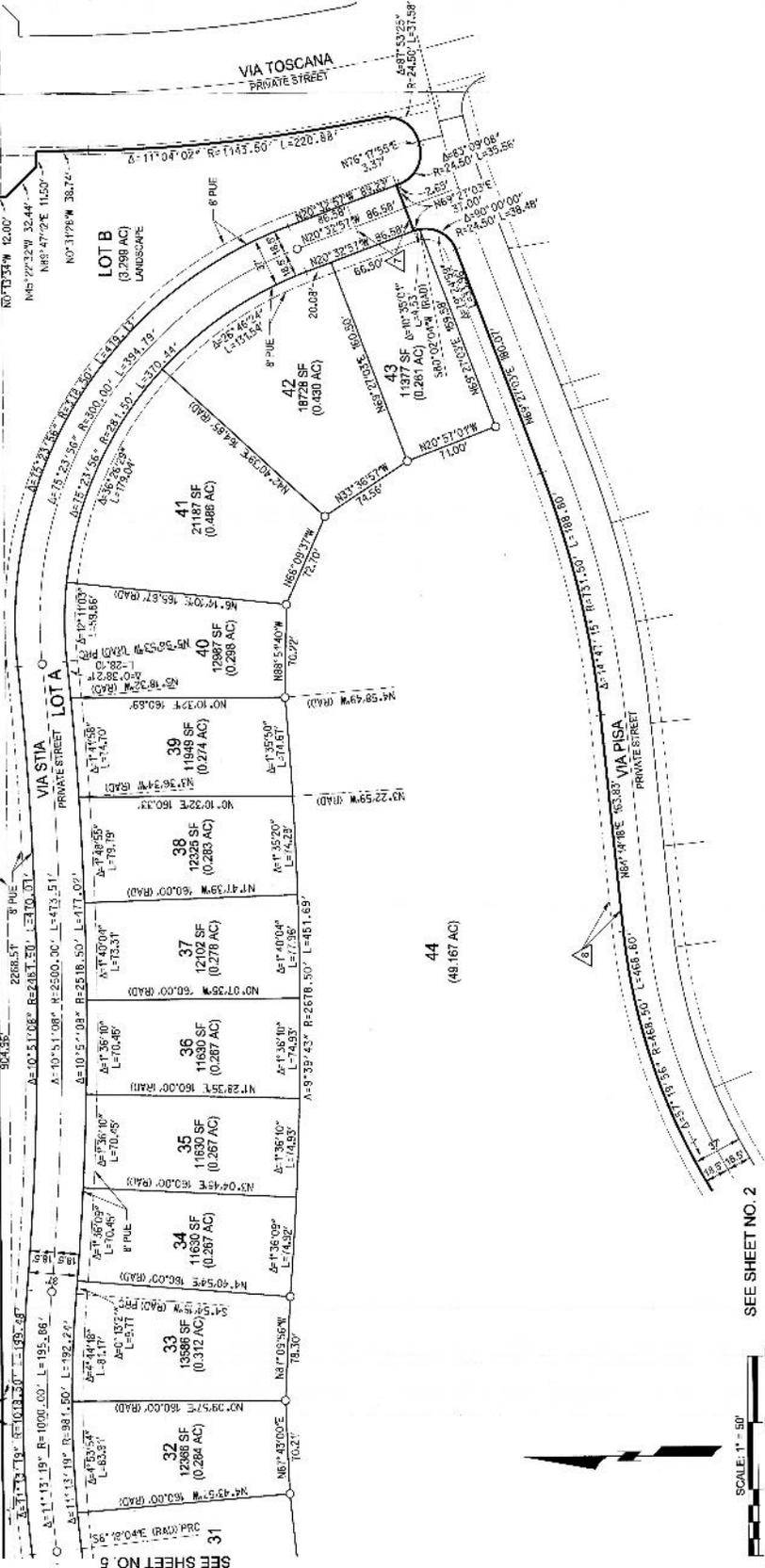
FO 1 1/4" IP WITH PP FLUSH IN AC. NOT LEGIBLE ACCEPTED AS CL INTERSECTION OF HOVLEY LANE EAST AND VIA TOSCANA PER MAPS 39445-9

(N89°46'25"E L=2681.53'  
 (N89°46'25"E L=2681.53'  
 (N89°46'25"E L=2681.53'  
 (N89°46'25"E L=2681.53')

HOVLEY LANE EAST

20' CIVIC WATER AND ACCESS/EASEMENT DEDICATED HEREON

SEE SHEET NO. 5



SCALE: 1" = 50'



SEE SHEET NO. 2



11/19/2015

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File #: 1285-15 Item #: B.

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## *Indian Wells City Council* *Staff Report - Finance*

### **City Treasurer's Report for August 2015**

#### **RECOMMENDED ACTION:**

Council **RECEIVES** and **FILES** the City Treasurer's Report for August 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 August 31, 2015:

- The City's cash and investments totaled \$46,923,349.
- The City's portfolio earned a 1.568% rate of return.

#### **ATTACHMENT:**

1. Treasurer's Report for August 2015.

## NET CASH & INVESTMENT SUMMARY AUGUST, 2015

<u>UNRESTRICTED FUNDS</u>	<u>August 2015</u>	<u>August 2014</u>
<b>GENERAL FUND</b>		
101- GENERAL	\$ 5,783,249.42	\$ 3,019,289.44
<b>TOTAL GENERAL FUND</b>	<b>5,783,249.42</b>	<b>3,019,289.44</b>
<b><u>RESTRICTED FUNDS</u></b>		
<b>SPECIAL REVENUE FUNDS</b>		
202 - TRAFFIC SAFETY	3.99	0.44
203 - PUBLIC SAFETY 1/2 CENT SALES TAX	12,412.49	8,759.71
204 - MEASURE "A"	28,275.00	34,937.58
209 - F.A.M.D. #1	2,299,271.48	2,384,818.42
210 - SCAQMD (VEHICLE REG.)	2,891.11	6.47
211 - AB 3229 COPS FUNDING	0.83	0.46
214 - GAS TAX 2103 MAINTENANCE	31,856.86	32,668.99
215 - GAS TAX 2105 MAINTENANCE	10,479.51	7,039.42
216 - GAS TAX 2106 CONSTRUCT/MAINT	3,432.64	0.60
217 - GAS TAX 2107 MAINTENANCE	379.67	0.56
218 - GAS TAX 2107.5 ENG./ADMIN	5,222.16	3,175.16
228 - EMERG. UPGRADE SERVICES	3,070,614.39	3,165,391.23
247 - AB 939 RECYCLING FUND	276,888.77	225,111.55
248 - SOLID WASTE	212,201.93	205,521.76
251 - STREET LIGHTING DISTRICT 2000-1	5,372.19	4,107.19
253- INDIAN WELLS VILLAS OPERATIONS	980,813.31	969,286.73
254- MOUNTAIN VIEW VILLAS OPERATIONS	1,182,739.12	939,088.12
256- HOUSING AUTHORITY	2,635,610.42	2,867,250.92
260 - IWGR OPERATIONS	0.00	1,158,040.04
271 - ELDORADO DRIVE LLMD	88,905.69	84,721.85
272 - MONTECITO/STARDUST LLMD	(1,459.71)	891.56
273 - CASA DORADO LLMD	3,167.89	3,422.05
274 - THE COVE LLMD	2,690.19	2,857.26
275 - SH 111/IWGR (ENTRANCE) LLMD	322,792.60	297,976.17
276 - CLUB/IW LANE LLMD	55,427.94	52,799.69
277 - COLONY LLMD	32,208.09	33,016.61
278 - COLONY COV ESTATES LLMD	60,098.08	56,326.39
279 - DESERT HORIZONS LLMD	48,643.01	45,888.67
280 - MOUNTAIN GATE LLMD	75,097.73	72,846.91
281 - MOUNTAIN GATE ESTATES LLMD	42,464.17	37,480.63
282 - VILLAGIO LLMD	228,893.73	207,686.95
283 - VAIDYA LLMD	28,832.94	29,871.47
284 - CLUB, SOUTH OF 111 LLMD	11,218.84	11,107.35
285 - MONTELENA LLMD	12,241.97	15,213.58
286 - SUNDANCE LLMD	7,298.26	5,409.75
287 - PROVINCE LLMD	68,533.25	63,372.38
288 - PROVINCE DBAD	485,322.51	425,227.38
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>12,330,843.05</b>	<b>13,451,322.00</b>
<b>CAPITAL PROJECT FUNDS</b>		
314 - PARK-IN-LIEU FEES	0.20	0.20
315 - CITYWIDE PUBLIC IMPROVEMENT FEE	0.26	0.26
316 - CAPITAL IMPROVEMENT	3,515,857.31	3,438,724.51
319 - ART IN PUBLIC PLACES	332,411.82	404,475.69
321 - HIGHWAY 111 CIRCULATION IMP FEE	0.70	9.70
<b>TOTAL CAPITAL PROJECT FUNDS</b>	<b>3,848,270.29</b>	<b>3,843,210.36</b>

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

**RESTRICTED FUNDS (Cont.)**

	<b><u>August 2015</u></b>	<b><u>August 2014</u></b>
<b>REPLACEMENT FUNDS</b>		
326 - INFRASTRUCTURE CAPITAL	8,478,235.00	7,041,981.00
327 - FF&E ROLLING STOCK CAPITAL	2,332,434.00	2,305,126.00
328 - GOLF RESORT CAPITAL	4,042,338.00	3,995,010.00
329 - BUILDING & STRUCTURES CAPITAL	3,368,243.00	3,328,805.00
330 - FACILITIES CAPITAL	2,332,501.00	2,305,192.00
<b>TOTAL REPLACEMENT FUNDS</b>	<b><u>20,553,751.00</u></b>	<b><u>18,976,114.00</u></b>
<b>SUCCESSOR AGENCY FUNDS</b>		
453 - RDA (WHITEWATER)	433,238.96	358,810.92
456 - RDA OBLIGATION RETIREMENT	0.00	0.00
<b>TOTAL SUCCESSOR AGENCY FUNDS</b>	<b><u>433,238.96</u></b>	<b><u>358,810.92</u></b>
<b>ENTERPRISE FUNDS</b>		
560 - INDIAN WELLS GOLF RESORT	(106,999.70)	0.00
561 - CLUB DRIVE PROPERTY	20,055.11	0.00
<b>TOTAL ENTERPRISE FUNDS</b>	<b><u>(86,944.59)</u></b>	<b><u>0.00</u></b>
<b>INTERNAL SERVICE FUNDS</b>		
601 - OPEB BENEFIT FUND	2,591,026.93	1,398,714.38
<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b><u>2,591,026.93</u></b>	<b><u>1,398,714.38</u></b>
<b>RESERVE FUNDS</b>		
602 - COMPENSATED ABSENCES	551,681.00	545,221.00
603 - SELF INSURANCE	0.00	10,928.00
<b>TOTAL RESERVE FUNDS</b>	<b><u>551,681.00</u></b>	<b><u>556,149.00</u></b>
<b>TRUST &amp; AGENCY FUNDS</b>		
732 - SPECIAL DEPOSITS	183,854.67	1,020,502.86
760 - VISITOR COMMITTEE	7,793.69	375,953.52
<b>TOTAL TRUST &amp; AGENCY FUNDS</b>	<b><u>191,648.36</u></b>	<b><u>1,396,456.38</u></b>
<b>TOTAL ALL FUNDS</b>	<b><u>46,196,764.42</u></b>	<b><u>43,000,066.48</u></b>
<b>FISCAL AGENTS</b>		
253 - INDIAN WELLS VILLAS	124,159.17	32,635.99
254 - MOUNTAIN VIEW VILLAS	183,978.75	138,462.15
453 - UNION BANK OF CALIFORNIA TRUSTEE	8,415,569.51	8,453,617.26
560 - INDIAN WELLS GOLF RESORT	275,652.04	586,160.56
<b>TOTAL FISCAL AGENTS</b>	<b><u>8,999,359.47</u></b>	<b><u>9,210,875.96</u></b>
<b>TOTAL ALL FUNDS &amp; FISCAL AGENTS</b>	<b><u>\$ 55,196,123.89</u></b>	<b><u>\$ 52,210,942.44</u></b>
<b>UNRESTRICTED FUNDS</b>	<b>5,783,249.42</b>	<b>3,019,289.44</b>
<b>RESTRICTED FUNDS</b>	<b><u>49,412,874.47</u></b>	<b><u>49,191,653.00</u></b>
<b>\$</b>	<b><u>55,196,123.89</u></b>	<b><u>52,210,942.44</u></b>

City of Indian Wells			
<b>Bank Reconciliation Report - City Held Cash</b>			
Finance Department			
MONTH: <b>August 31, 2015</b>			
<b>Investment #</b>	<b>Investment Type</b>	<b>Investment Description</b>	<b>Book Value</b>
<b>Bank Checking &amp; Sweep</b>			
1		Pacific Western Bank - Sweep 45-301117	\$ 851,753.49
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	1,103.12
19		Petty Cash	1,400.00
			<b>854,256.61</b>
<b>Managed Pool Accounts</b>			
21		Local Agency Investment Fund - City 98-33-385	4,042,957.47
			<b>4,042,957.47</b>
<b>Bank Certificates of Deposit</b>			
316		Certificate of Deposit-GE Capital Retail Bank 36161NYT9	250,000.00
317		Certificate of Deposit-Ally Bank 02005QF65	250,000.00
329		Certificate of Deposit-Sallie Mae	250,000.00
385		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 38143A5L5	250,000.00
339		Certificate of Deposit-JP Morgan Chase 48124JSY5	250,000.00
348		Certificate of Deposit-Citicorp Bank 17284CJG0	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-Barklays Bank 06740KHK6	250,000.00
353		Certificate of Deposit-People's United Bank 71270QGS9	250,000.00
354		Certificate of Deposit-Capital One Bank 140420NX4	250,000.00
355		Certificate of Deposit-State Bank of India NY, NY 856284	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
			<b>4,750,000.00</b>
<b>Medium Term Corporate Notes</b>			
280		Bank of America Mid Term Corp Note 06051GED	1,000,000.00
296		Barclays Bank Corporate Note 06738JVS0	1,000,000.00
322		AT&T Inc. 00206RBF8	1,001,677.64
331		JP Morgan 46625HJG6	1,001,442.40
346		General Electric Cap Corp 36962G6W9	1,004,363.24
369		GE Capital Financial 36163FP64	245,000.00
373		Caterpillar Financial Services Corp 14912L6F3	1,017,447.37
375		Berkshire Hathaway 084664BW0	1,001,936.93
			<b>7,271,867.58</b>
<b>Federal Agency Issues</b>			
326		Federal Farm Credit 3133EAA81	2,000,000.00
332		Federal Home Loan Bank 313381YG4	2,000,000.00
334		Freddie Mac 3134G33S7	1,000,000.00
335		Fannie Mae 3136GICF4	1,000,000.00
341		Federal Farm Credit Bank 3133EC7L2	999,392.06
342		Federal Farm Credit Bank 3133ECDX9	998,964.48
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	1,006,385.63
352		Fannie Mae 3136G26H5	2,000,000.00
356		Fannie Mae 3136G26U6	2,000,000.00
357		Fannie Mae 3136G26N2	1,000,000.00
367		Federal Home Loan Bank 3130A4S52	1,000,000.00
368		Federal Home Loan Bank 3130A4S86	1,000,000.00
374		Federal Home Loan Bank 3130A5GC7	999,524.78
376		Federal Home Loan Mtg Corp 3134G66P3	2,000,000.00
377		Federal Home Loan Mtg Corp 3134G7AD3	1,000,000.00
379		Federal Home Loan Mtg Corp 3134G6V42	2,000,000.00
378		Federal Home Loan Bank 3130A5L98	1,000,000.00
381		Federal Home Loan Bank 3130A5KL2	2,000,000.00
380		Federal National Mortgage Assoc 3136G2L47	1,000,000.00
			<b>30,004,266.95</b>
<b>Total Pooled Cash and Investments</b>			<b>\$ 46,923,348.61</b>
Fair Value Increase (over cost)			(14,125.03)
<b>Outstanding items</b>			
Outstanding Warrants/Wire Transfers			(697,004.66)
Outstanding Payroll Check			0.00
Reconciliation Item			(18,026.00)
Credit Card in Transit			2,571.50
<b>Total Outstanding Items</b>			<b>(712,459.16)</b>
<b>Reconciled Bank Balance</b>			<b>\$ 46,196,764.42</b>
<b>General Ledger Balance</b>			<b>\$ 46,196,764.42</b>
			0.00

**The City of Indian Wells  
Portfolio Management  
Portfolio Summary  
August 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	4,500,000.00	4,507,250.00	4,500,000.00	9.59	1,553	939	1.568	1.590
Certificates of Deposit	245,000.00	242,907.70	245,000.00	0.52	1,830	1,686	1.775	1.800
Managed Pool Accounts - LAIF	4,042,957.47	4,042,957.47	4,042,957.47	8.62	1	1	0.325	0.330
Money Market Sweep/Checking Account	854,256.61	854,256.61	854,256.61	1.82	1	1	0.246	0.250
Negotiable CD's	250,000.00	251,142.25	250,000.00	0.53	1,827	883	0.946	0.959
Medium Term Corporate Notes	7,000,000.00	7,002,200.00	7,026,867.58	14.98	1,668	777	2.046	2.075
Federal Agency Issues - Callables	30,000,000.00	29,959,690.00	30,004,266.95	63.94	1,893	1,402	1.631	1.653
<b>Investments</b>	<b>46,892,214.08</b>	<b>46,860,404.03</b>	<b>46,923,348.61</b>	<b>100.00%</b>	<b>1,629</b>	<b>1,117</b>	<b>1.546</b>	<b>1.568</b>

Total Earnings	August 31 Month Ending
Current Year	56,818.39
<b>Average Daily Balance</b>	<b>49,342,352.98</b>
<b>Effective Rate of Return</b>	<b>1.36%</b>

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*  
Kevin McCarthy, Finance Director

Reporting period 08/01/2015-08/31/2015

Run Date: 09/16/2015 - 14:03

No fiscal year history available

**The City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Bank Certificates of Deposit</b>												
SYS364	364	Pacific Western Bank		03/10/2015	250,000.00	250,000.00	250,000.00	1.000		1.000	222	04/10/2016
SYS317	317	Ally Bank		05/23/2012	250,000.00	251,842.50	250,000.00	1.250		1.233	265	05/23/2016
795450NW1	329	Sallie Mae		08/15/2012	250,000.00	251,600.00	250,000.00	1.250		1.233	349	08/15/2016
38143A5L5	338	Goldman Sachs Bank		02/06/2013	250,000.00	250,662.50	250,000.00	1.050		1.036	524	02/06/2017
SYS316	316	GE Capital Retail Bank		05/25/2012	250,000.00	253,242.50	250,000.00	1.800		1.800	632	05/25/2017
17284CJG0	348	CIT BANK		07/24/2013	250,000.00	251,922.50	250,000.00	1.400		1.381	692	07/24/2017
02587DKR8	337	American Express Centurion		02/06/2013	250,000.00	251,775.00	250,000.00	1.700		1.677	701	08/02/2017
319141CQ8	361	FIRST BANK OF HIGHLAND		10/15/2014	250,000.00	249,720.00	250,000.00	1.250		1.233	776	10/16/2017
81423LBN1	360	SECURITY FEDERAL		10/15/2014	250,000.00	249,772.50	250,000.00	1.250		1.233	776	10/16/2017
48124JSY5	339	JP Morgan Chase		02/27/2013	250,000.00	248,122.50	250,000.00	1.125		1.110	902	02/19/2018
20451PBG0	349	Compass Bank		07/24/2013	250,000.00	252,697.50	250,000.00	1.700		1.677	1,057	07/24/2018
254672HV3	362	Discover Bank		02/25/2015	250,000.00	249,115.00	250,000.00	1.600		1.578	1,273	02/25/2019
06740KHK6	351	Barclays Bank PLC		07/23/2014	250,000.00	249,737.50	250,000.00	2.100		2.071	1,421	07/23/2019
02587CAJ9	350	American Express Bank FSB		07/24/2014	250,000.00	249,822.50	250,000.00	2.000		1.973	1,422	07/24/2019
140420NX4	354	Capital One Bank CD		09/10/2014	250,000.00	249,260.00	250,000.00	1.900		1.874	1,470	09/10/2019
71270QGS9	353	People's United Bank CD		09/10/2014	250,000.00	249,262.50	250,000.00	1.950	AAA	1.923	1,470	09/10/2019
856284Z98	355	State Bank of India NY, NY CD		09/11/2014	250,000.00	249,450.00	250,000.00	2.150		2.121	1,471	09/11/2019
05580AAW4	358	BMW BANK NORTH AMERICA		09/26/2014	250,000.00	249,245.00	250,000.00	2.100		2.071	1,486	09/26/2019
<b>Subtotal and Average</b>			<b>4,717,741.94</b>		<b>4,500,000.00</b>	<b>4,507,250.00</b>	<b>4,500,000.00</b>			<b>1.568</b>	<b>939</b>	
<b>Certificates of Deposit</b>												
36163FP64	369	GE Capital Financial inc		04/10/2015	245,000.00	242,907.70	245,000.00	1.800		1.775	1,686	04/13/2020
<b>Subtotal and Average</b>			<b>245,000.00</b>		<b>245,000.00</b>	<b>242,907.70</b>	<b>245,000.00</b>			<b>1.775</b>	<b>1,686</b>	
<b>Managed Pool Accounts - LAIF</b>												
SYS21	21	LAIF - City			4,042,957.47	4,042,957.47	4,042,957.47	0.330		0.325	1	
SYS23	23	LAIF - Redevelopment			0.00	0.00	0.00	0.233		0.230	1	
<b>Subtotal and Average</b>			<b>5,626,570.37</b>		<b>4,042,957.47</b>	<b>4,042,957.47</b>	<b>4,042,957.47</b>			<b>0.325</b>	<b>1</b>	
<b>Money Market Sweep/Checking Account</b>												
SYS1	1	Pacific Western Bank			851,753.49	851,753.49	851,753.49	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			1,103.12	1,103.12	1,103.12	0.250		0.247	1	
SYS19	19	Petty Cash		07/01/2014	1,400.00	1,400.00	1,400.00			0.000	1	

**The City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Subtotal and Average</b>			<b>1,052,070.26</b>		<b>854,256.61</b>	<b>854,256.61</b>	<b>854,256.61</b>			<b>0.246</b>	<b>1</b>	
<b>Negotiable CD's</b>												
94986TLX3KK	385	Wells Fargo CD		01/30/2013	250,000.00	251,142.25	250,000.00	0.850		0.946	883	01/31/2018
<b>Subtotal and Average</b>			<b>250,000.00</b>		<b>250,000.00</b>	<b>251,142.25</b>	<b>250,000.00</b>			<b>0.946</b>	<b>883</b>	
<b>Medium Term Corporate Notes</b>												
06051GED	280	Bank of America		02/02/2011	1,000,000.00	1,000,000.00	1,000,000.00	3.700		3.254	0	09/01/2015
06738JVS0	296	Barclays Bank PLC		10/27/2011	1,000,000.00	1,004,450.00	1,000,000.00	3.500	AA	3.452	422	10/27/2016
00206RBF8	322	AT&T INC		06/21/2012	1,000,000.00	998,930.00	1,001,677.64	1.600		1.479	639	06/01/2017
46625HJG6	331	J P Morgan		01/28/2013	1,000,000.00	997,250.00	1,001,442.40	1.800		1.713	877	01/25/2018
36962G6W9	346	General Elec. Cap Crp		05/01/2013	1,000,000.00	998,880.00	1,004,363.24	1.625		1.430	944	04/02/2018
084664BW0	375	Berkshire Hathaway		06/09/2015	1,000,000.00	998,830.00	1,001,936.93	1.300	AA	1.210	987	05/15/2018
14912L6F3	373	Catapillar Financial Services		04/28/2015	1,000,000.00	1,003,860.00	1,017,447.37	2.250		1.795	1,552	12/01/2019
<b>Subtotal and Average</b>			<b>7,027,316.34</b>		<b>7,000,000.00</b>	<b>7,002,200.00</b>	<b>7,026,867.58</b>			<b>2.046</b>	<b>777</b>	
<b>Federal Agency Issues - Callables</b>												
3133EAA81	326	Fed. Farm Credit Bank		07/30/2012	2,000,000.00	1,997,880.00	2,000,000.00	0.780		0.769	517	01/30/2017
313381YG4	332	Fed. Home Loan Bank		02/20/2013	2,000,000.00	1,990,280.00	2,000,000.00	1.000		0.986	903	02/20/2018
3134G43H9	344	Fed. Home Loan Mtg Corp		04/30/2013	2,000,000.00	1,989,420.00	2,000,000.00	1.060		1.045	972	04/30/2018
3135G0WN9	345	Fed. Nat'l Mortgage Assoc		04/30/2013	2,000,000.00	1,980,000.00	2,000,000.00	1.000		0.986	972	04/30/2018
3134G33S7	334	Fed. Home Loan Mtg Corp		01/24/2013	1,000,000.00	995,070.00	1,000,000.00	1.000		0.986	1,049	07/16/2018
3136G1CF4	335	Fed. Nat'l Mortgage Assoc		01/30/2013	1,000,000.00	992,730.00	1,000,000.00	1.000	AAA	0.986	1,063	07/30/2018
3136G26N2	357	Fed. Nat'l Mortgage Assoc		09/26/2014	1,000,000.00	1,004,410.00	1,000,000.00	1.600		1.578	1,121	09/26/2018
3133EC7L2	341	Fed. Farm Credit Bank		03/22/2013	1,000,000.00	987,310.00	999,392.06	1.290		1.289	1,382	06/14/2019
3136G26H5	352	Fed. Nat'l Mortgage Assoc		09/30/2014	2,000,000.00	2,003,060.00	2,000,000.00	2.000		1.973	1,490	09/30/2019
3136G26U6	356	Fed. Nat'l Mortgage Assn (c)		10/07/2014	2,000,000.00	2,023,620.00	2,000,000.00	2.000	AAA	1.973	1,507	10/17/2019
3130A4S52	367	Fed. Home Loan Bank		03/30/2015	1,000,000.00	998,290.00	1,000,000.00	1.000		2.178	1,672	03/30/2020
3130A4S86	368	Fed. Home Loan Bank		03/30/2015	1,000,000.00	996,570.00	1,000,000.00	1.250		2.112	1,672	03/30/2020
3130A5GC7	374	Fed. Home Loan Bank		06/02/2015	1,000,000.00	997,910.00	999,524.78	1.000		2.005	1,731	05/28/2020
3134G66P3	376	Fed. Home Loan Mtg Corp		06/17/2015	2,000,000.00	2,003,820.00	2,000,000.00	1.125		2.261	1,751	06/17/2020
3134G7AD3	377	Fed. Home Loan Mtg Corp		06/25/2015	1,000,000.00	999,660.00	1,000,000.00	1.250		2.471	1,759	06/25/2020
3134G6V42	379	Fed. Home Loan Mtg Corp		06/29/2015	2,000,000.00	2,008,620.00	2,000,000.00	2.000		1.973	1,763	06/29/2020
3130A5L98	378	Fed. Home Loan Bank		06/30/2015	1,000,000.00	1,001,160.00	1,000,000.00	2.000		1.973	1,764	06/30/2020
3130A5KL2	381	Fed. Home Loan Bank		06/30/2015	2,000,000.00	2,002,860.00	2,000,000.00	2.100		2.071	1,764	06/30/2020
3136G2L47	380	Fed. Nat'l Mortgage Assoc		06/30/2015	1,000,000.00	1,001,980.00	1,000,000.00	1.800		1.775	1,764	06/30/2020
3136G1FL8	347	Fed. Nat'l Mortgage Assoc		04/26/2013	1,000,000.00	990,510.00	1,006,385.63	1.820		1.660	1,822	08/27/2020

**The City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Federal Agency Issues - Callables</b>												
3133ECDX9	342	Fed. Farm Credit Bank		03/25/2013	1,000,000.00	994,530.00	998,964.48	1.840		1.835	1,983	02/04/2021
		<b>Subtotal and Average</b>	<b>30,423,654.06</b>		<b>30,000,000.00</b>	<b>29,959,690.00</b>	<b>30,004,266.95</b>			<b>1.631</b>	<b>1,402</b>	
		<b>Total and Average</b>	<b>49,342,352.98</b>		<b>46,892,214.08</b>	<b>46,860,404.03</b>	<b>46,923,348.61</b>			<b>1.546</b>	<b>1,117</b>	

**2006 A Bonds  
Portfolio Management  
Portfolio Summary  
August 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	1,930,411.39	1,930,411.39	1,930,411.39	100.00	1	1	0.404	0.410
<b>Investments</b>	<b>1,930,411.39</b>	<b>1,930,411.39</b>	<b>1,930,411.39</b>	<b>100.00%</b>	<b>1</b>	<b>1</b>	<b>0.404</b>	<b>0.410</b>

Total Earnings	August 31 Month Ending
Current Year	21.68
Average Daily Balance	62,277.28
Effective Rate of Return	0.41%

*Kevin*  
Kevin McCarthy, Agency Treasurer

Reporting period 08/01/2015-08/31/2015

Run Date: 09/16/2015 - 14:19

No fiscal year history available

**2006 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Money Market Sweep/Checking Account</b>												
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			1,025,410.39	1,025,410.39	1,025,410.39	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			905,000.00	905,000.00	905,000.00	0.410		0.410	1	
<b>Subtotal and Average</b>			<b>62,277.28</b>		<b>1,930,411.39</b>	<b>1,930,411.39</b>	<b>1,930,411.39</b>			<b>0.410</b>	<b>1</b>	
<b>Total and Average</b>			<b>62,277.28</b>		<b>1,930,411.39</b>	<b>1,930,411.39</b>	<b>1,930,411.39</b>			<b>0.410</b>	<b>1</b>	

**RDA Series 2010 A Bonds  
Portfolio Management  
Portfolio Summary  
August 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	1,326,724.63	1,326,724.63	1,326,724.63	100.00	1	1	0.091	0.092
<b>Investments</b>	<b>1,326,724.63</b>	<b>1,326,724.63</b>	<b>1,326,724.63</b>	<b>100.00%</b>	<b>1</b>	<b>1</b>	<b>0.091</b>	<b>0.092</b>

Total Earnings	August 31 Month Ending
Current Year	3.36
Average Daily Balance	798,382.46
Effective Rate of Return	0.00%

*Kevin* 9/16/2015  
 Kevin McCarthy, Agency Treasurer

**RDA Series 2010 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Money Market Sweep/Checking Account</b>												
SYS1	1	2010 A Bonds Reserve		07/01/2014	780,651.50	780,651.50	780,651.50			0.000	1	
SYS14	13	2010 A Bonds Principal		07/01/2014	315,000.00	315,000.00	315,000.00			0.000	1	
SYS4	4	2010 A Bonds Interest			231,073.13	231,073.13	231,073.13	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		07/01/2014	0.00	0.00	0.00			0.000	1	
SYS3	3	UBC Cost Of Issuance Escrow		07/01/2014	0.00	0.00	0.00			0.000	1	
<b>Subtotal and Average</b>			<b>798,382.46</b>		<b>1,326,724.63</b>	<b>1,326,724.63</b>	<b>1,326,724.63</b>			<b>0.092</b>	<b>1</b>	
<b>Total and Average</b>			<b>798,382.46</b>		<b>1,326,724.63</b>	<b>1,326,724.63</b>	<b>1,326,724.63</b>			<b>0.092</b>	<b>1</b>	

**Series 2014 A Bonds  
Portfolio Management  
Portfolio Summary  
August 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	3,988,339.72	3,988,339.72	3,988,339.72	100.00	1	1	0.000	0.000
<b>Investments</b>	<b>3,988,339.72</b>	<b>3,988,339.72</b>	<b>3,988,339.72</b>	<b>100.00%</b>	<b>1</b>	<b>1</b>	<b>0.000</b>	<b>0.000</b>

Total Earnings	August 31 Month Ending
Current Year	0.00
Average Daily Balance	128,662.57
Effective Rate of Return	0.00%

*Kevin*  
Kevin McCarthy, Agency Treasurer

Reporting period 08/01/2015-08/31/2015

Run Date: 09/16/2015 - 14:38

No fiscal year history available

**Series 2014 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Money Market Sweep/Checking Account</b>												
SYS26	26	2014 A Bonds Principal		08/26/2014	3,515,000.00	3,515,000.00	3,515,000.00			0.000	1	
SYS25	25	2014 A Bonds Interest		08/26/2014	473,338.72	473,338.72	473,338.72			0.000	1	
SYS27	27	2014 Debt Service		09/08/2014	1.00	1.00	1.00			0.000	1	
SYS24	1	UBC Cost Of Issuance Escrow		07/01/2014	0.00	0.00	0.00			0.000	1	
<b>Subtotal and Average</b>			<b>128,662.57</b>		<b>3,988,339.72</b>	<b>3,988,339.72</b>	<b>3,988,339.72</b>			<b>0.000</b>	<b>1</b>	
<b>Total and Average</b>			<b>128,662.57</b>		<b>3,988,339.72</b>	<b>3,988,339.72</b>	<b>3,988,339.72</b>			<b>0.000</b>	<b>1</b>	

**2015 A Bonds  
Portfolio Management  
Portfolio Summary  
August 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	24,390,809.19	24,390,809.19	24,390,809.19	100.00	1	1	0.000	0.000
<b>Investments</b>	<b>24,390,809.19</b>	<b>24,390,809.19</b>	<b>24,390,809.19</b>	<b>100.00%</b>	<b>1</b>	<b>1</b>	<b>0.000</b>	<b>0.000</b>

Total Earnings	August 31 Month Ending
Current Year	0.00
Average Daily Balance	16,653,209.46
Effective Rate of Return	0.00%

  
Kevin McCarthy, Agency Treasurer

**2015 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
August 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
<b>Money Market Sweep/Checking Account</b>												
SYS25	25	2015 Refunding 2006A		08/11/2015	16,070,296.83	16,070,296.83	16,070,296.83			0.000	1	
SYS24	24	2015A Refunding 2005A		08/11/2015	8,259,915.63	8,259,915.63	8,259,915.63			0.000	1	
SYS22	22	UBC Cost Of Issuance Escrow		08/11/2015	60,596.73	60,596.73	60,596.73			0.000	1	
		<b>Subtotal and Average</b>	<b>16,653,209.46</b>		<b>24,390,809.19</b>	<b>24,390,809.19</b>	<b>24,390,809.19</b>			<b>0.000</b>	<b>1</b>	
		<b>Total and Average</b>	<b>16,653,209.46</b>		<b>24,390,809.19</b>	<b>24,390,809.19</b>	<b>24,390,809.19</b>			<b>0.000</b>	<b>1</b>	



# City of Indian Wells

44-950 Eldorado Drive,  
Indian Wells

**11/19/2015**

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**File #:** 1283-15 **Item #:** C.

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FAMD Warrants and Demands

**RECOMMENDED ACTION:**

Council APPROVES the November 19, 2015 FAMD Warrants and Demands.

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
48395	11/19/2015	29466	APPLICATIONS BY DESIGN, INC. 11/15 FAMD ACCESS CONTROL SYSTEM HOSTING	625.00	<b>625.00</b>
48396	11/19/2015	16918	ASSOCIA ONCALL CALFORNIA, INC. 6/15 FAMD MAINTENANCE SERVICES	130.00	<b>130.00</b>
48397	11/19/2015	313223-844958 152597-419098 155649-422592	COACHELLA VALLEY WATER DIST. 10/15 FAMD UTILITIES 10/15 FAMD UTILITIES 10/15 FAMD UTILITIES	797.25 83.16 49.10	<b>929.51</b>
48398	11/19/2015	11452 11363 11389	CONSERVE LANDCARE 11/15 FAMD LANDSCAPE MAINTENANCE 10/2/15 FAMD EXTRA LANDSCAPE MAINTENANCE 10/20/15 FAMD EXTRA LANDSCAPE MAINTENANCE	1,840.00 850.00 45.00	<b>2,735.00</b>
48399	11/19/2015	17228	DESERT PROPERTIES LIGHT MAINT. 10/22/15 FAMD LIGHTING MAINTENANCE SERVICES	191.76	<b>191.76</b>
48400	11/19/2015	39485 39598 39605 39609 39599	M & M SWEEPING, INC. 10/15 FAMD STREET SWEEPING SERVICE 10/15 FAMD DRAIN CLEANING SERVICE-WEST OF MANITOU 10/23/15 FAMD HAND SWEEPING SERVICE 10/15 FAMD EXTRA DRAIN CLEANING SERVICE 10/15 FAMD DRAIN CLEANING SERVICE-EAST OF MANITOU	5,380.00 2,050.00 1,900.00 1,280.00 800.00	<b>11,410.00</b>
48401	11/19/2015	100425	POWERFUL PEST 10/15 FAMD PEST CONTROL SERVICES	61.80	<b>61.80</b>
48402	11/19/2015	14583030110115	SPARKLETTS DRINKING WATER 10/15 FAMD GATEHOUSE DRINKING WATER	124.48	<b>124.48</b>
48403	11/19/2015	1659318 1661333	UNIVERSAL PROTECTION SERVICE 9/25-10/29/15 FAMD SECURITY SERVICES 10/15 FAMD SECURITY SERVICES FUEL REIMBURSEMENT	66,824.65 613.44	<b>67,438.09</b>
48404	11/19/2015	345-1307	VERIZON CALIFORNIA 10/15 FAMD MANITOU PHONE SERVICE	555.68	<b>555.68</b>
48405	11/19/2015	2015-08-FAMD 2015-07-FAMD	WALLACE & ASSOCIATES, INC. 9/28-11/1/15 FAMD PROFESSIONAL SERVICES 8/31-9/27/15 FAMD PROFESSIONAL SERVICES	12,262.50 415.00	<b>12,677.50</b>

11 checks in this report

**TOTAL FAMD WARRANTS: 48395-48405**

**96,839.92**



# City of Indian Wells

44-950 Eldorado Drive,  
Indian Wells

11/19/2015

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File #: 1284-15 Item #: D.

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## City Warrants and Demands

### RECOMMENDED ACTION:

Council **APPROVES** the November 19, 2015 City Warrants and Demands.

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
48330	11/19/2015	2014/15 #4	BURRTEC WASTE & RECYCLING 11/15 2014/15 SOLID WASTE FEES PASS THROUGH (SS4)	14,262.05	<b>14,262.05</b>
48348	11/19/2015	0013221-IN	GREATER PALM SPRINGS 10/15 CVB CO-OP ADVERTISING COMMERCIAL BUY	5,000.00	<b>5,000.00</b>
48353	11/19/2015	0915RD	INDIAN WELLS GOLF RESORT 9/15 GOLF RESORT RESIDENT DISCOUNTS	4,745.42	<b>4,745.42</b>
48382	11/19/2015	WD-0113281	STATE WATER RESOURCES CONTROL 7/15-6/16 ANNUAL WASTE DISCHARGE PERMIT FEE	4,579.00	<b>4,579.00</b>
48340	11/19/2015	6009	COMCATE SOFTWARE, INC. 12/28/15-12/27/16 CODE ENFORCEMENT/GIS SOFTWARE SERVICES	4,512.90	<b>4,512.90</b>
48350	11/19/2015	0010078-IN	HDL SOFTWARE LLC 11/1/15-10/31/16 BUILDING PERMIT USAGE FEE	4,071.54	<b>4,071.54</b>
48337	11/19/2015	80070	CLEANSTREET 10/15 CITYWIDE STREET SWEEPING SERVICES	3,702.43	<b>3,702.43</b>
48338	11/19/2015	OCT15	COACHELLA VALLEY ASSOC OF GOVT 10/15 TUMF DISTRIBUTION	3,674.88	<b>3,674.88</b>
48339	11/19/2015		COACHELLA VALLEY WATER DIST.		
		281269-740542	10/15 UTILITIES	677.28	
		153215-419808	10/15 UTILITIES	465.59	
		324083-740422	10/15 UTILITIES	439.42	
		281271-740546	10/15 UTILITIES	357.21	
		313547-845300	10/15 UTILITIES	220.69	
		152175-418598	10/15 UTILITIES	174.50	
		152067-418436	10/15 UTILITIES	111.42	
		155581-422504	10/15 UTILITIES	106.36	
		314309-846198	10/15 UTILITIES	77.10	
		152575-419066	10/15 UTILITIES	74.86	
		314503-846420	10/15 UTILITIES	71.29	
		314499-846416	10/15 UTILITIES	58.12	
		152073-418442	10/15 UTILITIES	52.32	
		314329-846220	10/15 UTILITIES	51.71	
		314511-846428	10/15 UTILITIES	49.10	
		152071-418440	10/15 UTILITIES	46.86	
		542759-418520	10/15 UTILITIES	44.76	
		152069-418438	10/15 UTILITIES	44.62	

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		134443-394192	10/15 UTILITIES	43.96	
		152173-418596	10/15 UTILITIES	43.64	
		152599-419102	10/15 UTILITIES	36.92	
		155805-422752	10/15 UTILITIES	36.92	
		155761-422706	10/15 UTILITIES	30.20	
		155641-422578	10/15 UTILITIES	30.20	
		152991-419528	10/15 UTILITIES	23.50	
		156361-423526	9/15 UTILITIES	23.50	
		281233-740500	10/15 UTILITIES	23.50	
		308623-839674	10/15 UTILITIES	19.00	
		281261-740534	10/15 UTILITIES	15.00	
		281263-740536	10/15 UTILITIES	10.00	<b>3,459.55</b>
48318	11/4/2015		DELTA DENTAL		
		BE001361036	11/15 DENTAL INSURANCE PREMIUMS	3,419.70	<b>3,419.70</b>
48325	11/19/2015		A&F ORGANIX		
		2284	10/15 LANDSCAPE MAINTENANCE SUPPLIES	3,240.00	<b>3,240.00</b>
48370	11/19/2015		RA STRUCTURAL ENGINEERING		
		B00-012-511-1	7/15-9/15 PLAN CHECK SERVICES	1,365.00	
		B00-012-660-1	9/15 PLAN CHECK SERVICES	975.00	
		B00-012-589-1	8/15-10/15 PLAN CHECK SERVICES	780.00	<b>3,120.00</b>
48336	11/19/2015		CLASSIC PARTY RENTALS		
		0001581118	11/2/15 IWGR SOIL TESTING SERVICES	3,100.00	<b>3,100.00</b>
48377	11/19/2015		SITEONE LANDSCAPE SUPPLY, LLC		
		73798083	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	829.22	
		73722409	10/15 LANDSCAPE IRRIGATION SUPPLIES	457.97	
		73817606	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	402.71	
		73701760	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	393.44	
		73701793	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	261.36	
		73742441	10/15 LANDSCAPE IRRIGATION SUPPLIES	227.78	
		73770802	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	164.27	
		73783223	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	113.83	
		73755791	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	113.83	
		73739231	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	58.75	
		73759022	10/15 LANDSCAPE MAINTENANCE SUPPLIES	27.04	
		73770829	10/15 LANDSCAPE IRRIGATION SUPPLIES	21.16	<b>3,071.36</b>
48355	11/19/2015		JOE A. GONSALVES & SON		
		25634	11/15 LEGISLATIVE ADVOCACY SERVICES	3,000.00	<b>3,000.00</b>
48374	11/19/2015		SHARK POOLS, INC.		
		15201103	11/15 WALK OF HONOR FOUNTAIN MAINTENANCE	720.00	

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**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		15201105	11/15 IW LANE EAST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	720.00	
		15201104	11/15 IW LANE WEST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	720.00	
		15201101	11/15 CITY HALL ENTRY FOUNTAIN MAINTENANCE	360.00	
		15201102	11/15 CITY FLAGPOLE FOUNTAIN MAINTENANCE	360.00	<b>2,880.00</b>
48388	11/19/2015		UNION BANK OF CALIFORNIA		
		950264	10/1/15-9/30/16 TA BONDS 2006A ADMIN FEES	2,755.00	<b>2,755.00</b>
48389	11/19/2015		VACATION RENTAL COMPLIANCE,LLC		
		320	10/15 VACATION RENTAL COMPLIANCE SERVICES	2,580.00	<b>2,580.00</b>
48334	11/19/2015		CDW GOVERNMENT, INC.		
		ZZ20947	10/15 COMPUTER HARDWARE PURCHASE	1,142.55	
		ZV82814	10/15 COMPUTER SOFTWARE SUBSCRIPTION SERVICE	622.10	
		ZQ60265	10/15 COMPUTER HARDWARE PURCHASE	166.11	
		ZV56733	10/15 COMPUTER HARDWARE PURCHASES	87.61	
		ZW02060	10/15 COMPUTER HARDWARE PURCHASES	48.29	<b>2,066.66</b>
48354	11/19/2015		JAM SERVICES INC.		
		73710	10/15 REPLACEMENT STREET SIGN	1,971.00	<b>1,971.00</b>
48321	11/4/2015		UNION SECURITY INSURANCE CO.		
		4015595	11/15 SHORT/LONG TERM DISABILITY INSURANCE	1,798.31	<b>1,798.31</b>
48327	11/19/2015		B.G. STRUCTURAL ENGINEERING		
		917.624	10/15 PLAN CHECK SERVICES	337.50	
		917.623	10/15 PLAN CHECK SERVICES	300.00	
		917.621	9/15 PLAN CHECK SERVICES	262.50	
		917.618	10/15 PLAN CHECK SERVICES	250.00	
		917.628	9/15 PLAN CHECK SERVICES	187.50	
		917.636	10/15 PLAN CHECK SERVICES	187.50	
		917.635	10/15 PLAN CHECK SERVICES	112.50	
		917.638	10/15 PLAN CHECK SERVICES	112.50	<b>1,750.00</b>
48347	11/19/2015		GREAT AMERICA FINANCIAL SVCS		
		17720002	9/15 EQUIPMENT RENTAL	999.01	
		17752739	11/15 EQUIPMENT RENTAL LEASE	626.83	<b>1,625.84</b>
48349	11/19/2015		GREEN DESERT NURSERY		
		67105	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	1,060.51	
		67342	10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	559.28	<b>1,619.79</b>
48324	11/11/2015		JUMPIN' JACK JAVA, INC		
		DTD 11/11/15	11/11/15 VETERANS DAY EVENT COFFEE & PASTRIES	1,612.50	<b>1,612.50</b>
48387	11/19/2015		TYLER TECHNOLOGIES, INC.		
		045-145610	10/15 EDEN BUSINESS LICENSE SOFTWARE TRAINING	1,568.45	<b>43</b> <del>1,568.45</del>

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

<b>CHECK #</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>VENDOR NAME/DESCRIPTION</b>	<b>INVOICE AMT</b>	<b>CHECK TOTAL</b>
48393	11/19/2015	42820886	WEX BANK 10/15 CITY FLEET VEHICLES FUEL SUPPLY	1,536.12	<b>1,536.12</b>
48378	11/19/2015	2-10-366-7580 2-10-366-7440 2-36-295-8456 2-35-530-3157	SOUTHERN CALIFORNIA EDISON CO. 10/15 UTILITIES 10/15 UTILITIES 10/15 UTILITIES 10/15 UTILITIES	1,069.22 149.83 44.83 11.23	<b>1,275.11</b>
48380	11/19/2015	372234	SOUTHERN CALIFORNIA SOIL & 9/15 EARTHWORK OBSERVATION AND TESTING SERVICES	1,188.00	<b>1,188.00</b>
48368	11/19/2015	3571	PROPER SOLUTIONS 10/21-10/23/15 CITY STAFF TEMP SERVICES	1,118.88	<b>1,118.88</b>
48328	11/19/2015	W148913 W148912	BAY CITY ELECTRIC WORKS 10/15 CITY GENERATORS MAINTENANCE 10/15 CITY GENERATORS MAINTENANCE	592.00 420.00	<b>1,012.00</b>
48385	11/19/2015	03003316	TROON RESTAURANT HOLDINGS, LLC 10/15 MODERNISM WEEK RESIDENT LECTURE LUNCH	1,005.26	<b>1,005.26</b>
48381	11/19/2015	3280242058 3281364560 3281904786 3281364561 17240 3281904785	STAPLES 10/15 OFFICE SUPPLIES 10/15 OFFICE SUPPLIES 10/15 MISC OFFICE SUPPLIES 10/15 JANITORIAL SUPPLIES 10/15 OFFICE SUPPLY 10/15 OFFICE SUPPLY	357.71 342.85 155.23 55.49 43.58 9.69	<b>964.55</b>
48383	11/19/2015	8448410760148720	TIME WARNER CABLE 11/6-12/5/15 CITY HALL INTERNET SERVICES	889.00	<b>889.00</b>
48363	11/19/2015	SI47383	OMEGA INDUSTRIAL SUPPLY, INC 10/15 MAINTENANCE SUPPLIES	847.75	<b>847.75</b>
48323	11/4/2015	121858900001	VISION SERVICE PLAN - (CA) 11/15 VISION INSURANCE PREMIUMS	846.26	<b>846.26</b>
48342	11/19/2015	81629747	CORELOGIC INFORMATION 10/15 ONLINE REFERENCE SERVICE	825.00	<b>825.00</b>
48360	11/19/2015	DTD 10/30/15	LUMPKIN, RUSSELL L. 10/23-10/30/15 BUILDING INSPECTION SERVICES	768.00	<b>768.00</b>

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**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

<b>CHECK #</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>VENDOR NAME/DESCRIPTION</b>	<b>INVOICE AMT</b>	<b>CHECK TOTAL</b>
48352	11/19/2015	32394	HYATT REGENCY INDIAN WELLS 10/15 MADDEN MEDIA SWEEPSTAKES WINNER HOTEL EXPENSE	753.08	<b>753.08</b>
48376	11/19/2015	208053788	SIMPLOT PARTNERS 10/15 LANDSCAPE MAINTENANCE SUPPLIES	440.33	<b>685.02</b>
		208053707	10/15 LANDSCAPE MAINTENANCE SUPPLIES	244.69	
48371	11/19/2015	4908	RASA 10/15 MAP/PLAN CHECKING SERVICES	488.00	<b>678.00</b>
		4909	10/15 MAP/PLAN CHECKING SERVICES	190.00	
48361	11/19/2015	21413	MAIN STREET SIGNS 10/15 CITY SIGNAGE SUPPLY	607.20	<b>607.20</b>
48331	11/19/2015	80756	CALIFORNIA DESERT NURSERY, INC 10/15 MEDIAN LANDSCAPE CONVERSION SUPPLIES	567.00	<b>567.00</b>
48320	11/4/2015	643033	STANDARD INSURANCE COMPANY 11/15 LIFE INSURANCE/AD&D PREMIUMS	554.19	<b>554.19</b>
48394	11/19/2015	0161397	ZUMAR INDUSTRIES, INC. 10/15 SIGNAGE SUPPLY	532.40	<b>532.40</b>
48346	11/19/2015	10189-1	GRAPHTEK INTERACTIVE 11/11/15 DESIGN VETERAN'S DAY PROGRAM	511.00	<b>511.00</b>
48332	11/19/2015	70037	CAM STONE'S AUTOMOTIVE 10/15 CITY FLEET VEHICLE MAINTENANCE	451.10	<b>451.10</b>
48345	11/19/2015	364089	FULTON DISTRIBUTING 10/22/15 JANITORIAL SUPPLIES	450.62	<b>450.62</b>
48333	11/19/2015	15439553	CANON FINANCIAL SERVICES, INC 11/15 PRINTER/SCANNER LEASE	447.12	<b>447.12</b>
48375	11/19/2015	9407764913	SHRED-IT USA LLC 10/6/15 CITY DOCUMENTS SHRED SERVICE	408.60	<b>408.60</b>
48341	11/19/2015	5725-404403	CONSOLIDATED ELECTRICAL DIST. 10/15 MAINTENENACE SUPPLIES	374.22	<b>374.22</b>
48390	11/19/2015	341-3179	VERIZON CALIFORNIA 10/15 CITY HALL FIRE/ALARM PHONE SERVICE	168.94	<b>283.07</b>
		346-0407	10/15 CITY HALL FAX LINE SERVICE	114.13	
48391	11/19/2015	9754570059	VERIZON WIRELESS 10/15 CELLULAR PHONE SERVICE	254.96	<b>45</b>

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		9753689399	9/15 MOTOR OFFICER TICKET WRITER CELLULAR SERVICE	22.10	<b>277.06</b>
48369	11/19/2015		PRUDENTIAL OVERALL SUPPLY		
		22139684	10/28/15 FACILITY SERVICES	144.30	
		22136042	10/21/15 FACILITY SERVICES	115.55	<b>259.85</b>
48392	11/19/2015		WALMART		
		DTD 11/10/15	12/5/15 SHOP WITH A COP PROGRAM FUNDING	245.00	<b>245.00</b>
48386	11/19/2015		TROPICAL PLANT SERVICES		
		22014	10/15 INDOOR PLANT MAINTENANCE SERVICES	225.00	<b>225.00</b>
48373	11/19/2015		RIVERSIDE COUNTY INFORMATION		
		9990116000-1509	9/15 SHERIFF MOTORCYCLE RADIO OPERATIONS SERVICES	214.34	<b>214.34</b>
48344	11/19/2015		FIRST CHOICE SERVICES		
		574936	10/15 CITY HALL COFFEE SUPPLY	211.75	<b>211.75</b>
48365	11/19/2015		PELLETIER, BRUCE		
		ONTARIO	10/26-10/27/15 CALBO TRAINING TRAVEL EXPENSE REIMB	160.84	<b>160.84</b>
48384	11/19/2015		TRI-A-BIKE, INC		
		008707	10/15 POLICE BICYCLE MAINTENANCE SERVICES	136.98	<b>136.98</b>
48367	11/19/2015		PRINTING PLACE		
		151964	10/15 CITY MAP PADS	129.60	<b>129.60</b>
48351	11/19/2015		HOME DEPOT		
		2014486	10/15 MAINTENANCE SUPPLIES	54.71	
		1113491	10/15 LANDSCAPE MAINTENANCE SUPPLIES	47.65	
		7021806	10/15 MAINTENANCE SUPPLIES	12.28	<b>114.64</b>
48319	11/4/2015		DESERT CHAMPIONS, LLC		
		DTD 10/27/15	6/15 IW TENNIS GARDENS FINAL INTEREST PAYMENT	104.00	<b>104.00</b>
48326	11/19/2015		ACCESS ELECTRIC SUPPLY, INC.		
		27981	10/15 LANDSCAPE LIGHTING SUPPLIES	103.68	<b>103.68</b>
48357	11/19/2015		JUDICIAL DATA SYSTEMS CORP.		
		5612	9/15 PARKING CITATIONS SERVICES	100.00	<b>100.00</b>
48379	11/19/2015		SOUTHERN CALIFORNIA GAS CO.		
		16102760622	10/15 UTILITIES	55.04	
		15892760008	10/15 UTILITIES	23.28	
		16312760008	10/15 UTILITIES	13.81	<b>46<sup>3</sup></b>

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
48335	11/19/2015		CLARK, JAN F.		
		REIMB	10/26/15 SHORT-TERM BUSINESS LICENSE REFUND	86.00	<b>86.00</b>
48358	11/19/2015		LASR-INK		
		12349	10/15 (2) PRINTER CARTRIDGES	63.22	<b>63.22</b>
48359	11/19/2015		LEAGUE OF CALIFORNIA CITIES		
		1795	10/2/15 (2) LCC DIVISION MEETING REGISTRATIONS	50.00	<b>50.00</b>
48343	11/19/2015		DESERT ELECTRIC SUPPLY		
		S2243824.001	10/15 ELECTRICAL SUPPLIES	35.15	<b>35.15</b>
48364	11/19/2015		PALM DESERT ACE HARDWARE		
		196061	10/15 MAINTENANCE SUPPLIES	21.36	
		196064	10/15 MAINTENANCE SUPPLIES	6.91	
		195982	10/15 MAINTENANCE SUPPLIES	6.23	<b>34.50</b>
48322	11/4/2015		UNITED WAY OF THE DESERT		
		352000006506	10/23/15 PAYROLL EMPLOYEE CONTRIBUTIONS	27.00	<b>27.00</b>
48372	11/19/2015		RIVERSIDE COUNTY AUDITOR/		
		SEPT15	9/15 CITATIONS PAYABLE COLLECTIONS	25.00	<b>25.00</b>
48356	11/19/2015		JOHNSTONE SUPPLY		
		286367	10/15 MAINTENANCE SUPPLIES	23.18	<b>23.18</b>
48362	11/19/2015		MUNISERVICES, LLC		
		0000039301	10/15 SALES TAX REPORTING SERVICES	16.75	<b>16.75</b>
48366	11/19/2015		POWERS AWARDS		
		129933	10/15 (1) COMMUNITY GARDEN NAME PLATE	14.58	<b>14.58</b>
48317	10/30/2015		INTERNAL REVENUE SERVICE		
		95-2489139	7/15-9/15 3RD QTR FICA & MEDICARE TAX DUE	7.10	<b>7.10</b>
48329	11/19/2015		BIRCH COMMUNICATIONS, INC.		
		19660100	10/15 LONG DISTANCE PHONE SERVICE	5.38	<b>5.38</b>

78 checks in this report

**TOTAL CITY WARRANTS 48317-48394: 111,527.66**

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

<b>CHECK #</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>VENDOR NAME/DESCRIPTION</b>	<b>INVOICE AMT</b>	<b>CHECK TOTAL</b>
<b>Wires :</b>					
1609	11/3/2015		CALIFORNIA PUBLIC EMPLOYEES		
		100000014637162	11/15 MEDICAL INSURANCE PREMIUMS	64,954.63	<b>64,954.63</b>
1608	10/27/2015		INTERNAL REVENUE SERVICE		
		95-2489139	10/23/15 PAYROLL-FWT, FICA & MEDICARE	29,429.80	<b>29,429.80</b>
1610	11/3/2015		CALPERS RETIREMENT SYSTEM		
		6392517834	10/23/15 PAYROLL CONTRIBUTIONS	21,678.69	<b>21,678.69</b>
1607	10/27/2015		ICMA		
			CONTRIBUTIONS 10/23/15 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	9,048.29	<b>9,048.29</b>
1611	10/28/2015		CALIFORNIA, STATE OF		
		925-0060-2	10/23/15 PAYROLL-SDI & SWT DEPOSIT	6,373.20	<b>6,373.20</b>
2914	10/22/2015		INDIAN WELLS EMPLOYEE ASSOC.		
		2379795	10/23/15 PAYROLL IW EMPLOYEE ASSOCIATION DUES	210.00	<b>210.00</b>
<b>TOTAL WIRE DISBURSEMENTS 1607-1611 &amp; 2914 :</b>					<b>131,694.61</b>

**CITY OF INDIAN WELLS  
11/19/2015 MEETING WARRANT LIST**

<b>CHECK #</b>	<b>DATE</b>	<b>INVOICE #</b>	<b>VENDOR NAME/DESCRIPTION</b>	<b>INVOICE AMT</b>	<b>CHECK TOTAL</b>
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	EFT 14319-14351	81,810.06
	2916	<u>980.35</u>
	<b>Total Net Payroll 11/06/15</b>	<b>82,790.41</b>

**TOTAL CITY DISBURSEMENTS: 326,012.68**

Note: Warrants 48317-48324 were issued prior to the regular scheduled City Council meeting.



11/19/2015

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**File #:** RES-151-15 **Item #:** A.

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*Indian Wells City Council*  
*Staff Report - Community Development*

Community Development Block Grant Program Application

**RECOMMENDED ACTIONS:**

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

FINDS the project to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities; and

ADOPTS Resolution approving submittal of the Fiscal Year 2016-17 Community Development Block Grant program application; and

AUTHORIZES and DIRECTS the City Manager to execute all necessary documents for same.

**DISCUSSION:**

**Background:**

Since Fiscal Year ("FY") 2009-10, the City received \$182,000 in Community Development Block Grant ("CDBG") funding for projects to benefit low and moderate income residents. The City receives funds from Riverside County and is required to annually reapply for the CDBG funds. The City's grant amount ranges from \$15,000 to \$30,000 annually. Based on funds received last year, the City expects to receive \$15,000 for FY 2016-17.

**Analysis:**

For the FY 2016-17 CDBG application, Staff requests \$15,000 to use with \$38,765 in remaining CDBG funds towards two projects in the senior communities.

Concrete repair project: Repair concrete in common areas including but not limited to walkways between apartments and in the pool and Jacuzzi areas of both the Indian Wells Villas and Mountain View Villas. The intent of this project is to create a safer path of travel for the senior residents. In

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**File #:** RES-151-15 **Item #:** A.

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addition to the safety aspect, it will enhance the aesthetics of the communities.

**Bathtub safety bars project:** Installation of bathtub grab bars in 90 units at the Indian Wells Villas. This added feature will assist in efficient mobility for the senior residents navigating in and out of the bathtub/shower and help prevent falls in this high risk area.

The cost is approximately \$26,000 per project for a total of \$52,000. Both projects will be completed by the end of FY 2016-17.

**Environmental:**

The project is exempt from the provisions California Environmental Quality Act (CEQA) pursuant to Section 15301 of the guidelines - Existing Facilities, as the proposed ADA bathtub grab bars and concrete repairs are considered minor improvements and not an expansion of the existing use.

**FISCAL IMPACT:**

There is no fiscal impact to the City. The funding for these projects come from the CDBG grant allocated by the U.S. Department of Housing and Urban Development and distributed by Riverside County.

**ATTACHMENTS:**

1. Resolution
2. CDBG Application

**RESOLUTION NO. 2015-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING THE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY AGREEMENTS FOR THE FISCAL YEAR 2016/17 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, FOR WHICH THE PROJECT HAS BEEN FOUND EXEMPT FROM THE PROVISIONS OF CEQA**

**WHEREAS**, the City of Indian Wells (the "City") must submit to the Riverside County Economic Development Agency (EDA) a project application for the Community Development Block Grant Funds for Fiscal Year 2016/17 (the "Project"); and

**WHEREAS**, notice of a public hearing of the City Council of the City of Indian Wells to consider the Project was given in accordance with applicable law; and

**WHEREAS**, on November 19, 2015, the City Council held a duly noticed public hearing on the Project; and

**WHEREAS**, the City proposes to use the FY 2016/17 CDBG funding of approximately \$15,000 towards the following two projects 1) the repair of concrete walkways for safe path of travel at both Indian Wells Villas and Mountain View Villas communities and 2) installation of grab bars in residential unit bathrooms in the Indian Wells Villas community; and

**WHEREAS**, the merits of the Project was openly discussed and considered.

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

**SECTION 1.** The City Council **FINDS** the project to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities.

**SECTION 2.** The City Council **ADOPTS** this Resolution approving the Project as proposed for FY 2016/17 CDBG funding.

**SECTION 3.** The City Council **DIRECTS** and **AUTHORIZES** the City Manager to execute all necessary agreements associated with the FY 2016/17 CDBG programs.

**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 19<sup>th</sup> day of November, 2015.

---

**TY PEABODY  
MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2015-\_\_**

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of members of the City Council is five (5) and, 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 19<sup>th</sup> day of November, 2015 by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**ANNA GRANDYS  
CITY CLERK**

---

**STEPHEN P. DEITSCH  
CITY ATTORNEY**



Riverside County Economic Development Agency:

Primary Contact: Warren - Morelion  
Phone: (760) 776-0229  
Email: wmorelion@indianwells.com

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**Applicant Profile**

<b>Applicant Type</b>	Organization
<b>Legal Name</b>	City of Indian Wells
<b>Address1</b>	44-950 Eldorado Drive Indian Wells , California 92210-7497 UNITED STATES
<b>Telephone</b>	(760) 346-2489
<b>Fax</b>	(760) 346-0407
<b>Primary Contact</b>	Warren - Morelion Community Development Director Phone: (760) 776-0229 Email: wmorelion@indianwells.com
<b>FEIN / TAX ID</b>	95-2489139
<b>DUNS Number</b>	004949442
<b>Web Address</b>	<a href="http://www.cityofindianwells.org/">http://www.cityofindianwells.org/</a>



Riverside County Economic Development Agency:

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## **CDBG Application 2016-2017**

### **2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

#### **I. Program Description:**

CDBG is a flexible program that provides communities with resources to address a wide range of unique community development needs. Beginning in 1974, the CDBG program is one of the longest continuously run programs at HUD. The CDBG entitlement program allocates annual grants to larger cities and urban counties to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

The CDBG program is a federally-funded program administered through the U.S. Department of Housing and Urban Development (HUD). As an Urban County in the Entitlement CDBG program, the County receives an annual formula allocation of CDBG funds from HUD. HUD determines the amount of each grant by using a formula comprised of several measures of community need, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas.

The program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. CDBG is an important tool for helping local governments tackle serious challenges facing their communities. The CDBG program has made a difference in the lives of millions of people and their communities across the Nation.

CDBG was authorized under the Housing and Community Development Act of 1974, as amended, and is listed under the Catalog of Federal Domestic Assistance (CFDA) as 14.218. Applicable CDBG regulations can be found at 24 CFR Part 570 and 24 CFR Part 91.

CDBG funding has been used by the County, its cooperating cities, and other subrecipients for a wide variety of community, economic, and social development activities. Activities include public facilities such as fire stations, parks, community centers, senior centers, homeless shelters, health clinics, water and sewer improvements, and street and sidewalk improvements. CDBG also provides public service activities such as child care, health care, after school, programs, senior programs, food and clothing distribution, job training, recreation, and many more.

All activities funded with the County's CDBG funds must:

1. serve persons or communities within the County's Urban County area;
2. be an eligible activity under CDBG regulations (24 CFR Part 570.201); and
3. meet a National Objective of the CDBG program (24 CFR Part 570.208).

Most activities meet a National Objective by benefitting low-income persons or low-income communities.

The County's Urban County CDBG Program includes all of the unincorporated areas of Riverside County as well as the "cooperating" cities of: Banning, Beaumont, Blythe, Canyon Lake, Coachella, Desert Hot Springs, Eastvale, Indian Wells, Jurupa Valley, La Quinta, Murrieta, San Jacinto, and



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**I. GENERAL INFORMATION**

This application is intended for use ONLY for Cooperating Cities and their approved non-profit organizations [501(c) (3)] that will be requesting CDBG funds from the specific Cooperating City. Other organizations, such as Non-Profit 501(c)(3), Higher Education Institution, or Other Government Agencies/Special District, please return to the CURRENT PROGRAMS & APPLICATIONS page and complete the (COUNTY & NON-CITY APPLICANTS ONLY) CDBG 2016-2017 application.

Applicants are required to answer the following questions. (You may hit the "Tab" key to move on to the next question). Once complete, please select the "Did I complete this page" link to assure that all required questions have been answered. If any question was skipped, this link will return you to those questions that remain unanswered.

After all questions have been answered, please select the "SAVE" button to proceed to the next page.

**Applying City/Organization Name:**

City of Indian Wells

**Type of Organization:**

Cooperating City

**If a NON-Profit Organization, what City(ies) is your organization applying to:**

**Organization Address:**

44950 Eldorado Drive

**City:**

Indian Wells

**Zip Code:**

92210

**Mailing Address:**

44950 Eldorado Drive

**City:**

Indian Wells

**Zip Code:**

92210

**Telephone Number:**

(760) 346-2489

**Fax Number:**

(760) 346-0407

**Executive Director:**

Wade McKinney

**Telephone Number:**

(760) 346-2489

**E-Mail Address:**



Riverside County Economic Development Agency:

Primary Contact: Warren - Morelion  
Phone: (760) 776-0229  
Email: wmorelion@indianwells.com

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**Program Manager:**  
Warren Morelion

**Telephone Number:**  
(760) 776-0229

**E-Mail:**  
wmorelion@indianwells.com

**Grant Writer:**

**Address (if different from above):**

**Telephone Number:**

**E-Mail:**

**II. Organizational History**  
*(applicable ONLY if you are a non-profit organization)*

**Date Organization founded:**  
-1-1

**Date Organization incorporated as a non-profit organization:**  
-1-1

**Federal Tax Identification Number:**  
95-2489139

**DUNS Number:**  
004949442

**Organization Web Address:**  
www.cityofindianwells.org

**Does your Organization expend \$500,000 or more a year in federal funds?**  
No

**Number of paid staff:**  
29

**Number of volunteers:**  
1

**Non-profit Faith Based Organization:**  
No

**Please list your City Council Members/Board of Directors:**  
Mayor Ty Peabody  
Mayor Pro Tem Dana Reed  
Council Member Richard Balocco  
Council Member Douglas H. Hanson  
Council Member Ted J. Mertens



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**Or, upload list of Names for Board of Directors here:**

No File Uploaded

**Please upload your organization's Articles of Incorporation here:**

[63461\\_115657.pdf](#)

**Please upload your organization's Bylaws here:**

No File Uploaded

**Please upload your City Council/Board of Directors Written Authorization approving submission of application:**

No File Uploaded



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### III. PROJECT ACTIVITY

**Name of Project:**  
Resident Mobility Project

**Specific Location of Project (include street address; if a street address has not been assigned, provide APN):**

**Street:**

**City:**

**Zip Code:**

**Assessor's Parcel Number (APN):**

**CDBG Funds Requested:**  
\$15,000

**Where will the proposed activity occur (be specific as to the geographic boundaries)? if the project involves a new or existing facility, what is the proposed service/benefit area for the facility?**

Indian Wells Villas 78400 Village Center Drive, Indian Wells, CA 92210

Mountain View Villas 78000 Betty Barker Way, Indian Wells, CA 92210

**What City(ies) will/ does the activity occur within?**  
City of Indian Wells

**Regions:**

**Other:**

**If this project benefits residents of more than one community or jurisdiction, have requests been submitted to those other entitlement jurisdictions? (i.e., City of Palm Springs, City of Moreno Valley, City of Riverside, etc.)**

**Check ONLY the applicable category your application represents.**

Public Facilities (construction)  
Infrastructure (i.e. streets, sewer, sidewalk, etc.)

**Other:**  
*(provide description)*

**Upload photos of structure for rehabilitation/preservation**  
*(if applicable)*  
No File Uploaded

**Respond to A & B ONLY if this application is for a public service project.**

**(A) Is this a NEW service provided by your agency?**



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**(B) If service is not new, will the existing public service activity level be substantially increased or improved?**

**If applicable, upload the Project Activity Map:**

No File Uploaded



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## IV. PROJECT NARRATIVE

**A. Provide a detailed Project Description . The description should only address or discuss the specific activities, services, or project that is to be assisted with CDBG funds. If CDBG funds will assist the entire program or activity, then provide a description of the entire program or activity:**

First Project: Repair concrete in common areas including but not limited to walkways between apartments and in the pool and Jacuzzi areas of both the Indian Wells Villas and Mountain View Villas. The intent of this project is to create a safer path of travel for the senior residents.

Second Project: Installation of bathtub grab bars in 90 units at the Indian Wells Villas. This added feature will assist in efficient mobility for the senior residents navigating in and out of the bathtub/shower and help prevent falls in this high risk area.

**B. Provide a detailed description of the proposed use of the CDBG funds only (e.g. client scholarships, purchase of specific equipment, rent, supplies, utilities, salaries, etc.):**

The CDBG funds will be used to pay for labor and purchase material and supplies for concrete repairs and bathtub grab bars.

**C. What are the goals and objectives of the project, service, or activity? How will you measure and evaluate the success of the project to meet these goals and objectives (measures should be qualitative)?**

The goal of the first project is to create a safer path of travel for the seniors by repairing concrete throughout walkways and in the pool/Jacuzzi areas. In reference to the second project, the added feature of the bathtub grab bars will assist in efficient mobility for the senior residents navigating in and out of the bathtub/shower and help prevent falls in this high risk area.

**D. Please identify the project milestones using an Estimated Timeline for Project Implementation:**

The estimated timeline for the project would include getting bids for the concrete repairs and grab bars for the first part of the program year and then doing the actual repairs and installation the latter part of the program year.



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**V. PROJECT BENEFIT**

**A. Indicate the number of people or households that will directly benefit from your proposal using CDBG funds:**

*(NOTE: This is based on the expected number of clients to be served if the County funds your project for the requested amount.)*

The people that would benefit from the concrete repairs would include residents, employees, and visitors that access both senior communities. The residents would benefit from the bathtub grab bar installation in the bathrooms.

**B. Indicate the number of unduplicated clients that will be served (An unduplicated client is counted only once, no matter how many direct services the client receives during a funding year):**

Unknown

**C. Length of proposed CDBG-funded activities or service (weeks, months, year):**

Concrete repairs and bathtub grab bars are permanent.

**D. Service will be provided to (check one or more):**

- MEN
- WOMEN
- CHILDREN
- FAMILIES
- SENIORS
- SEVERELY DISABLED ADULTS

**Range of children's age (if applicable):**

**If services are provide to Homeless persons, please indicate the number of beds at facility:**

**E. What methods will be used for community involvement to assure that all who might benefit from the project are provided an opportunity to participate?**

Approval of the CDBG application is required to go through a public hearing process. At that time, residents and other interested parties have an opportunity to participate in the approval process.

**F. What evidence is there of a long-term commitment to the proposal? Describe how you plan to continue the work (project) after the CDBG funds are expended?**

The City will use all existing CDBG funds and funds obtained in 2016-17 to repair concrete throughout both senior communities and install bathtub grab bars at the Indian Wells Villas. These projects are permanent.



Riverside County Economic Development Agency:

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## VI. NATIONAL OBJECTIVE

All CDBG-funded activities must meet at least one of the five National Objectives of the CDBG program. Indicate the category of National Objective to be met by your activity:

**CATEGORY 1: Benefit to low-moderate income persons (must be documented). Please choose either subcategory A or B:**

### A. Limited Clientele:

The project serves clientele that will provide documentation of their family size, income, and ethnicity. Identify the procedure you currently have in place to document that at least 51% of the clientele you serve are low-moderate income persons.

### B. Clientele presumed to be principally low- and moderate-income persons:

The following groups are presumed by HUD to meet this criterion. You will be required to submit a certification from the client (s) that they fall into one of the following presumed categories.

#### Presumed Categories:

- Abused children
- Battered spouses
- Elderly persons
- Severely disabled adults
- Migrant Farm workers
- Persons living with AIDS
- Homeless persons
- Illiterate adults

Describe the clientele above (sections A and B) to be served by this activity:

Discuss how this project directly benefits low- and moderate- income residents:

**CATEGORY 2: Area Benefit - The project or facility serves, or is available to, ALL persons located within an area where at least 51% of the residents are low/moderate-income. Please note: EDA is currently using the 2010 Census data and guidance from the U.S. Department of Housing and Urban Development. Census data is used for determining eligibility of low- and moderate-income area benefit CDBG projects.**

Enter or copy and paste Census Tract and block group numbers:

**Project Benefit, Category 2, Low Mod Area Maps (Attach if applicable)**

No File Uploaded

Total population in Census Tract(s) / block group(s):

Total percentage of low-moderate population in Census Tract(s) / block group(s):



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**CATEGORY 3: Prevention or Elimination of Slums and Blight: The proposed project or activity must directly benefit an identified (and County-designated) slum and blighted area.**

**Is the proposed project located in an area with determinable indications of slum and blight?**

**Project Benefit, Category 3. Slum Blight Documentation (Maps, Photos, News Stories, Reports, etc.) (Attach if applicable)**

No File Uploaded

**Provide the percentage of Deteriorated Buildings/Qualified Properties:**

**Slum/Blight Designation Year:**

**Public Improvement Type and Condition:**

**Describe the Boundaries of the Slum/Blight area(s):**

**CATEGORY 4: Activities undertaken to create or retain permanent jobs, at least 51% of which will be made available to or held by low/moderate-income persons.**

**Proposed Job Creation/Retention:**

**Total Jobs Expected to Create:**

**Total Jobs Expected to Retain:**

**CATEGORY 5: Activities that provide assistance to micro-enterprise owners/developers who are low/moderate-income:**

**Proposed Assistance to Businesses:**

**New Businesses expected to assist:**

**Existing Businesses expected to assist:**

**Enter Total Businesses expected to assist:**



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**VII. FINANCIAL INFORMATION**

<b>Personnel</b>	<b>Total Project/ Activity/Service Budget (Include</b>	<b>CDBG Funds REQUESTED</b>
Salaries & Wages	0	0
Fringe Benefits	0	0
Consultants & Contract Services	0	0
<b>SubTotals:</b>	<b>0</b>	<b>0</b>
<b>Non-Personnel</b>	<b>Total Project/ Activity/Service Budget (Include</b>	<b>CDBG Funds REQUESTED</b>
Space Costs	0	0
Rental, Lease or Purchase of Equipment	0	0
Consumable Supplies	0	0
Travel	0	0
Telephone	0	0
Utilities	0	0
Other Costs	0	0
<b>SubTotals:</b>	<b>0</b>	<b>0</b>
<b>Other</b>	<b>Total Project/ Activity/Service Budget (Include</b>	<b>CDBG Funds REQUESTED</b>
Architectural/Engineering Design	0	0
Acquisition of Real Property	0	0
Construction/Rehabilitation	15,000	15,000
Indirect Costs	0	0
Other	0	0
<b>SubTotals:</b>	<b>15,000</b>	<b>15,000</b>
<b>Grand Totals:</b>	<b>15,000</b>	<b>15,000</b>



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## Agency Custom Budget Upload

**OPTIONAL- Upload your Agency Custom Budget: Provide total Budget information and distribution of CDBG funds in the proposed budget**

No File Uploaded



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## LEVERAGING

List other funding sources and amounts (commitments or applications) which will assist in the implementation of this activity. Current and pending evidence of leveraging commitments/ applications must be submitted with application.

**Federal:**

**Federal:**

**State/Local:**

**Private:**

**Fees:**

**Donations:**

**Other:**

**C. What type of long-term financial commitment is there to the proposal? Describe how you plan to continue the work (project) after the CDBG funds are expended?**

Whatever work that is not completed with these funds will be finished with future funding from CDBG.

**D. Provide a summary by line item of your organization's previous year's income and expense statement (Attachment VI-B, Exhibits 1, 2, etc.):**

The budget can be found on the City's website at:

[www.cityofindianwells.org](http://www.cityofindianwells.org)

The document is lengthy and can be emailed, if necessary.

**OR Upload Income and Expense Statement:**

No File Uploaded

**Upload Leveraging (Evidence of Commitment):**

No File Uploaded

**E. Was this project or activity previously funded with CDBG?**

NO

**If yes, when?**

-1-1

**F. Is this activity a continuation of a previously funded (CDBG) project?**

NO

**If yes, explain:**



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## VIII. MANAGEMENT CAPACITY

### A. Describe your organization's experience in managing and operating project or activities funded with CDBG or other Federal funds:

The City managed CDBG funds from previous program years for an exterior lighting project at one of the City's senior affordable housing communities.

### B. Describe your organization's written and adopted management systems (i.e., policies and procedures) including personnel, procurement, property management, record keeping, financial management, etc.?

#### Upload Management Capacity (Detailed organizational chart):

No File Uploaded

### C. Please provide the names and qualifications of the person(s) that will be primarily responsible for the implementation and completion of the proposed project:

Warren Morelion, Community Development Director  
Jill Moon, Administrative Assistant  
Susan Leong, CPA, Senior Accountant



Riverside County Economic Development Agency:

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Phone: (760) 776-0229  
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**APPLICATION CERTIFICATION**

APPLICATION CERTIFICATON

Undersigned hereby certifies that (check box after reading each statement and digitally sign the document):

**Applicant Checklist**

1. The information contained in the project application is complete and accurate.
2. The applicant agrees to comply with all Federal and County policies and requirements imposed upon the project or activity funded by the CDBG program.
3. The applicant acknowledges that the Federal assistance made available through the CDBG program funding will not be used to substantially reduce prior levels of local, (NON-CDBG) financial support for community development activities.
4. The applicant fully understands that any facility built or equipment purchased with CDBG funds shall be maintained and/or operated for the approved use throughout its economic life, pursuant to CDBG regulation.
5. If CDBG funds are approved, the applicant acknowledges that sufficient non-CDBG funds are available or will be available to complete the project as described within a reasonable timeframe.
6. On behalf of the applying organization, I have obtained authorization to submit this application for CDBG funding. (DOCUMENTATION ATTACHED Minute Action and/or written Board Approval signed by the Board President).

**Enter Name and Title of Authorized Representative:**

Warren Morelion

**DATE:**

2015-10-30



Riverside County Economic Development Agency:

Primary Contact: Warren - Morelion  
Phone: (760) 776-0229  
Email: wmorelion@indianwells.com

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## Applicant's Check-list

**The following required documents listed below have been attached. Any missing documentation to the application will be cause for the application to be reviewed as INELIGIBLE.**

1. City Council Members/Board of Directors
2. Articles of Incorporation and Bylaws

**Please Upload City Council or Board Approval Here:**

[CDBG CC Approval.docx](#)



Riverside County Economic Development Agency:

Primary Contact: Warren - Morelion

Phone: (760) 776-0229

Email: [wmorelion@indianwells.com](mailto:wmorelion@indianwells.com)

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## Application Feedback



11/19/2015

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**File #:** RES-152-15 **Item #:** B.

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## *Indian Wells City Council*

### *Staff Report - Community Development*

New Americans with Disabilities Act (ADA) Ramp and Path of Travel from Highway 111 to the Main Entry at Miramonte Resort Hotel Located at 45-000 Indian Wells Lane (APN: 633-170-014), and Finding the Project Exempt Under CEQA

#### RECOMMENDED ACTIONS:

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

FINDS the project to be exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15301, Existing Facilities; and

ADOPTS Resolution approving Modification to Conditional Use Permit No. 2-96-5 to construct new ADA compliant ramp and path of travel from the public right-of-way along Highway 111 to the main entry doors at the Miramonte Resort Hotel located at 45-000 Indian Wells Lane.

#### DISCUSSION:

##### **Summary:**

The Miramonte Hotel and Resort ("Applicant") has requested approval for a new ADA-compliant ramp and path of travel from the Highway 111 public right-of-way to the main entry doors of the hotel as part of a comprehensive ADA renovation conducted on the site (Attachment 2). The City's Architecture and Landscape Committee (ALC) reviewed the project at the October 6, 2015 meeting and recommended approval (3-0-2) to the Planning Commission with a condition that the hedge-row be extended on the east side of the proposed ramp from the public sidewalk to help visually screen the improvements for motorist and pedestrians along the Highway 111 public right-of-way. The Planning Commission recommended approval (4-0-1) of the Project on October 29, 2015, as conditioned by the ALC.

**Analysis:**

The subject ADA improvement ("Project") is in response to a report prepared for the Miramonte, which analyzed several on-site accessible ramps to current ADA standards. To satisfy the report findings, the Applicant improved six (6) existing ADA ramps on-site, and is now coming forward with the final ADA improvement located on the north end of the site along Highway 111 (Attachment 3). The Applicant reviewed several different options to provide access from Highway 111 to the Miramonte and determined the proposed design is the best option (Attachment 6).

The proposed Project is located in the City's established Highway 111 Overlay Zone (Planning Area 12) and subject to review and approval of a Conditional Use Permit. The purpose of Planning Area 12 is to coordinate and provide regulations for all improvements, including landscape and hardscape improvements located within a 55-foot wide parkway from the existing curb, to ensure all improvements support the unique character of Highway 111, and create an appropriate landscape buffer between the roadway and adjacent developments.

The Project design includes a new ADA-compliant ramp and path of travel from the public sidewalk along Highway 111, approximately 300 feet west of Indian Wells Lane, to an existing internal drive aisle within the Miramonte property. Currently, the interior of the property is hidden by an approximate 9-foot tall landscape hedge that runs along the entire property boundary parallel to Highway 111 (Attachment 5).

The landscape hedge will remain largely untouched; however, where the ADA path of travel connects to the internal drive aisle, a 6-foot wide section of the hedge will be removed to make way for the new ADA access into the site. To help screen the opening from Highway 111, the Applicant is proposing to plant a short hedgerow on the east and west sides of the opening to match the landscape hedge existing along the roadway. On the inside of the hedge row, the proposed ADA path of travel will connect to the internal drive aisle within the Miramonte property with the application of blue striping painted on the existing asphalt and concrete to designate the route to the main entry doors of the hotel, per ADA requirements. The ADA ramp and path of travel will not include handrails, and the only visual change will be the access through the existing hedge.

**ATTACHMENTS:**

1. Resolution
2. Vicinity Map
3. Area of Work
4. Plan View
5. Site Photos
6. Letter of Justification

**RESOLUTION NO. 2015-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING A MODIFIED CONDITIONAL USE PERMIT (CUP) NO. 2-96-5 TO CONSTRUCT NEW AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANT RAMP AND PATH OF TRAVEL FROM THE PUBLIC RIGHT-OF-WAY ALONG HIGHWAY 111 TO MAIN ENTRY AT MIRAMONTE RESORT HOTEL LOCATED AT 45-000 INDIAN WELLS LANE (APN: 633-170-014), FOR WHICH THE PROJECT HAS BEEN FOUND EXEMPT FROM STATE CEQA GUIDELINES PURSUANT TO SECTION § 15301 (CLASS 1), EXISTING FACILITIES**

**WHEREAS**, the Miramonte Resort Hotel (the "Applicant") has filed an application with the City of Indian Wells (the "City") for a modification to Conditional Use Permit (CUP) No. 2-96-5 to construct new Americans with Disabilities Act (ADA) compliant ramp and path of travel along Highway 111 to main entry at the Miramonte Resort Hotel located at 45-000 Indian Wells Lane (the "Project"); and

**WHEREAS**, on October 29, 2015, the Planning Commission held a duly noticed public hearing on the Project in conformance with Government Code and Municipal Code sections and adopted by unanimous vote Resolution No. PC 2015-09 recommending that the City Council approve the Project; and

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

**WHEREAS**, on November 19, 2015, the City Council held a duly noticed public hearing on the Project; and

**WHEREAS**, after careful consideration of the staff report and all of the information, evidence, and testimony presented at its public hearing, the City Council finds as follows:

**Conditional Use Permit:**

1. The proposed location of the modified 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 existing Miramonte CUP which includes the provision for adequate ADA facilities within the subject property. In addition, the Project is in conformance with all the applicable Zoning and General Plan land use categories.

2. The proposed modified 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 modified conditional use permit will allow for a new ADA ramp and path of travel to connect the front entry of the Miramonte Hotel to the public sidewalk along Highway 111, and thereby improve ADA accessibility to the site. As such, the proposed modification to the CUP would not be detrimental to the public health, safety or welfare or injurious to adjacent properties.

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

**FACT:** The modified CUP is in compliance with the applicable provisions of the City Zoning Code which requires compliance with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)

### **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 will have no significant effect on the environment and is Categorically Exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21084 and CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

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

**SECTION 1.** The City Council **FINDS**, in accordance with the California Environmental Quality Act (CEQA), the project qualifies as a Class 3 Categorical Exemption per Section 15332, In-Fill Development Projects.

**SECTION 2.** The City Council **ADOPTS** this Resolution approving a Modification to Conditional Use Permit (CUP) No. 2-96-5 in support of the new ADA ramp and path of travel subject to the Conditions of Approval listed on Exhibit "A", attached hereto and by this reference incorporated herein.

**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 19<sup>th</sup> day of November 2015.

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**TY PEABODY**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2015-\_\_**

I, Anna Grandys, 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 19<sup>th</sup> day of November 2015, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANNA GRANDYS**  
**CITY CLERK**

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**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

## EXHIBIT "A"

### Conditions of Approval for Modified Conditional Use Permit (CUP) No. 2-96-5 November 19, 2015

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#### 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. As per the City Architecture and Landscape Committee's (ALC) direction provided at their October 6, 2015 meeting, a new hedge-row shall be extended, flanking the east and west sides of the new ADA ramp from the public sidewalk to help visually screen the improvements for motorist and pedestrians along the Highway 111 public right-of-way.
5. Landscape hedges, including areas within the Public Right-of-Way, shall be maintained in a viable growth condition throughout the life of this approval.

6. Added landscaping and irrigation shall be installed in accordance with plans on file with the Community Development Department, and irrigation systems shall remain at all times fully operational.
7. All plans shall be coordinated for consistency. Final landscape and hardscape plans shall be subject to approval by the Community Development Director and Public Works Director or designees prior to installation of those improvements.
8. The Applicant shall pay development impact fees at the established rates and amounts. Such fees may include, but not be limited to, new construction fee, and building permit and plan check fees.
9. This approval of MOD CUP No. 2-96-5 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 purposes of the proposed Project shall mean the application for and approval of all applicable building permits. In addition, this approval of MOD CUP No. 2-96-5 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 one year permit.
10. Approval of this request shall not waive compliance with all applicable sections of the Indian Wells Municipal Code, all other applicable City ordinances, and applicable specific plans.
11. 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.
12. Upon submittal of construction drawings to the Public Works Department 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 Public Works plan check review.
13. The Applicant must obtain written verification from the Community Development Director and Public Works Director or designees, of compliance with all Conditions of Approval and Code requirements, prior to commencement of operations of the new ADA ramp and path of travel.

14. 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.

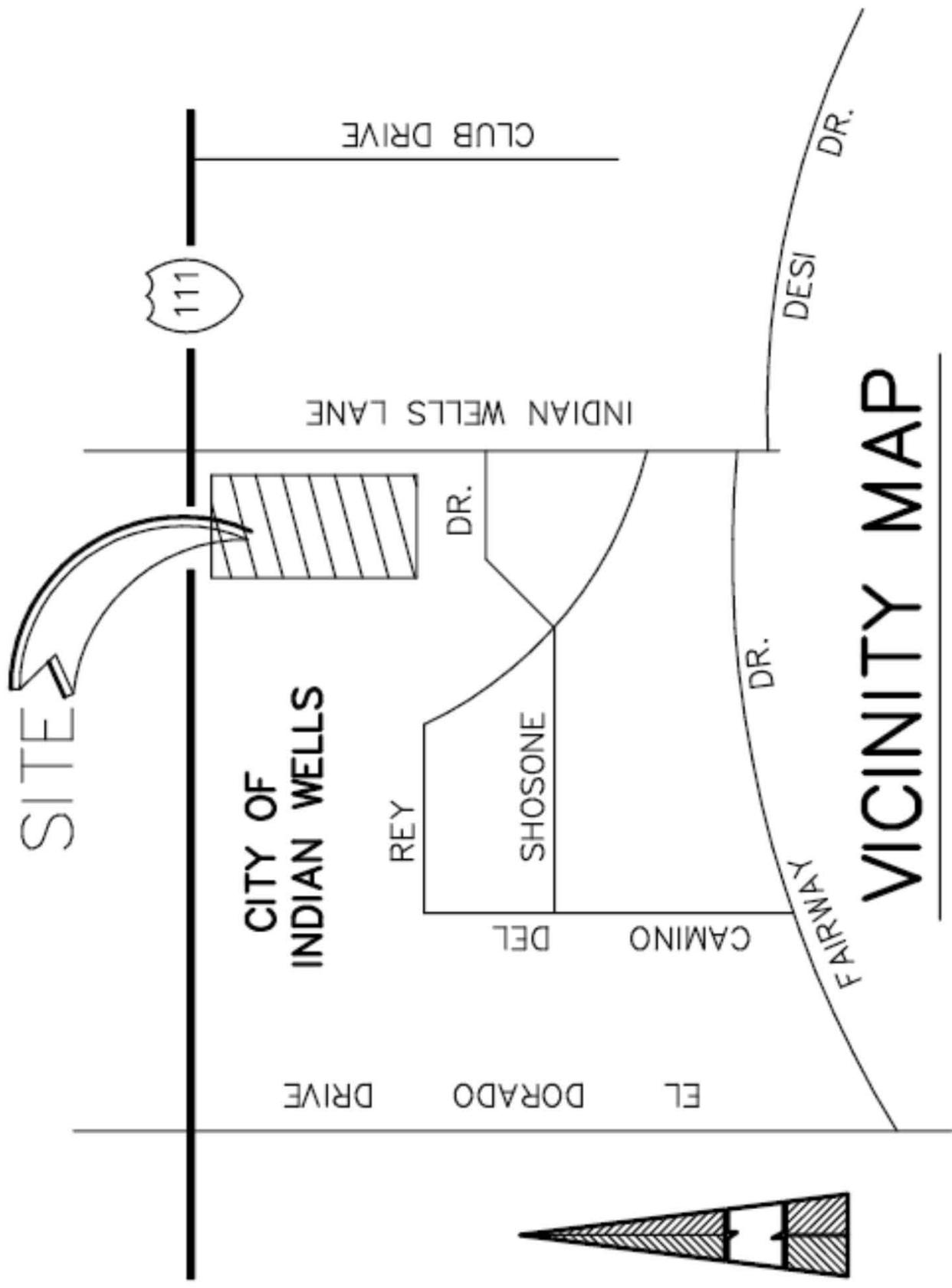
**ENVIRONMENTAL:**

15. 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 Exemption

**END OF CONDITIONS**

SITE

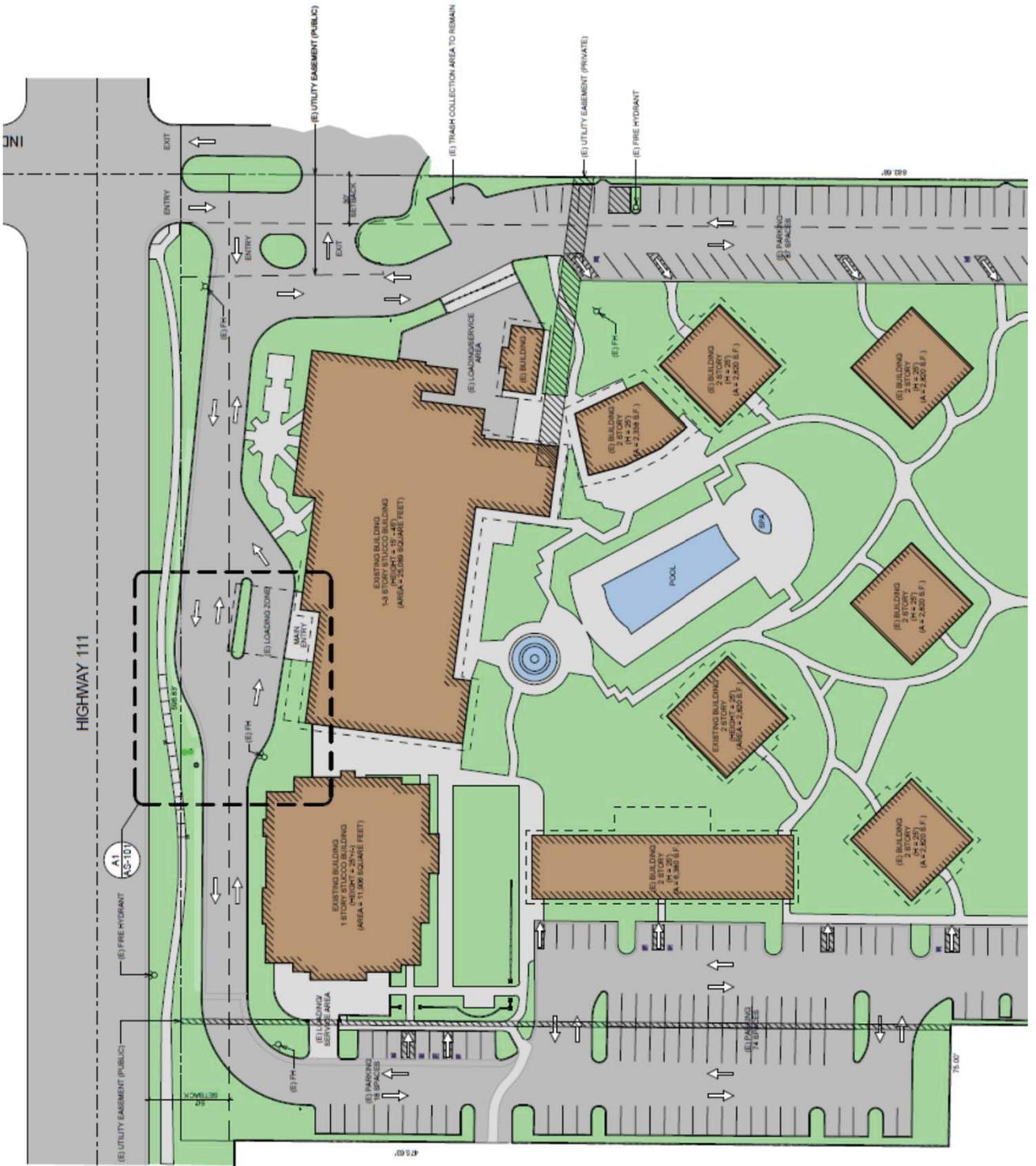


CITY OF INDIAN WELLS

# VICINITY MAP

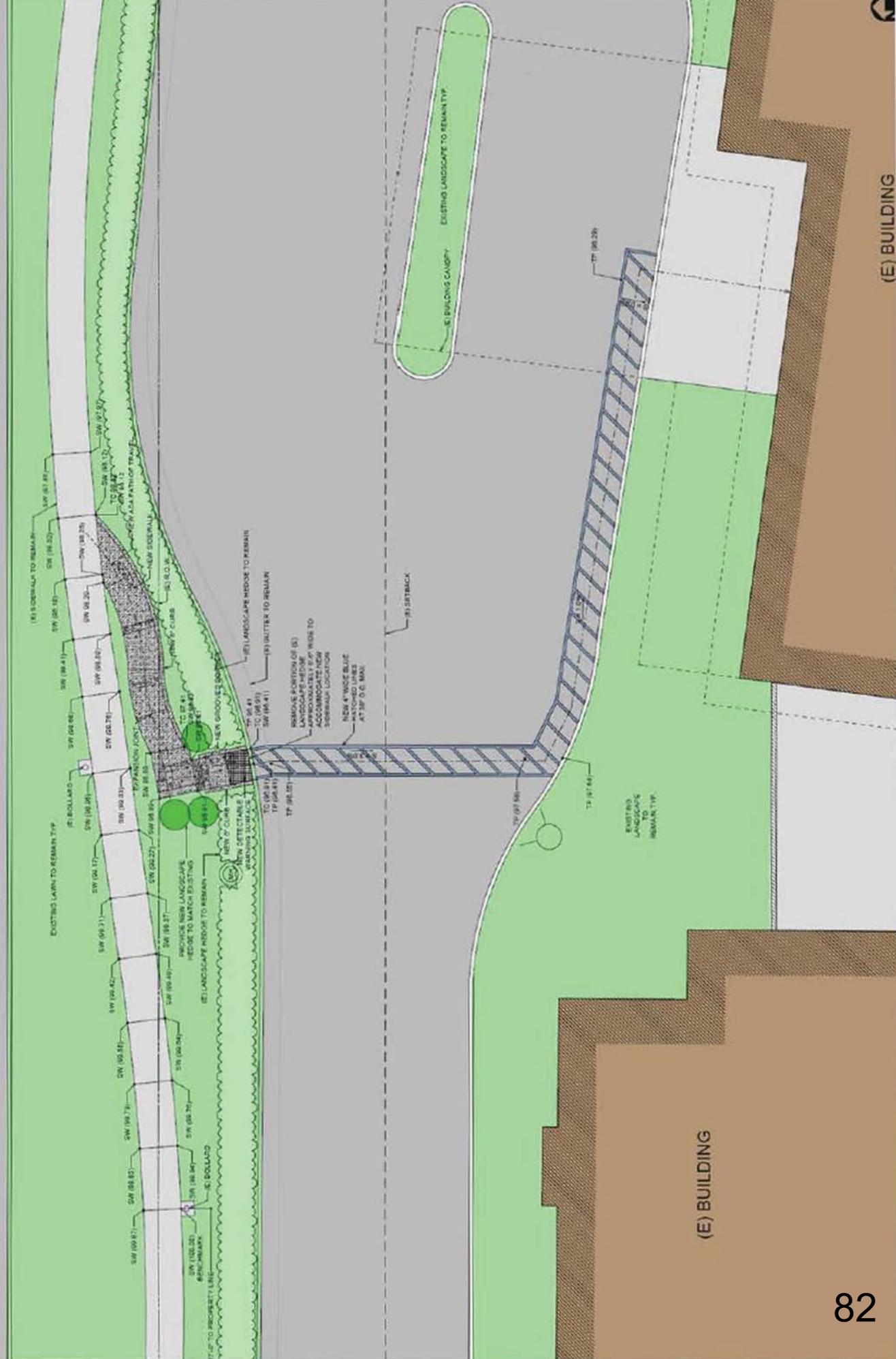
NO SCALE

# Area of Work



# PLAN VIEW

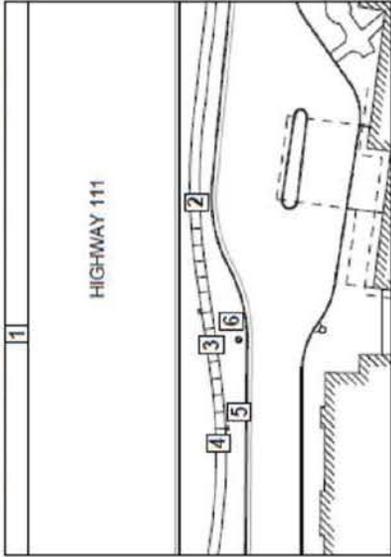
HIGHWAY 111



(E) BUILDING

(E) BUILDING

# SITE PHOTOS



(B1) PHOTOGRAPH KEY PLAN



1



4



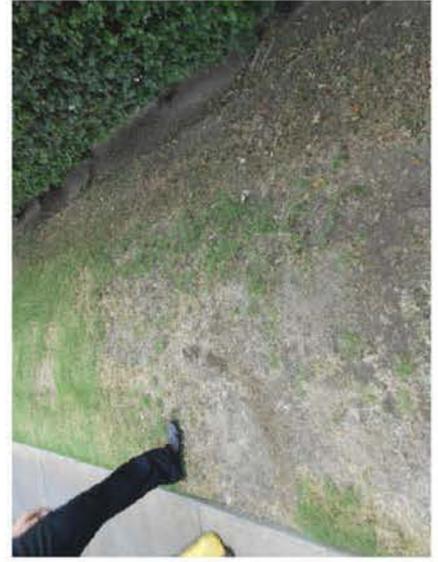
2



5

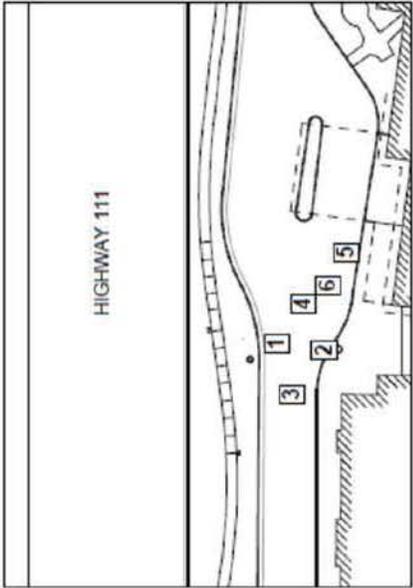


3



6

# SITE PHOTOS



1



2



3



4



5



6

September 08, 2015

**City of Indian Wells – Planning Department**

44-950 Eldorado Drive  
Indian Wells, CA 92210

**RE: Miramonte Hotel and Resort – ADA Ramp Improvements Letter of Justification**

City of Indian Wells:

The Miramonte Hotel and Resort is seeking approval from the City to design and construct a new ADA-compliant ramp and path of travel from the Public Right-of-Way, along Highway 111, to the main entry doors of the hotel. The improvements are in response to a report, conducted by the Lender, to improve several on-site accessible ramps to current ADA standards. To satisfy the report, Miramonte has received plan check approval to improve six (6) existing on-site ramps, with the final necessary improvement being the proposed ramp and path of travel from the Public Right-of-Way.

The proposed design includes a new ADA-compliant path of travel from the public sidewalk along Highway 111 to an existing internal drive aisle running parallel to Highway 111. To accomplish the ramp and sidewalk, a short duration construction timeline is anticipated with minimal site demolition and disturbance necessary. Currently, the interior of the property is hidden by a landscaping hedge running along the property line, parallel to Highway 111. This hedge will remain largely untouched, however, where the ADA-compliant path of travel connects to the internal drive aisle, two (2) existing hedge plants will be removed and replaced in such a way as to maintain the privacy and limited views currently provided by the existing hedge. This aspect of the project is critical to the hotel as they desire the front entry of the hotel to maintain the level of privacy currently provided by the existing hedge. From the ramp discharge at the drive aisle, striping will be painted on the existing asphalt and concrete to designate the ADA-compliant path of travel to the main entry doors.

Other conceptual options have been studied and evaluated throughout the design process, however, it is the proposed design that the owner and project team feel is most appropriate. We considered an option to the west of the intersection of Indian Wells Lane and Highway 111 which presented a number of challenges including a retaining wall, severe ground slopes, and a path of travel through the main ingress/egress point for site.

Based upon the project description above, we believe the project is well within the objectives of the Zoning Code, purpose of the General Plan, Zone Land-Use category of project site, and the original intentions of the Conditional Use permit of the site.

The intent of the project is to provide an ADA-compliant path of travel from the Public Right-of-Way to the front entry of the hotel. As such, the proposed project will enhance public health, safety, welfare, and provide easy and convenient access to the hotel and resort.

Thank you in advance for your time and consideration in approving the proposed project design for Miramonte Hotel and Resort.



11/19/2015

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File #: 1281-15 Item #: A.

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*Indian Wells City Council*  
*Staff Report - Marketing & Community Services*

**Grants-in-Aid Committee Recommendations for FY 2015-16 Funding Cycle**

**RECOMMENDED ACTIONS:**

Council **APPROVES** the Grants-in-Aid Committee funding recommendations for Fiscal Year 2015-16 funding cycle, except for Desert Arc; and

**APPROVES** requisition for \$30,000 to Coachella Valley Rescue Mission for emergency food and shelter program; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute the funding contracts; and

**AUTHORIZES** and **DIRECTS** the processing of the remaining Fiscal Year 2015-16 requisitions; and

Separate discussion and motion:

Council **APPROVES** the Grants-in-Aid Committee funding recommendation for Desert Arc.

**DISCUSSION:**

Background:

The City of Indian Wells Grants-in-Aids program is vetted each year through the City Council budget cycle. For Fiscal Year 2015-16, \$186,125 was approved for this year's funding. The City recognizes the importance of community-based organizations and/or groups, and the vital role they play in providing essential services and education to the Coachella Valley. The Grants-in-Aid Committee ("Committee") is for a broad-based cross section of informed and dedicated residents that review and analyze requesting agencies' operations and performance in providing services, and make recommendations on annual allocation of funding to the City Council.

Analysis:

This year the Committee held an education session in June to review the guidelines and the application and answer any application questions. The City received 33 requests for funding totaling \$412,350.55. The Committee conducted a comprehensive analysis of each individual application based on the Grants in Aid eligibility requirements and policy guidelines. After reviewing all 33 applications, the Grants-in-Aid Committee recommends funding 24 of the applicants.

**Recommended Organizations for Funding:**

**ACT for Multiple Sclerosis (MS):** recommended funding **\$1,400** to purchase a Pride Go-Go scooter for medically disabled clients to have great access in the community.

**Angel View Inc.:** recommended funding **\$9,983.20** for a one-time purchase of equipment to transition from a manual system to electronic driver's logs for transportation program.

**Animal Samaritans:** recommended funding **\$3,650** for one new cat enclosure which allows for the animals to be housed in a more homelike environment.

**Assistance League of PS Desert Area:** recommended funding **\$7,400** for "Operation School Bell" that provides new school clothing to low income, at-risk elementary school students.

**Big Brothers Big Sisters of the Desert:** recommended funding **\$7,700** to expand their on-site Youth Mentoring program to foster positive role models and productive citizens.

**Boys and Girls Clubs of CV:** recommended funding **\$10,000** for 200 sponsorships for youth and families who do not have the means to pay for access to year-round youth development programs, and to keep them on track to graduate high-school and demonstrate good citizenship.

**Coachella Valley Rescue Mission:** recommended funding **\$30,000** to support the Emergency Food and Shelter program which operates 365 days a year and provides services free of charge to men, women & children without discrimination.

**Desert Arc:** recommended funding **\$5,000** to purchase tables and chairs for the Adult Day Center.

**Desert Cancer Foundation:** recommended funding **\$7,500** for Suzanne Jackson Breast Cancer Fund program which provides financial assistance to help uninsured/underinsured cancer patients receive necessary breast screening and diagnostics.

**Desert Best Friends Closet:** recommended funding **\$4,000** to fund the Interview Attire program.

**Family YMCA of the Desert:** recommended funding **\$2,879** for Doris Mechanick Preschool new refrigerator to encourage healthy eating.

**Galilee Center, Inc:** recommended funding **\$5,000** for weekly food distribution program.

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**File #:** 1281-15 **Item #:** A.

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**Hidden Harvest:** recommended funding **\$5,000** for produce rescue and distribution to agencies that serve the poor and hungry.

**Jewish Family Service of the Desert:** recommended funding **\$6,750** for Senior Care Management Program and Emergency Assistance Program that provides emergency financial assistance to seniors in crisis.

**Loving All Animals:** recommended funding **\$7,500** for expenses associated with free/low cost Spay/Neuter/Zeuter services.

**Lyndon B. Johnson Elementary School:** recommended funding **\$2,236.35** for performing arts & music element to students in high poverty area.

**Martha's Village & Kitchen:** recommended funding **\$20,000** to support the Transitional Housing Program that offers 130 beds for homeless families and single adults.

**Mizell Senior Center of Palm Springs:** recommended funding **\$10,000** to assist in providing Meals on Wheels to needy seniors in the Valley.

**Operation Safehouse:** recommended funding **\$10,000** to fund Harrison House Transitional Living for youths age 18-24, including disabled homeless youth.

**NeuroVitality Center (formerly Stroke Recovery Center)** recommended funding **\$6,804.00** for additional speech therapy services for stroke victims.

**PS Scottish Rite Childhood Learning:** recommended funding **\$5,000** to increase therapy hours for evaluation and treatment of speech and language disorders.

**Shelter from the Storm:** recommended funding **\$10,000** to fund the Transitional Housing assistance to victims of domestic violence.

**United Cerebral Palsy of the Inland Empire:** recommended funding **\$5,250** to support 12 children with special needs to advance their program.

## **FISCAL IMPACT:**

This is a budgeted item with \$186,125 in the Grants-in-Aid budget; no additional funding is required.

## **ATTACHMENT:**

1. Funding Allocation Spreadsheet

2015/16 Grants In Aids Funding Sheet

Available funds \$186,125

Spreadsheet of applicants recommended to fund by Committee

<b>Grants-in-Aids</b>	<b>Requested Funding</b>	<b>Funded Recommended</b>
<b>ACT for MS</b>	\$1,400.00	\$1,400.00
<b>Angel View Inc.</b>	\$9,983.20	\$9,983.20
<b>Animal Samaritans SPCA</b>	\$6,350.00	\$3,670.00
<b>Assistance League of PS Desert Area</b>	\$10,000.00	\$7,400.00
<b>Big Brothers Big Sisters of the Desert</b>	\$7,700.00	\$7,700.00
<b>Boys and Girls Clubs of CV</b>	\$10,000.00	\$10,000.00
<b>Coachella Valley Rescue Mission</b>	\$50,000.00	\$30,000.00
<b>Desert Arc</b>	\$10,000.00	\$5,000.00
<b>Desert Cancer Foundation</b>	\$10,000.00	\$7,500.00
<b>Desert Best Friends Closet</b>	\$4,000.00	\$4,000.00
<b>Family YMCA of the Desert</b>	\$2,879.00	\$2,879.00
<b>Galilee Center, Inc</b>	\$10,000.00	\$5,000.00
<b>Hidden Harvest</b>	\$5,000.00	\$5,000.00
<b>Jewish Family Service of the Desert</b>	\$20,000.00	\$6,750.00
<b>Loving All Animals</b>	\$15,000.00	\$7,500.00
<b>Lyndon B. Johnson Elementary</b>	\$2,236.35	\$2,236.35
<b>NeuroVitality Center</b>	\$6,804.00	\$6,804.00
<b>Martha's Village &amp; Kitchen</b>	\$20,000.00	\$20,000.00
<b>Mizell Senior Center of Palm Springs</b>	\$10,000.00	\$10,000.00
<b>Operation Safehouse</b>	\$10,000.00	\$10,000.00
<b>PS Scottish Rite Childhood Learning</b>	\$10,000.00	\$5,000.00
<b>Red Hot Ballroom</b>	\$14,000.00	\$3,000.00
<b>Shelter from the Storm</b>	\$10,000.00	\$10,000.00
<b>United Cerebral Palsy of Inland Emp</b>	\$5,250.00	\$5,250.00
	<b>\$260,602.55</b>	<b>\$186,072.55</b>



CITY OF INDIAN WELLS  
 44-950 ELDORADO DRIVE  
 INDIAN WELLS, CA 92210  
 (760) 346-2489

# SERVICES REQUISITION

DATE	DEPARTMENT
11/12/2015	

Terms: **Net 30 Days**

VENDOR: Coachella Valley Rescue Mission  
 P.O. Box 10660  
 Indio, CA 92202  
 VENDOR #:

VENDOR PHONE: 760-347-9512 x222  
 VENDOR FAX:  
 VENDOR EMAIL: dburkett@cvmr.com  
 DEPT. CONTACT:

DESCRIPTION	PRICE
2015/16 Community Assistance - Grants-in-Aids	30,000.00
	-
	-
	-
	-
	-
	-
<b>TOTAL</b>	<b>\$ 30,000.00</b>

ACCOUNT NUMBER	BUDGET AVAILABLE
101.27.07.05920.000	30,000.00
	-
	-
<b>TOTAL</b>	<b>\$ 30,000.00</b>

PREPARED BY: Nancy Samuelson

DATE: 11/12/2015

**REQUISITION CHECKLIST:**

<input type="checkbox"/> <b>Minor Services (\$1 to \$5,000)</b>	<b>Procurement Method - Select One:</b> <input type="checkbox"/> Department Head Authorized <input type="checkbox"/> 3 Vendor Price Quotes/Bids, if applicable <input type="checkbox"/> Continuation of Agreement (complete below): <input type="checkbox"/> Copy of agreement & Insurance attach'd Term Dates: _____ to _____ Insurance Active: _____ to _____	<b>Required for NEW Agreements - Select All</b> <input type="checkbox"/> Short-Form Service Agreement or Professional/Maint Service Agreement attached <input type="checkbox"/> 3 Vendor Price Quotes/Bids attached, if applicable <input type="checkbox"/> Insurance Certificate(s) & Endorsement(s) attached <input type="checkbox"/> W-9 or City 1099 Information Request Form attached
	The Finance Department reserves the right to request vendor price quotes/bids for purchases between \$1 to \$5,000.	

<input type="checkbox"/> <b>Intermediate Services (\$5,001 to \$25,000)</b>	<b>Procurement Method - Select One:</b> <input type="checkbox"/> 3 Vendor Price Quotes/Bids <input type="checkbox"/> Continuation of Agreement (complete below): <input type="checkbox"/> Copy of agreement & Insurance attach'd Term Dates: _____ to _____ Insurance Active: _____ to _____ <input type="checkbox"/> Written Justification for exceptions	<b>Required for NEW Agreements - Select All</b> <input type="checkbox"/> Short-Form Service Agreement or Professional/Maint Service Agreement attached <input type="checkbox"/> 3 Vendor Price Quotes/Bids attached <input type="checkbox"/> Insurance Certificate(s) & Endorsement(s) attached <input type="checkbox"/> W-9 or City 1099 Information Request Form attached
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<input type="checkbox"/> <b>Major Services (\$25,001 or more)</b>	<b>Procurement Method - Select One:</b> <input type="checkbox"/> Formal Bidding <input type="checkbox"/> Negotiation <input type="checkbox"/> Continuation of Agreement <input type="checkbox"/> Copy of agreement & Insurance attach'd Term Dates: _____ to _____ Insurance Active: _____ to _____ <input type="checkbox"/> Written Justification for exceptions	<b>Required - Select All</b> <input type="checkbox"/> Council Approval Date & Item # _____ <input type="checkbox"/> Copy of Agenda item attached <input type="checkbox"/> Copy of Staff Report attached <b>Required for NEW Agreements - Select All</b> <input type="checkbox"/> Professional/Maint Service Agreement attached <input type="checkbox"/> Insurance Certificate(s) & Endorsement(s) attached <input type="checkbox"/> W-9 or City 1099 Information Request Form attached
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INSURANCE APPROVAL: \_\_\_\_\_  
 Risk Manager

DATE: \_\_\_\_\_

REQUIRED	REQUIRED	REQUIRED FOR OVER \$25,000
		<b>90</b>
Department Head or Designee      Date	Finance Director or Designee      Date	City Manager or Designee      Date



11/19/2015

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File #: 1278-15 Item #: B.

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## ***Indian Wells City Council Staff Report - City Manager's Office***

### **Public Input Process on CV Link Project**

#### **RECOMMENDED ACTION:**

Council provides **DIRECTION** to City Staff on preferred method to gain public input regarding the CV Link project.

#### **DISCUSSION:**

The City Council placed this item on the agenda to discuss options on gaining public input regarding the Valley-wide CV Link project. The Council indicated the discussions were to focus on a broad range of options to provide the best method to gain public input, while keeping the costs reasonable. Below are some options available to gain public input:

- Virtual Town Hall
- Statistically valid survey
- Ballot measure
- Request CVAG to initiate a Coachella Valley-wide ballot measure

There are various timing and cost factors associated with each of the options. Utilizing Virtual Town Hall has little cost and can be produced quickly; however, it will not be statistically valid. A statistically valid survey would provide a gauge of the residents' opinion on the issue, cost approximately \$25,000, and can be developed relatively quickly. The cost to place the question to the voters as a ballot measure will vary depending on the election date selected and whether it's a valley-wide or citywide measure. To add a ballot measure to a City consolidated election is approximately \$2,000.

Following Council's discussion and determination of the preferred option, Staff will implement the public input process.

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**File #:** 1278-15 **Item #:** B.

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**FISCAL IMPACT:**

There will be no fiscal impact at the discussion phase. City Council preferred option may require funding to conduct a survey or implement a ballot measure



11/19/2015

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File #: 1279-15 Item #: C.

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## *Indian Wells City Council* *Staff Report - Public Works*

### **45-300 Club Drive Building Update**

#### **RECOMMENDED ACTION:**

Council provides **DIRECTION** to Staff regarding City owned 45-300 Club Drive Building.

#### **DISCUSSION:**

The City owned office building located at 45-300 Club Drive is currently vacant and in need of repairs. At the 2015 City Council Strategic Planning session Staff was directed to develop plans, construction estimates and improve the building as a storage facility for City records. In its existing condition, the building does not comply with current building codes, the required modifications include: structural upgrades, fire protection, roofing repairs, and new air conditioning. The building will also need energy efficient windows, a security system and some cosmetic improvements. Staff has consulted with trade professionals and obtained cost estimates to renovate the building for use as a storage facility for City documents.

To develop a cost estimate, Staff first solicited the services of a structural engineer to evaluate the building and provide improvement plans to bring the building up to code. These plans were provided to contractors to develop the construction scheduling, materials and cost estimates. The estimated cost to bring the building up to code is \$355,000, which is significantly higher than the original budget of \$153,868 for the project. Staff is bringing this item back for Council discussion and direction as the cost estimate for a records storage building is more than double the original budget. For Council's consideration are four alternatives for the property.

#### **Alternative 1: Renovate utilizing contractors and Public Works staff**

Staff analysed utilizing a combination of contractors and Public Works staff for cost savings in comparison to using contractors only for the renovations. A review of in-house capabilities including time constraints, expertise, the need for contractor support and material costs was prepared. Staff concluded most of the renovation work required specialized trade expertise such as HVAC installation, alarm and fire sprinkler installation, roofing, and stucco repair. The estimated cost for a combination of specialized trade contractors and Public Works staff to renovate the building is

93

\$315,000. The potential saving between the two approaches is approximately \$40,000.

### **Alternative 2: Roof repair and cosmetic improvements**

An alternative to renovating the building is to make critical repairs and cosmetic improvements. The roof needs to be repaired to make the building water tight and avoid the potential for mold to develop. As this is an active professional office and commercial center, the building should be painted and made presentable until a permanent use is developed. The estimated cost for roof repair and cosmetic improvements is \$75,000.

### **Alternative 3: Demolition and future reconstruction**

The most cost effective alternative is to demolish the existing building and landscape the site until it is economically viable to construct a new building. The industry average in the Coachella Valley to construct an office building from the ground up without tenant improvements is \$150 per square foot, or \$333,000 for a 2,220 square foot building. Tenant improvements would add about \$50 per square foot or \$111,000. The total to construct a new building with tenant improvements is estimated at \$444,000.

Demolition of the building is estimated at \$26,000 and minor landscaping of the parking islands is estimated at \$4,000 for a total cost estimate of \$30,000.

### **Alternative 4: Sell property**

The final alternative would be to sell the property. In January 2010 the City purchased the property for \$340,000.

Staff spoke with a local commercial realtor for insight on the current market conditions for office rental rates and real estate values. Over the past couple of years office rents have been down, but they are slowly increasing. Real estate values for this building were down approximately 40% from the original purchase price but these are on the rise as well. The realtor recommended the City keep the property but do something about the building's condition for the overall image of the center.

### **FISCAL IMPACT:**

The current project budget is \$159,000.



11/19/2015

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**File #:** 1280-15 **Item #:** D.

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*Indian Wells City Council*  
*Staff Report - City Clerk*

Appointment to Community Activities Committee  
**RECOMMENDED ACTION:**

Council APPOINTS a resident to fill the vacancy on the Community Activities Committee for the remainder of the term beginning November 17, 2015 through June 30, 2017.

**DISCUSSION:**

The City received two (2) applications from qualified resident voters who applied to fill the remainder of the term on the Community Activities Committee. As required by policy, both Mses. Blythin and Clark are registered Indian Wells voters.

Enclosed for your review are the applications and the agreed upon process for voting for committee members as detailed in the June 2, 2004 memorandum. An applicant must receive 3 votes to be nominated for the position.

**ATTACHMENTS:**

1. Applications
2. Memorandum regarding appointment voting process

### CITY OF INDIAN WELLS APPLICATION FOR APPOINTMENTS TO COMMISSIONS, COMMITTEES OR BOARDS

NAME Vicki BLYTHIN

TEL. # [HOME] 760 200 1406

ADDRESS 45655 A Jerry Blue Ln.

EMAIL VICKI1A12@AOL.COM

COMMISSION OR COMMITTEE YOU ARE APPLYING FOR?

COMMUNITY ACTIVITIES COMMITTEE

NEW APPOINTMENT  REAPPOINTMENT

1. HOW MANY YEARS YOU HAVE LIVED IN INDIAN WELLS? 11

2. DO YOU OWN PROPERTY IN THE CITY?  YES  NO

3. ARE YOU A REGISTERED INDIAN WELLS VOTER?  YES  NO

4. ABOUT HOW MANY MONTHS A YEAR DO YOU RESIDE IN THE CITY? 12

5. ARE YOU PRESENTLY EMPLOYED?  YES  NO

IF YES: POSITION: \_\_\_\_\_

COMPANY: \_\_\_\_\_

6. IF YOU ARE RETIRED, WHAT WAS YOUR PREVIOUS OCCUPATION?

public relations consultant

7. HAVE YOU SERVED ON A CITY COMMISSION OR COMMITTEE BEFORE?

YES  NO

IF YES, CITY: local

WHEN: \_\_\_\_\_

POSITION: \_\_\_\_\_

8. HAVE YOU EVER ATTENDED A CITY COUNCIL MEETING?  YES  NO

IF YES, APPROXIMATELY HOW MANY TIMES? 20 watch on tv

10. HAVE YOU EVER ATTENDED A PLANNING COMMISSION OR OTHER CITY COMMITTEE MEETINGS?  YES  NO

IF YES, WHICH MEETINGS AND HOW MANY TIMES? 1

*\* info on city website or tv*

11. ARE YOU FAMILIAR WITH THE INDIAN WELLS GENERAL PLAN?

YES  NO

EDUCATION AND PROFESSIONAL EXPERIENCE RELEVANT TO THIS POSITION:

*\* see above*

*info attached...*

BASED ON THE OBJECTIVES OF THE COMMITTEE OR COMMISSION YOU HAVE APPLIED FOR, HOW DO YOU FEEL YOU WOULD BE AN ASSET TO THAT COMMISSION OR COMMITTEE:

*info attached...*

**Applications must be submitted to the City Clerk's office**

Vicki Blythin application 2015

Qualifications: Miami University (major)-Communications and Theater where I wrote news and appeared on TV and radio programs. Later, friends and I started a shelter and help program for victims of domestic violence; I sat on the board and wrote all the newspaper articles, spoke at events promoting our help and shelter for women. Sat on the board of Community Action Commission of Belmont County promoting aids for people of low income and giving funding. Sat on board of Crisis Hotline promoting help for those in need of psychological help. Chaired several events for WSO (symphony society) to help fund this program for the community. Received citizen of the award from local radio show for my philanthropic work and contributions to the Belmont County and eastern WVA area. I led the local 4-H clubs when my children were young and then worked for the county extension service (state of Ohio) writing and giving talks to promote 4-H in the area. In Los Angeles I was on the committee of Concern Foundation where we raised over one million dollars annually for cancer research. Locally I was affiliated with women in film and television and chaired a fundraiser to aid young people in that career path. Those are just a few examples of my 50 years of community involvement.

Having served two prior terms with this committee, I am eager to be involved again. Having lived here for eleven years, I know many, many of the residents personally. My friendly demeanor always makes others feel that their needs are important to me; which they are. I was raised in a family whose goal was giving service to the community and I still feel that is valuable. When I was a public relations consultant in LA, I had the highest praise to my employer from my clients because my aim was to always make the clients feel they are special. I love being part of the planning process for this community and I think this committee adds an exciting dimension to a city that cares about their residents. I have always been involved in the politics, events and well being of this community. I would like to serve again in this capacity.

10 28 \*15 AM 09 40 city of IW

**CITY OF INDIAN WELLS**  
**APPLICATION FOR APPOINTMENTS**  
**TO COMMISSIONS, COMMITTEES OR BOARDS**

NAME Roberta Clark

TEL. # <sup>CELL</sup> [HOME] 760-774-2337

ADDRESS 74-923 Hwy. 111 # 210  
Indian Wells, Ca. 92210

EMAIL \_\_\_\_\_

COMMISSION OR COMMITTEE YOU ARE APPLYING FOR?

\_\_\_\_\_ COMMUNITY ACTIVITIES COMMITTEE

NEW APPOINTMENT      \_\_\_\_\_ REAPPOINTMENT

1. HOW MANY YEARS YOU HAVE LIVED IN INDIAN WELLS? 30 years

2. DO YOU OWN PROPERTY IN THE CITY? \_\_\_\_\_ YES  NO

3. ARE YOU A REGISTERED INDIAN WELLS VOTER? \_\_\_\_\_ YES  NO

4. ABOUT HOW MANY MONTHS A YEAR DO YOU RESIDE IN THE CITY? 12 months

5. ARE YOU PRESENTLY EMPLOYED?  YES \_\_\_\_\_ NO

IF YES: POSITION: owner

COMPANY: Interior Design Firm

6. IF YOU ARE RETIRED, WHAT WAS YOUR PREVIOUS OCCUPATION?

Interior Design

7. HAVE YOU SERVED ON A CITY COMMISSION OR COMMITTEE BEFORE?  
\_\_\_\_\_ YES  NO

IF YES, CITY: \_\_\_\_\_

WHEN: \_\_\_\_\_

POSITION: \_\_\_\_\_

*Please Consider me for another position  
or for future*

8. HAVE YOU EVER ATTENDED A CITY COUNCIL MEETING?  YES  NO

IF YES, APPROXIMATELY HOW MANY TIMES? Several - 30 years worth

10. HAVE YOU EVER ATTENDED A PLANNING COMMISSION OR OTHER CITY COMMITTEE MEETINGS?  YES  NO

IF YES, WHICH MEETINGS AND HOW MANY TIMES? \_\_\_\_\_  
\_\_\_\_\_

11. ARE YOU FAMILIAR WITH THE INDIAN WELLS GENERAL PLAN?

YES  NO

EDUCATION AND PROFESSIONAL EXPERIENCE RELEVANT TO THIS POSITION:

Masters Degree - interior design & Architecture  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BASED ON THE OBJECTIVES OF THE COMMITTEE OR COMMISSION YOU HAVE APPLIED FOR, HOW DO YOU FEEL YOU WOULD BE AN ASSET TO THAT COMMISSION OR COMMITTEE:

willing to help with the Community for our Great City  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applications must be submitted to the City Clerk's office**

## MEMORANDUM

**DATE:** June 2, 2004  
**TO:** Mayor and City Council  
**FROM:** Anna Grandys, Chief Deputy City Clerk  
**SUBJECT:** Voting for Commission/Committee Members

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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.



# City of Indian Wells

44-950 Eldorado Drive,  
Indian Wells

**11/19/2015**

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**File #: 1276-15 Item #: A.**

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Public Employee Performance Evaluation Pursuant to Government Code  
Section 54957. Title: City Attorney.

To the Members of the Indian Wells City Council and City Residents:

This is written in response to resident Jacque Bradley's statement at the November 5, 2015 City Council meeting which contained a number of false and/or misleading statements and allegations against me. She submitted her written statement along with approximately 25 pages of material to the City Clerk for filing with the minutes of the meeting. The City Clerk then distributed this information to an unknown number of recipients, which further communicated her inaccurate and false statements and allegations against me.

As a public official, I feel it is incumbent upon me – or any other elected official – to make sure the public record is accurate and factual in all respects, regardless of whether it relates to me or to any other public official.

I am, therefore, submitting this statement to the city clerk and requesting that it be made a part of the record for this meeting.

Ms. Bradley's false and/or misleading allegations and statements and/or other related omissions of fact include the following:

- That Mr. Randy Nolen, Mr. Ed Carter and Mr. Dennis Pope were members of my 2012 campaign committee: ***False. None of these individuals were members of my campaign committee. My wife and I were the only 2 committee members.***
- In her written statement she attempts to infer that each of these individuals – and thus I - were guilty of being involved in the 2012 so-called "nasty campaign" mailers simply because these individuals each made a \$1,000 contribution and/or supported my re-election campaign. She also attempts to infer that we have not disclosed the fact that the Nolen's rent a house from me; that too is false; we have disclosed the information on every FPPC filing. The Nolen's are but one of the tenants I have in my Real Estate business. ***Her inferences are incorrect, ill-conceived and/or misleading. Further, most all candidates receive political contributions. As an example, Mr. & Ms. Bradley themselves contributed at least \$1,000 to Mr. Peabody's campaign plus loaned an additional approximately \$3,000 to his campaign. She also fails to mention that Mr. Carter contributed \$1,000 to the campaign of Ted Mertens and also supported candidate Haddon Libby. Simply because of these contributions, it does not and should not serve as a factual basis to justify Ms. Bradley's unsupported allegations of wrong-doing against either a contributor or recipient – or any implied "conspiracy".*** The FPPC conducted a thorough and official investigation of the "nasty mailers" over an 18-month period and determined that candidate Haddon Libby was responsible for the mailers and imposed a \$3,500 penalty upon him. ***The FPPC did not mention Mr. Nolen, Mr. Pope or me in their report, as incorrectly stated by Ms. Bradley, nor did they cite Mr. Carter for any wrong-doing or violation of law.*** (see attached FPPC Stipulation, Decision and Order) In fact, I was never contacted by the FPPC and the only

appearance of my name in the full investigative report was done by Mr. Libby in his futile attempts to deflect blame for his actions. Ms. Bradley knows this, yet she irresponsibly chooses to ignore the FPPC finding since it does not support her preferred outcome. ***For the record, I have consistently and repeatedly stated that I had absolutely no involvement in, nor any knowledge of, the nasty mailers.*** I continue to stand by that statement 100%. Furthermore, I am unaware of any violation of the elections code or other applicable laws as it relates to the 2012 election by either Mr. Nolen, Mr. Carter or Mr. Pope, as suggested by Ms. Bradley. ***Ms. Bradley should be aware that she may be crossing an important legal line in her unsupported public allegations of wrong-doing by me or these individuals.***

- **Ms. Bradley states “Isn’t it interesting that AFTER OVER A YEAR, Councilman Hanson chose to agendize Nolen’s complaint for today’s meeting.” This too is incorrect and very misleading. What I did was place on the agenda the question as to whether the council wanted to agendize the Nolen allegations.** The council ignored my request and chose not to place the matter on a future agenda. I believe that was a mistake. It now appears that Mr. Nolen will continue and even expand his year-long request demanding an investigation of his allegations against Mr. Peabody. I strongly believe, had the council agreed to my request, it might have led to an outcome which would allow Mr. Nolen, Mr. Peabody and the city to come to some mutual resolution of Mr. Nolen’s allegations and do so in the best interests of our city and our residents. Absent any council action, there can be little doubt but that this matter will continue to fester and bring additional considerable negative attention and publicity to Mr. Peabody and our city. For the health and wellbeing of this community, the issue needs to be resolved.

I believe we have more serious issues to deal with in our city, such as: Build a parking garage for the Indian Wells Golf Resort and our campus hotels; find a developer for the vacant land fronting Highway 111 and Miles Avenue; acquire all the remaining land from the Housing Authority, rezone it and find a commercial developer who will create additional revenue streams for the City. In addition, we should enter into a lease with the Tennis Gardens for their use of Housing Authority Property and encourage the owner of The Province to complete that development or assist in finding a developer who will. We should also renovate all the units at our Senior Housing developments before we are required to send the money to the state.

These are but a few of the issues we should dwell on.

Sincerely,  
Doug Hanson

Mr. Nolen is unhappy about a visit to his home from Mr. Peabody June 2014. Peabody went to ask Nolen if he was involved in the "hit piece" postcards sent in the 2012 election in which Peabody was "hit." Nolen said "no" and Peabody and Mr. Powers left and <sup>Peabody</sup> ~~has~~ not communicated with the Nolen <sup>has</sup> since. Peabody addressed the City Council about this visit as a citizen – not as a councilman.

**Mr. Nolen has publicly attacked our city ever since.** He has attended almost every council meeting attacking Peabody, Councilman Mertens, and Councilman Reed. He has set up a website. 

His public comments and website are filled with untruths and there are errors and omissions. He has every right to talk and set up a website whether truthful or not. It's freedom of speech. But, his attacks are not credible.

Nolen did not disclose some key points...that he was a member of Councilman Hanson's 2012 campaign committee; he donated \$1000; that Hanson is his landlord; and his neighbor.

-that Dennis Pope and Ed Carter were also on Hanson's 2012 committee and each donated \$1000. **A perfect trifecta.** The FPPC said Pope emailed info about Peabody to Ed Carter for the Peabody "hit." It seemed reasonable to ask Nolen if he was involved as he was on the same campaign committee with Pope and Carter.

-Nolen should disclose that he was a campaign manager for a candidate in Illinois. He did a similar attack on opponent, Mayor

Conlon. (Coughlin). In fact, the Daily Herald quoted this: "Randy Nolen just persists in trying to open another can of worms."

-Nolen does not disclose that Peabody has never accused him of anything and he seems focused on slandering Peabody and promoting deception.

**Not happy, he filed a \$1 Million dollar claim against our city about Peabody's visit and it was rejected.**

Nolen then filed a restraining order request in Court. **Who did Nolen get to legally represent him?**-None other than Ed Carter's attorney, Del Harding, from Nevada. Carter's name surfaces again and again. Carter attended the hearing. The judge found there was **NO basis and Nolen's restraining request was denied.**

Isn't it interesting that **AFTER OVER A YEAR**, Councilman Hanson chose to agendize Nolen's complaint for today's meeting? You would think Hanson would **NOT** want the outrageous "hit pieces" to be brought back full circle. (Hanson was not attacked on any of the 6 "hit piece" postcards)

Since September 2014, the FPPC has an active case about Mr. Hanson's campaign of 2012.

This is about Nolen taking up valuable city time with his inaccurate embellished public comments and his embarrassing website. Also, I think he is attempting to attack our city by deflecting allegations Hanson is facing from the FPPC. It seems Hanson wants to add to Nolen's can of worms.

1 GARY S. WINUK  
Chief of Enforcement  
2 ZACHARY W. NORTON  
Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
428 J Street, Suite 620  
4 Sacramento, CA 95814  
Telephone: (916) 322-5660

5 Attorneys for Complainant  
6  
7

8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
9 **STATE OF CALIFORNIA**  
10

11  
12 In the Matter of ) FPPC No. 12/880  
13 HADDON LIBBY and LIBBY FOR INDIAN )  
14 WELLS CITY COUNCIL 2012 ) STIPULATION, DECISION and  
15 Respondent. ) ORDER  
16 )  
17 )

18 Complainant Gary S. Winuk, Enforcement Chief of the Fair Political Practices Commission, and  
19 Respondents Haddon Libby and Libby for Indian Wells City Council 2012 agree that this Stipulation  
20 will be submitted for consideration by the Fair Political Practices Commission at its next regularly  
21 scheduled meeting.

22 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this  
23 matter and to reach a final disposition without the necessity of holding an administrative hearing to  
24 determine the liability of the Respondent, pursuant to Section 83116 of the Government Code.

25 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural  
26 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1  
27 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to,  
28 the right to personally appear at any administrative hearing held in this matter, to be represented by an

1 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the  
2 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge  
3 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondents Haddon Libby and Libby for Indian Wells  
5 City Council 2012 violated the Political Reform Act by (1) failing to display required sender  
6 identification on a mass mailing, in violation of Government Code Section 84305, subdivision (a). (1  
7 count). This count is described in Exhibit 1, which is attached hereto and incorporated by reference as  
8 though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

9 Respondents agree to the issuance of the Decision and Order, which is attached hereto.  
10 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount  
11 of Three Thousand Five Hundred Dollars (\$3,500). A cashier's check from Respondents in said  
12 amount, made payable to the "General Fund of the State of California," is submitted with this  
13 Stipulation as full payment of the administrative penalty, to be held by the State of California until the  
14 Commission issues its decision and order regarding this matter. The parties agree that in the event the  
15 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)  
16 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered  
17 by Respondents in connection with this Stipulation shall be reimbursed to Respondents. Respondents  
18 further stipulate and agree that in the event the Commission rejects the Stipulation, and a full evidentiary  
19 hearing before the Commission becomes necessary, neither any member of the Commission, nor the  
20 Executive Director, shall be disqualified because of prior consideration of this Stipulation.

21  
22 Dated: \_\_\_\_\_

\_\_\_\_\_  
Gary S. Winuk, Chief of Enforcement  
Fair Political Practices Commission

23  
24  
25 Dated: \_\_\_\_\_

\_\_\_\_\_  
Respondent Haddon Libby Individually and  
on behalf of Libby for Indian Wells City  
Council 2012, Respondent

1 **DECISION AND ORDER**

2           The foregoing Stipulation of the parties “In the Matter of Haddon Libby and Libby for Indian  
3 Wells City Council 2012,” FPPC No. 12/880, including all attached exhibits, is hereby accepted as the  
4 final decision and order of the Fair Political Practices Commission, effective upon execution below by  
5 the Chair.

6  
7           IT IS SO ORDERED.

8  
9 Dated: \_\_\_\_\_

\_\_\_\_\_  
Sean Eskovitz, Vice Chair  
Fair Political Practices Commission

## EXHIBIT 1

### INTRODUCTION

Haddon Libby (“Respondent Libby”) was an unsuccessful candidate for the Indian Wells City Council, receiving 596 votes in the November 6, 2012 election. Respondent Libby for Indian Wells City Council 2012 (“Committee”) was Respondent Libby’s candidate controlled committee. Prior to the 2012 election, Respondents designed, paid for, and caused to be sent four mass mailers which opposed the election of several other candidates to the Indian Wells City Council. However, the mailers failed to identify the sender, in violation of the Political Reform Act (the “Act”).<sup>1</sup>

For the purposes of this Stipulation, Respondent’s violations of the Act are stated as follows:

COUNT 1: On or about October 9, 2012 and October 23, 2012, Respondents Haddon Libby and Libby for Indian Wells City Council 2012 caused to be sent four separate mass mailers opposing the election of Dana Reed, Larry “Bear” Bonafide, Ted Mertens, Ty Peabody, Bill Powers, and Mitchell Blumberg to the Indian Wells City Council, which failed to display required sender identification, in violation of Government Code Section 84305, subdivision (a).

### SUMMARY OF THE LAW

An express purpose of the Act, as set forth in Section 81002, subdivision (a), is to ensure that receipts and expenditures affecting election campaigns are fully disclosed to the public, so that voters may be better informed, and improper practices may be inhibited. To that end, the Act sets forth a comprehensive campaign reporting system designed to accomplish this purpose of disclosure.

Section 82013, subdivision (a), defines a “committee” to include any person who receives contributions totaling \$1,000 or more in a calendar year. This type of committee is commonly known as a “recipient committee.” A committee controlled directly or indirectly by a candidate, or that acts jointly with a candidate, is known as a candidate-controlled committee. (Section 82016.)

Section 82015 defines a “contribution” as a payment made for political purposes. Section 82025 defines “expenditure” as a payment, forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

circumstances that it is not made for political purposes. An expenditure includes monetary and nonmonetary contributions made by committees. (See Sections 82015, 82025, and 82044.)

Under Section 85500(b)(1), an expenditure may not be considered independent, and shall be treated as a contribution from the person making the expenditure to the candidate on whose behalf, or for whose benefit, the expenditure is made, if the expenditure is made with the cooperation of, or in consultation with, the candidate on whose behalf, or for whose benefit, the expenditure is made, or any controlled committee or any agent of the candidate.

**Sender Identification Requirements**

Section 84305, subdivision (a), requires candidates and committees to properly identify themselves when sending a mass mailing. Specifically, the statute provides that no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing.

Section 82041.5 defines a “mass mailing” as over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry. Regulation 18435, subdivision (a), clarifies this section, and further defines a mass mailing as over two hundred substantially similar pieces of mail sent in a calendar month. Regulation 18435, subdivision (b), defines the term “sender,” as used in Section 84305, as the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing or posting of the mailing.

**SUMMARY OF THE FACTS**

On or about October 10, 2012 and October 24, 2012, residents of Indian Wells received four different mailers that opposed the election of six of the ten candidates for Indian Wells City Council. Two mailers were sent on or about October 10, 2012; one targeting Dana Reed and the other Larry “Bear” Bonafide. The two other mailers were sent on or about October 24, 2012; one targeting Ted Mertens and Ty Peabody, and the other Bill Powers and Mitchell Blumberg. All four of the mailers lacked any sender identification. This case was opened as the result of multiple complaints regarding the anonymous mailers.

After an investigation, it was determined that Respondent Libby, working in conjunction with Edwin “Ed” Carter, assisted in the design of the four mailers, which were printed and shipped to his home, at a total printing cost of \$1,580.09. Respondents were required to provide the name, street address, and city of the committee on the outside of each piece of mail in a mass mailing. Approximately 2,500 pieces were sent for each of the four mailers. In addition, Respondents received non-monetary contributions from Ed Carter, who paid postage costs totaling \$1,421.15, and delivered the mailers to the Palm Desert Post Office.

///  
///  
///  
///

## COUNT 1

### **Failure to Include Sender Identification on Mass Mailings**

On or about October 9, 2012 and October 23, 2012, Respondents Haddon Libby and Libby for Indian Wells City Council 2012 caused to be sent four separate mass mailers opposing the election of Dana Reed, Larry "Bear" Bonafide, Ted Mertens, Ty Peabody, Bill Powers, and Mitchell Blumberg to the Indian Wells City Council.

By causing to be sent mass mailings which failed to display required sender identification, Respondents violated, Section 84305, subdivision (a) of the Government Code.

### **CONCLUSION**

This matter consists of one count of violating the Act, which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000).

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. The Enforcement Division also considers the facts and circumstances of the violation in context of the factors set forth in Regulation 18361.5, subdivision (d)(1)-(6), which include: the seriousness of the violations; the presence or lack of intent to deceive the voting public; whether the violation was deliberate, negligent, or inadvertent; whether the Respondent demonstrated good faith in consulting with Commission staff; whether there was a pattern of violations; and whether upon learning of the violation the Respondent voluntarily filed amendments to provide full disclosure. Additionally, liability under the Act is governed in significant part by the provisions of Section 91001, subdivision (c), which requires the Commission to consider whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith, in applying remedies and sanctions.

The failure to provide proper sender identification on a mass mailer is a serious violation of the Act, as it deprives the public of important information regarding the sponsor of the mailing.

Another similar case regarding a violation of Section 84305, subdivision (a) that have been recently approved by the Commission includes:

*In the Matter of Protect Burlingame and Kevin Osborne*, FPPC No. 09/804. This case involved two separate mailers in a local election campaign, sent to approximately 7,000 households, which lacked proper sender identification. Respondent in this matter did not have an Enforcement history. A \$2,500 penalty was approved by the Commission on April 11, 2011.

The public harm inherent in this type of violation, where pertinent information is not disclosed on campaign mailers, is that the public is deprived of a means to discover the identity of sender. Respondent Libby contends that he contacted Steffani Miller, campaign consultant to

Respondent Committee, prior to sending the mailers, and relied on inaccurate third party advice when preparing the mail pieces. Respondent Libby further contends that he alone was responsible for the preparation of the mailer targeting Bloomberg and Powers, but that the other mailers were created at the request of Ed Carter. Respondents do not have any prior Enforcement history and cooperated fully with the investigation into this matter.

#### **PROPOSED PENALTY**

After consideration of the factors of Regulation 18361.5, including whether the behavior in question was inadvertent, negligent or deliberate and the Respondent's pattern of behavior, as well as consideration of penalties in prior enforcement actions, the imposition of a penalty of Three Thousand Five Hundred Dollars (\$3,500) is recommended.

**Intentionally left blank**

**Person(s) Who Allegedly Violated the Political Reform Act: (If there are multiple parties involved, attach additional pages as necessary.)**

Last Name: Hanson

First Name: Douglas H and also his treasure listed as M. Elena Hanson

Committee Name: Committee to Re-Elect Mayor Doug Hanson to Indian Wells  
(only if applicable)

Street Address: 75362 Desert Park Dr.

City: Indian Wells State: CA Zip: 92210

Telephone: (760) 799 - 1604

Fax: ( ) -

E-mail: dhanson@indianwells.com or doug@hansonco.com

**Describe, With as Much Particularity as Possible, the Facts Constituting the Alleged Violation(s) and How You Have Personal Knowledge that it Occurred.\***

1. Check Mr. Hanson's 2012 campaign 460's forms. Numbers don't add up.
2. Statement 7/1/2012 to 9/30/2012 on page 5, an Ann Adams is listed as having received \$1,058 by check for SAL (Campaign workers' salaries). No address is given for Ann Adams and no one seems to know who she is? (See 460 forms included with this complaint)
3. For the same statement period on page 6, a company is listed as AdRhyerns on 42 St. Palm Desert, CA 92260 having received a check for \$1400 (CMP) for an ad car. I cannot find any payment made to RENT OR BUY such a vehicle. (Correct company is Ad Rhythm 74839 42nd St. Phone 760 935-3600) This type of advertising on a car usually costs a great deal more than \$1400.
4. He parked it in front of City Hall which I think is a violation. (See photos of car)
5. Mr. Hanson was a member of the Indian Wells Country Club from 2009 until 2013. I understand he did not pay for a one time membership fee which would be a gift listed on a 700 form. He benefited continually from that gift up until he quit the Club in 2013.
6. Wife Elena was a patient in special Eisenhower Hosp. wing free to council. Gift?

**\*IMPORTANT! Attach copies of any available documentation that is evidence of the violation, (for example, copies of checks, campaign materials, minutes of meetings, etc., if applicable to the complaint.) Note that a newspaper article is NOT considered evidence of a violation.**



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

July 25, 2014

Mr. Douglas H. Hanson  
Committee to Re-Elect Mayor  
Doug Hanson  
75362 Desert Park Drive  
Indian Wells, CA 92210

Ms. M. Elena Hanson  
Committee to Re-Elect Mayor  
Doug Hanson  
75362 Desert Park Drive  
Indian Wells, CA 92210

**Warning Letter Re: FPPC No. 14/549, Committee to Re-Elect Mayor Doug Hanson; Doug Hanson, M. Elena Hanson, Treasurer, Respondent**

Dear Mr. Hanson and Ms. Hanson:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a sworn complaint filed against you that made several allegations, including some not covered by the Act, in connection with either your campaign committee or your status as an elected officer.

The FPPC has completed its investigation of the facts in this case. In many instances, the allegations were unfounded or without sufficient evidence, or in some instances beyond the Act's statute of limitations. However, the FPPC did find that you failed to accurately maintain records

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

of your campaign committee and also found that you made an unlawful campaign expenditure for cash.

The Act provides that candidates and committees must maintain detailed accounts, records, bills and receipts necessary to prepare campaign statements. Those detailed records include maintaining the original source documents, such as copies of canceled checks for an expenditure of \$25 or more. (Section 84104; Regulation 18401.) In a telephone conversation with a member of this staff, you indicated that you no longer had copies of a check depicting an expenditure that was made by the campaign and that you would need to retrieve that information from the bank. The Act requires that committees maintain original source documentation for a period of four years following the date the campaign statement to which they relate is filed. You violated the Act by not having these original source documents in your possession.

Additionally, one of the checks provided by the committee was a check made out to cash to be used to pay a committee employee. Under the Act, no expenditure of \$100 or more shall be made in cash. (Section 84300(b).) The check drawn from the committee account to pay the campaign employee should have been made payable to the employee, not drawn in cash.

However, since you were able to retrieve the committee records from the bank and since the check drawn for cash from the committee's account was a fairly small amount, we are closing this case.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk  
Chief, Enforcement Division

GSW/jt