City Council

Meeting Agenda

Thursday, May 19, 2016

1:30 PM

City Hall Council Chamber

The Indian Wells City Council welcomes and encourages participation at 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 DANA REED
MAYOR PRO TEM RICHARD BALOCCO
COUNCIL MEMBER DOUGLAS HANSON
COUNCIL MEMBER TED MERTENS
COUNCIL MEMBER TY PEABODY

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. PROCLAMATIONS AND PRESENTATIONS

A. 1422-16 **Presentation by Coachella Valley Water District on Proposed Changes to Water Rates and Rate Structure**

5. 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-160-16 **Indian Wells Street Lighting District No. 2000-1 Levy for Fiscal Year 2016-17**

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016-17; pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

SCHEDULES a noticed Public Hearing on June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016-17.

Attachments: Resolution- initiating proceedings

Resolution - engineer's report

B. RES-162-16 **Landscape and Lighting District No. 91-1 Levy for Fiscal Year 2016-17**

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution initiating the proceedings for the annual levy and collection of assessments for Fiscal Year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1 and declaring intention to order the levy and collection of assessments; and

SCHEDULES a noticed Public Hearing on June 16, 2016 to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the Landscape and Lighting District No. 91-1 for fiscal year 2016/17

Attachments: Resolution - initiate proceedings

Resolution - engineer's report

C. RES-166-16 **Indian Wells Drainage Maintenance Benefit Assessment District No. 1 Levy for Fiscal Year 2016-17**

RECOMMENDED ACTIONS:

Council **ADOPTS** Resolution initiating proceedings for annual levy and collection of assessments for Fiscal Year 2016-17 for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 pursuant to the Benefit Assessment Act of 1982; and

SCHEDULES a noticed Public Hearing on June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 and the levy and collection of assessments for Fiscal Year 2016-17 pursuant to the provisions of the Benefit Assessment Act of 1982; and

ADOPTS Resolution declaring its intention to order the levy and collection of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016-17 pursuant to the Benefit Assessment Act of 1982.

Attachments: Resolution - initiating proceedings
Resolution - engineer's report
Resolution - intention to order levy

D. 1406-16 **Annual Adoption of City's Investment Policy**

RECOMMEND ACTION:

The Finance Committee recommends the Council **ADOPTS** the City's Investment Policy.

Attachments: Investment Policy

E. 1407-16 **City's Appropriations Limitation for Fiscal Year 2016-17**

RECOMMENDED ACTION:

Council **ADOPTS** Resolution establishing of the City's appropriations limitation for Fiscal Year 2016-17.

Attachments: Resolution
Price factor and population information

4

F. 1413-16 **January 17, 2016 Strategic Planning Meeting Minutes**

RECOMMENDED ACTION:

Council **APPROVES** the January 17, 2016 Strategic Planning Meeting Minutes.

Attachments: 01-27-16 Minutes

G. 1414-16 **March 3, 2016 City Council Meeting Minutes**

RECOMMENDED ACTION:

Council **APPROVES** the March 3, 2016 City Council Minutes.

Attachments: 03-03-16 Minutes

H. 1415-16 **March 3, 2016 Special Council Meeting Minutes**

RECOMMENDED ACTION:

Council **APPROVES** the March 3, 2016 Special Council Minutes.

Attachments: 03-03-16 Minutes

I. 1408-16 **City Treasurer's Report for March 2016**

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer's Report for March 2016.

Attachments: March 2016 Treasurer's Report

J. 1423-16 **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the May 5, 2016 FAMD Warrants and Demands.

Attachments: 05-05-16 Warrants and Demands

K. 1424-16 **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the May 19, 2016 FAMD Warrants and Demands.

Attachments: 05-19-16 Warrants and Demands

I. 1425-16 **City Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the May 5, 2016 City Warrants and Demands.

Attachments: 5-5-2016 City Warrants

M. 1426-16 **City Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the May 19, 2016 City Warrants and Demands.

Attachments: 5-19-2016 City Warrants

6. 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-163-16 **Fire Access Maintenance District No. 1 Levy for Fiscal Year 2016-17**

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Fire Access Maintenance District No. 1 for Fiscal Year 2016-17; and

ORDERS the Fire Access Maintenance District No. 1 levy on the Fiscal Year 2016-17 Riverside County tax roll.

Attachments: Resolution

B. RES-164-16 **Special Fire Tax Standby and Availability Charges Levy for Fiscal Year 2016-17**

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Special Fire Tax Standby and Availability Charges for Fiscal Year 2016/17; and

ORDERS the Special Fire Tax levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

Attachments: Resolution

7. 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. 1418-16 Appointments to City Commissions, Committees and Boards

RECOMMENDED ACTIONS:

Council **APPOINTS** qualified residents to the following vacant seats for two-year terms beginning July 1, 2016 and ending June 30, 2018, except for one (1) Planning Commission appointment which is for a remainder of a term ending June 30, 2017:

Planning Commission	2
Architecture and Landscape Committee	2
Community Activities Committee	2
Golf Resort Advisory Committee	2
Grants in Aid Committee	1
Joslyn Center Board Representative	1; and

APPOINTS residents with one term remaining on their current committees for a two-year term beginning July 1, 2016 and ending June 30, 2018 as follows:

Ron Easton	Planning Commission
AJ Staples	Planning Commission
Brenda Reed	Architecture and Landscape Committee
Arlene Lucchesi	Grants in Aid Committee

Attachments: Appointment voting process

Applicant Matrix

B. 1410-16 Cove Commission Recommended Project to Refurbish and Relocate a Generator to the Joslyn Senior Center

RECOMMENDED ACTION:

Council **APPROVES** supplemental appropriation of $12,600 for the City's share of the Cove Communities Services Commission project to refurbish and relocate a generator to the Joslyn Senior Center.

Attachments: Cove Commission Staff Report

8

C. 1409-16 **Two-Year Fire Services Agreement with Riverside County/CalFire**

RECOMMENDED ACTIONS:

Council **APPROVES** two-year Cooperative Agreement with Riverside County/CalFire to provide fire protection, fire prevention, rescue and medical emergency services for the City of Indian Wells from July 1, 2016 through June 30, 2018; and

AUTHORIZES and **DIRECTS** the Mayor to execute the Cooperative Agreement.

Attachments: Agreement

D. 1416-16 **Calling for November 8, 2016 Regular Municipal Election**

RECOMMENDED ACTION:

Council **ADOPTS** Resolution calling and giving notice of the holding of a regular municipal election to be held concurrently with the statewide general election on Tuesday, November 8, 2016, for the election of certain officers as required by the laws of the State of California, adopting regulations pertaining to materials submitted to the electorate and costs thereof; requesting the Board of Supervisors of the County Riverside to consolidate said regular municipal election with the statewide general election to be held on the same date; and requesting said Board of Supervisors to permit the County Registrar of Voters to render certain services related to the consolidated municipal election.

Attachments: Resolution

E. 1412-16 **CV Link Ballot Measure**

RECOMMENDED ACTIONS:

Council provides **DIRECTION** to staff whether to amend the ballot Resolution to include language relating to financing of CV Link; and

ADOPTS or **ADOPTS AS AMENDED** Resolution submitting to qualified voters of the City of Indian Wells an ordinance requiring voter approval prior to the City approving the development or installation of all or any portion of the "CV Link" project within the City of Indian Wells, at the regular municipal election to be consolidated with the Statewide General Election to be held November 8, 2016.

Attachments: Resolution

8. 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.

9. COUNCIL MEMBERS' REPORTS AND COMMENTS

On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. Council Members may ask a question for clarification, make a referral to staff, or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.

A. 1411-16 **Funding for Coachella Valley Economic Partnership - Peabody**

RECOMMENDED ACTION:

Council provides **DIRECTION** to staff as to funding for the Coachella Valley Economic Partnership.

A. Council Member Peabody

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

B. Council Member Mertens

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

C. Council Member Hanson

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

D. Mayor Pro Tem 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 Personnel Committee
Indian Wells Public Safety Committee

E. Mayor Reed

Jacueline Cochran Regional Airport Commssion
Riverside County Transportation Commission
Southern Callifornia Association of Governments
CVAG Executive Committee
CVAG Homelessness
Indian Wells Marketing Committee
Indian Wells Personnel Committee

10. CITY ATTORNEY REPORTS AND COMMENTS

ADJOURNMENT

To a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on June 16, 2016 in the City Hall Council Chamber.

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

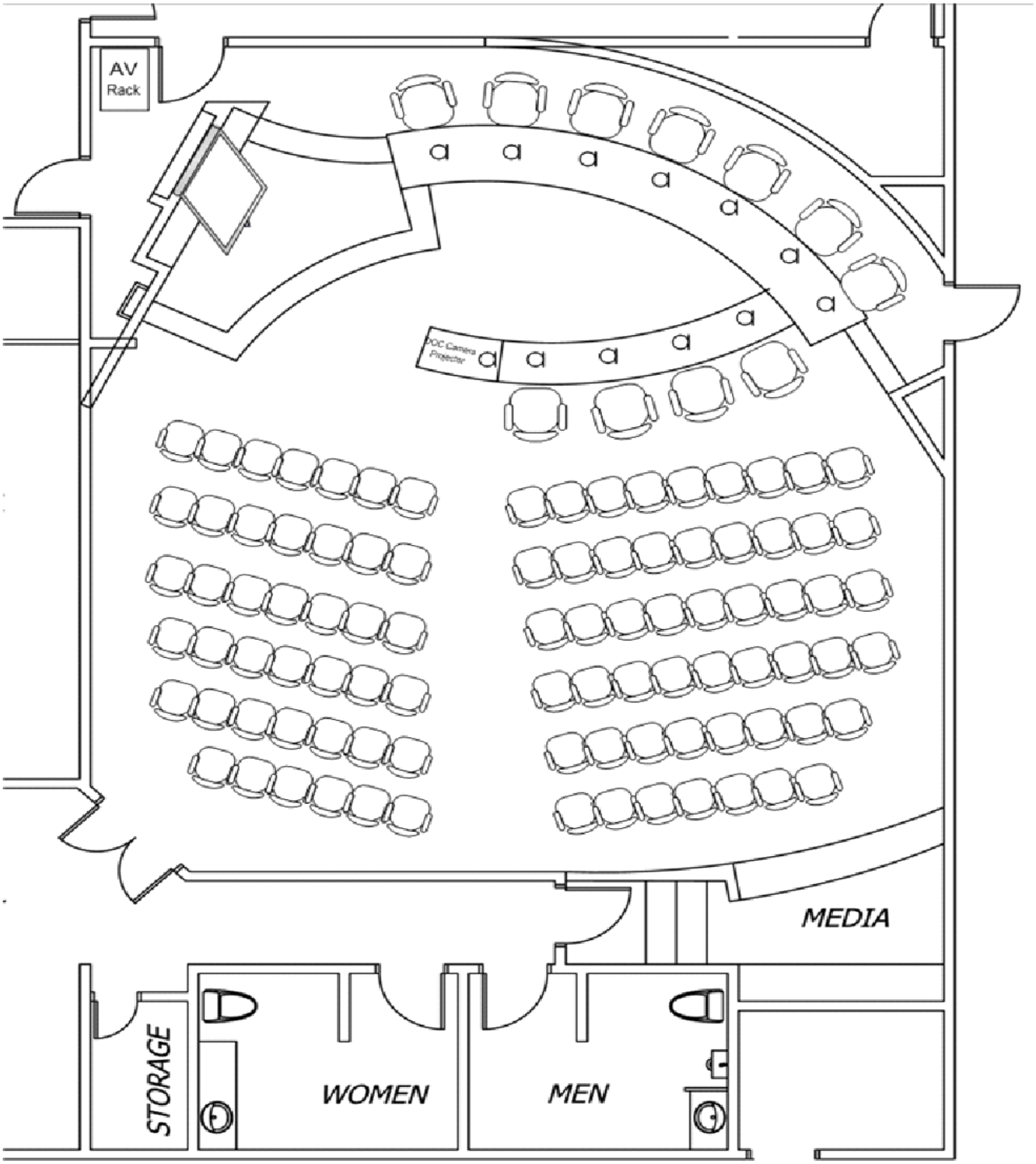
Affidavit of Posting

I, Anna Grandys, certify that on May 13, 2016, I caused to be posted a notice of a City Council Meeting to be held on May 19, 2016 at 1:30 p.m. in the City Hall Council Chamber.

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

12



13

Public Comments

CONSTANCE M. BENNETT

74-812 VILLAGE CENTER DRIVE #5

INDIAN WELLS, CALIFORNIA 92210

760-779-9686

May 19, 2016

~~March 20~~, 2014

TO: CITY OF INDIAN WELLS

RE: 8.08.010 MAINTENANCE OF PROPERTY – CONDITIONS THAT ARE NUISANCES

PROBLEM:

The City of Indian Wells is in violation of Section 8.08.010, dust control. Indian Wells Villas, a city-owned property, has dust-control pollution due to inadequate landscape measures to cover bare dirt.

Although beautifully planted with flowers, shrubs and trees, the primary and basic landscape is raw sand/ dirt. The slightest wind and of course plentiful sand storms keeps a constant pollution of fine sand on the sidewalks, in the atriums, patios (and furnishings) and breathing air.

Historically, topical sprays have been applied about every two years to the sand as well as a micro-thin layer of crushed aggregate; these last only through one or two of the gardener's weekly rakings. Then the crust is broken and bare sand (plus the dissolved chemicals) blow throughout the property. Sweeping of sand is required daily and breathing is not optional.

OPPORTUNITY:

Indian Wells Villas enjoys a unique opportunity to live practically sand-free. The Villas is virtually surrounded by communities which are either cement-scaped – Indian Wells Village Office Complex – or fully-landscaped with grasses and gravels – Colony Cove. These adjacent properties would surely be grateful for neighborhood sand-pollution control as well.

METHOD/SOLUTION:

Indian Wells Villas could easily, inexpensively and conclusively be properly landscaped with gravels and rocks. This would reduce maintenance by eliminating the need to rake; leaves could be blown. As an added benefit, the wear and tear of constant sand- blasting of expensive solar panels should be vastly reduced, perhaps extending their life.

BENNETT

ORDINANCE 8.08.010

PAGE TWO OF TWO

RESOLUTION:

WHEREAS, Indian Wells Villas, a City-owned property, is in violation of Section 8.08.010 of city ordinance, and

WHEREAS, Indian Wells Villas residents, a senior community at risk for pulmonary issues, would benefit from cleaner air, and

WHEREAS, topical sprays, chemicals and aggregates have failed to abate dust pollution in the community and surrounding properties,

THEREFORE BE IT RESOLVED, that the City of Indian Wells will landscape Indian Wells Villas with gravels or other permanent measures to comply with Section 8.08.010 so as to control blowing dust on and from the site.

Please, please, add this item to your current Budget this year. The sand is killing us!

A proper desert landscape of pea-gravel, assorted river rock & boulders for accent and a few dramatic desert plants (some with color such as Mexican bird-of-paradise) would suit the property fine & would be permanent in nature. One would hope for a knowledgeable landscape designer. Or, just dump some gravel on us! We shall be grateful... save us from the sand.

CMB

5/19/2016

File #: 1422-16 **Item #:** A.

Presentation by Coachella Valley Water District on Proposed Changes to Water Rates and Rate Structure

At Dias: CVWD

CVWD Rate Proposal
to
Indian Wells City Council
May 19, 2016

Coachella Valley Water District

www.cvwd.org/ratechanges

These are Historic Times

Chromium-6 Regulations

- $250M capital program
- $8M average annual operating costs

Historic Drought

- Governor's Executive Order
- 36% Reductions – now 32%

First Water Budget Adjustments since 2008-9

- Planned update regardless of drought

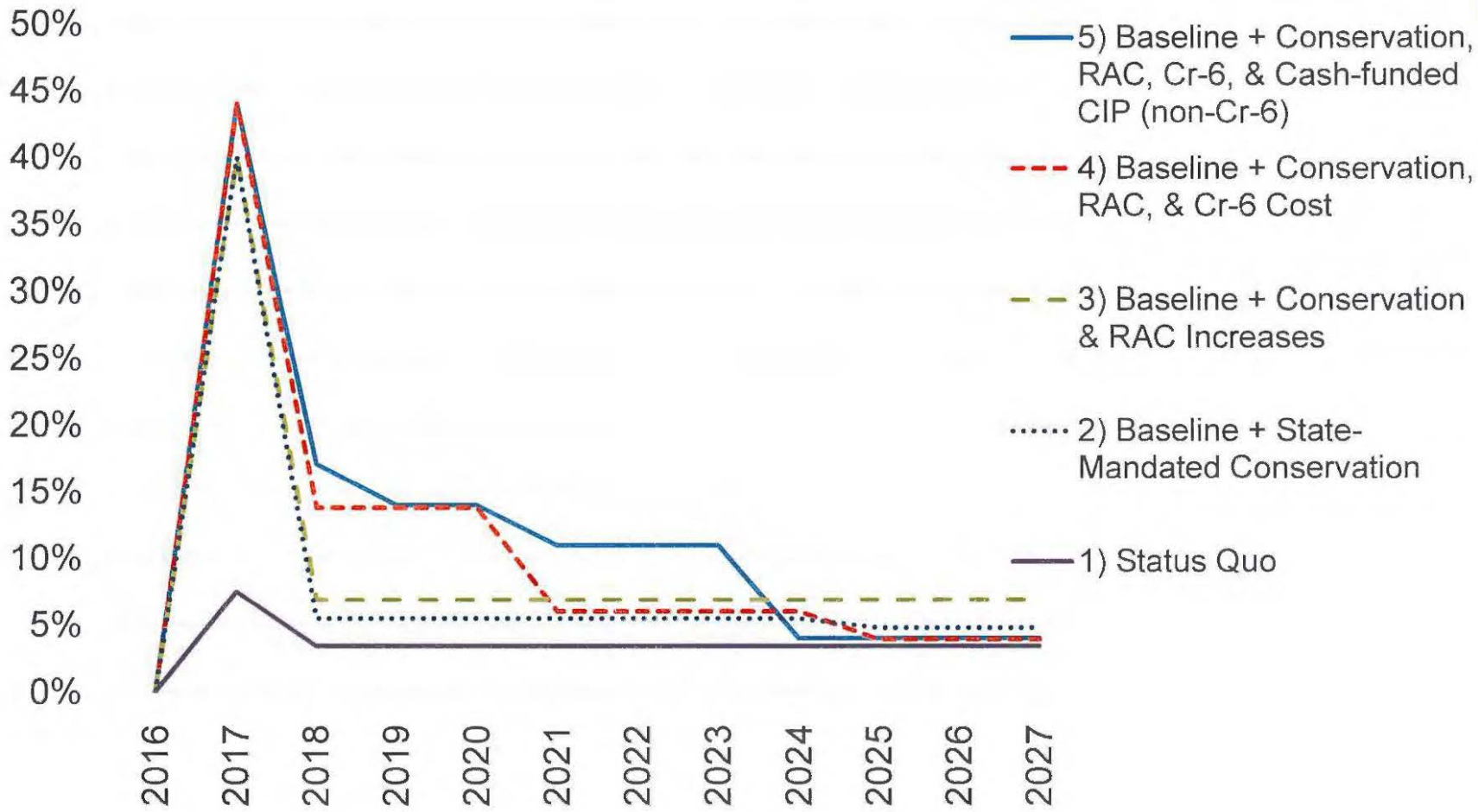
Sustainable Groundwater Management Act

San Juan Capistrano Court Opinion

Avoiding Rate Increases

- Deferred operations, maintenance and capital improvement projects during recession
- Early retirement program in 2009 reduced staffing levels; limited pay increases and increased employee cost-share for benefits, retirement
- New efficiencies, energy savings
- State loan for CR6 keeps interest rates below 2%
- Rate increases have not kept pace with inflation

Revenue Requirements: Significant Drivers



Changes to Water Budgets

	Existing	Proposed
Tier 1: Excellent	Up to 10 ccf*	Up to 8 ccf*
Tier 2: Efficient	Up to 105% of budget	Up to 100%
Tier 3: Inefficient	105% up to 150% of budget	100% up to 175%
Tier 4: Excessive	150% up to 250% of budget	175% up to 300%
Tier 5: Wasteful	250% or more of budget	300% or more of budget

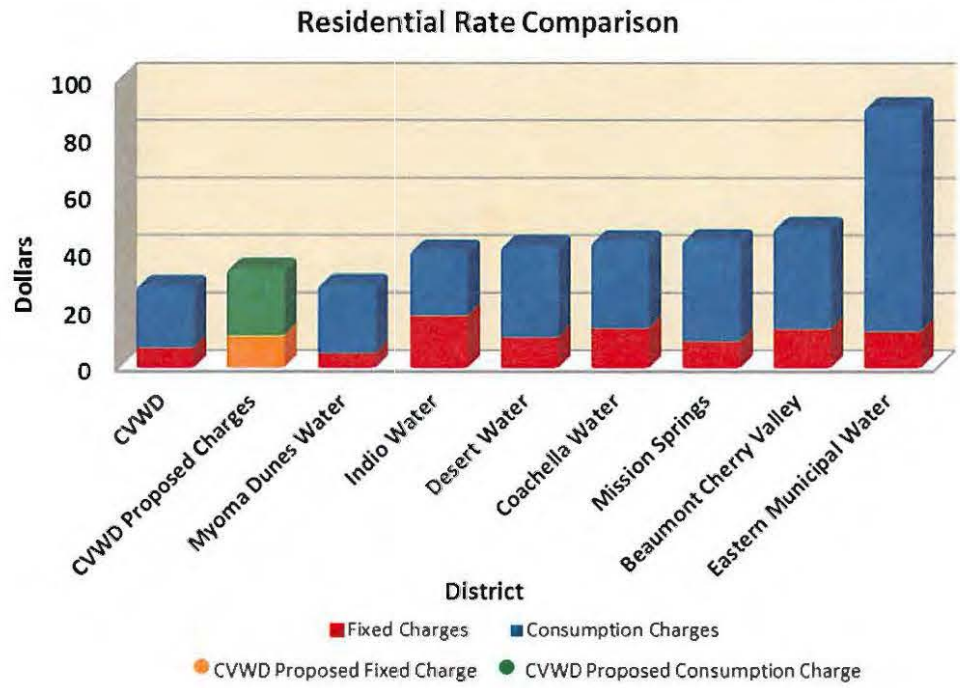
*Except in cases where an appeal has been granted to a customer for more than four people in the home

The Bottom Line

- Overall impact is a tightening of the water budget by approximately 25%
- 78% of customers in single-family homes will meet the new budget without any changes
- Average customer who uses 20 ccf/month and meets water budget will see approximately $6 increase/month

Regional Rate Comparison

Residential Rate Comparison as of 1/11/2016									
	CVWD	CVWD Proposed Charges	Myoma Dunes Water	Indio Water	Desert Water	Coachella Water	Mission Springs	Beaumont Cherry Valley	Eastern Municipal Water
Fixed Charges	7.00	11.30	5.00	18.14	10.75	13.80	9.32	13.51	12.76
Consumption Charges	21.30	22.70	23.72	22.50	31.40	30.00	34.99	35.00	77.62
Total per 20 Ccf Usage	**28.30**	**34.00**	**28.72**	**40.64**	**42.15**	**43.80**	**44.31**	**48.51**	**90.38**



Proposed Water Rate Increases

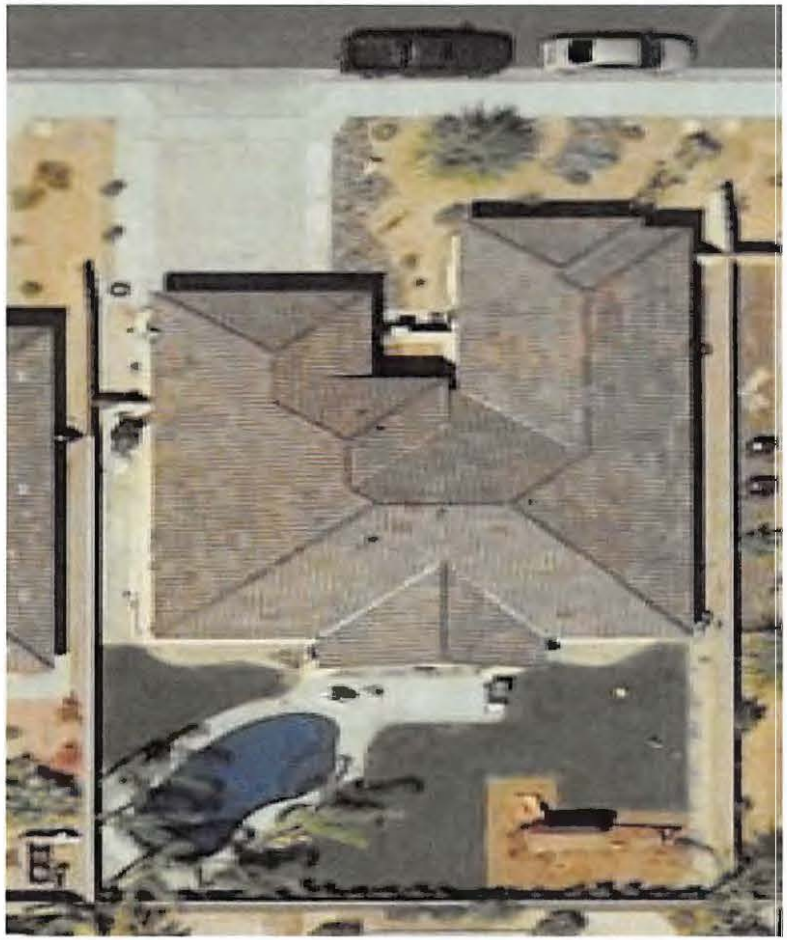
	Proposed Budget	Existing Rate (per ccf)	Proposed Rate (per ccf)	Difference
Tier 1: Excellent	Up to 8 ccf*	$1.01	$0.95	-$0.06
Tier 2: Efficient	Up to 100%	$1.12	$1.32	$0.20
Tier 3: Inefficient	100% up to 175%	$1.68	$2.46	$0.78
Tier 4: Excessive	175% up to 300%	$2.24	$4.67	$2.43
Tier 5: Wasteful	300% or more	$4.48	$6.13	$1.65

*Appeals accepted for more than four people in the home.

Proposed Fixed Rate Increases

Meter Size	Existing Rates	Single Family		Multifamily		Commercial		Landscape Irrigation	
		Rates	Accounts	Rates	Accounts	Rates	Accounts	Rates	Accounts
3/4"	$7.00	$11.30	88,979	$12.90	1,282	$8.10	2,308	$28.00	2,106
1"	$9.10	$18.80	3,324	$21.50	1,208	$13.50	948	$46.70	793
1 1/2"	$11.50	$37.60	333	$43.10	508	$27.00	635	$93.40	1,365
2"	$18.20	$60.20	26	$68.90	428	$43.20	639	$149.50	601
3"	$70.00	$112.80	1	$129.20	5	$80.90	7	$280.30	5
4"	$88.90	$188.00	n/a	$215.30	6	$134.90	n/a	$467.10	n/a

Example – Single-family home
(Meets new budget most months)



August Usage: 22 Ccf	Water Budget	Water Bill
Current	38	$ 30.76
Proposed	35	$ 37.38
Change	-8%	$ 6.62

January Usage: 19 Ccf	Water Budget	Water Bill
Current	24	$ 32.76
Proposed	18	$ 34.56
Change	-25%	$ 1.80

Example – Larger single-family home

(Meets current budget some months, but not new budget)

August Usage: 71 Ccf	Water Budget	Water Bill
Current	73	$ 85.42
Proposed	54	$ 121.44
Change	-26%	$ 36.02

January Usage: 39 Ccf	Water Budget	Water Bill
Current	36	$ 50.14
Proposed	22	$ 79.20
Change	-39%	$ 29.06

We Can Help Customers Meet Their Water Budgets

Rebate and incentive programs (residents, businesses, HOAs, cities):

- Turf removal $1/square foot
- Free Smart Controllers
- Irrigation nozzles
- Toilet rebates
- Free Indoor Kits
- Water Brooms for commercial users

Education:

- Landscape Workshops
- Conservation reviews/audits

Public Outreach / Next steps

- Six Public Workshops
- Several community presentations, including four City Councils
- Notice mailed to all domestic water customers explaining proposed increases and how to protest
- June 14 - Board meeting/Public hearing to vote on proposal
- If approved, new rates go into effect July 1

Questions?

- Visit www.cvwd.org/ratechanges for more details or to submit comments to the Board of Directors

File #: RES-160-16 Item #: A.

Indian Wells City Council

Staff Report - Finance

Indian Wells Street Lighting District No. 2000-1 Levy for Fiscal Year 2016-17

RECOMMENDED ACTIONS:

Council ADOPTS Resolution initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016-17; pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

SCHEDULES a noticed Public Hearing on June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016-17.

DISCUSSION:

The City is responsible for levying the annual lighting and maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218. The District is located at the southwest corner of Fred Waring Drive and Warner Trail and continues to Blackfoot Drive and Dakota Trail, Arapahoe Vista and Elkhorn Trail.

The District was originally established by Riverside County to provide street lighting for the area. The District was reformed by the City in 2000 when the Tennis Garden area was annexed into the City. Improvements within the District include the maintenance and operation of, and the furnishing of services for street lighting and facilities.

Council will hold a noticed Public Hearing on Thursday, June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy.

FISCAL IMPACT:

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

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

ATTACHMENTS:

1. Resolution - initiating proceedings
2. Resolution - engineer's report

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2016/17 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

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

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

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

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

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

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

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

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

SECTION 5. Public Hearing. The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, June 16, 2016 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California 92210.

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**STEPHEN P. DEITSCH** **CITY ATTORNEY**

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2016-17

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

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

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

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

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

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

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

a. A Description of the Improvements

b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-___

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"

THE CITY OF INDIAN WELLS CALIFORNIA

City of Indian Wells

Street Lighting District No. 2000-1

2016/2017 ENGINEER'S REPORT

Intent Meeting: May 19, 2016
Public Hearing: June 16, 2016

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

www.willdan.com/financial

WILLDAN Financial Services

ENGINEER'S REPORT AFFIDAVIT

Indian Wells Street Lighting District No. 2000-1

City of Indian Wells

Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2016/2017, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2016.

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

By: _____

Susana Medina, Project Manager
District Administration Services

By: _____

Richard Kopecky
R. C. E. # 16742

TABLE OF CONTENTS

I. OVERVIEW 1

II. DESCRIPTION OF THE DISTRICT 2

A. DISTRICT BOUNDARY 2
B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT 2
C. IMPROVEMENTS WITHIN THE DISTRICT 3

III. METHOD OF APPORTIONMENT 4

A. GENERAL 4
B. PROPOSITION 218 BENEFIT ANALYSIS 4
C. BENEFIT ANALYSIS 5
D. METHODOLOGY 6

IV. DISTRICT BUDGETS 7

A. DESCRIPTION OF BUDGET ITEMS 7
B. FISCAL YEAR 2016/2017 DISTRICT BUDGET 9

APPENDIX A – DISTRICT BOUNDARY MAPS 10

I. OVERVIEW

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

The Engineer's Report (the "Report") describes the District, any changes to the District, and the proposed assessments for fiscal year 2016/2017. The assessments are based on the City's estimate of the annual costs to maintain the improvements that provide direct and special benefits to properties within the District. The improvements within the District, the corresponding costs, and the annual levy are budgeted. The assessment includes expenditures, deficits, surpluses, revenue, and reserve funds.

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

Following consideration of the public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for fiscal year 2016/2017 pursuant to the Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in fiscal year 2016/2017.

II. DESCRIPTION OF THE DISTRICT

A. DISTRICT BOUNDARY

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

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

B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

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

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

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

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

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

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

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

C. IMPROVEMENTS WITHIN THE DISTRICT

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

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

III. METHOD OF APPORTIONMENT

A. GENERAL

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

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

B. PROPOSITION 218 BENEFIT ANALYSIS

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

Article XIIID Section 2d defines District as follows:

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

Article XIIID Section 2i defines Special Benefit as follows:

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

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

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

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

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

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

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

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

C. BENEFIT ANALYSIS

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

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

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

D. METHODOLOGY

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

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

For fiscal year 2016/2017, the assessment rate will be the total balance to levy divided by the number of assessable residential lots.

The assessed lots or parcels of real property within the District are listed on the Assessment Roll, which is provided as Appendix B of this report. The Assessment Roll provides a listing of the assessable parcels and their respective assessment for fiscal year 2016/2017. The specific lines and dimensions of the parcels are more particularly described on the County Assessor's Parcel Map, which is on file in the Office of the Riverside County Assessor and by reference is made a part of this Report.

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

IV. DISTRICT BUDGETS

A. DESCRIPTION OF BUDGET ITEMS

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

Maintenance Costs

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

Utilities

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

Capital Replacement Costs

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

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

Reserves

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

Administrative Services

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

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

County Administration Fees

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

Carryover/(Deficit) Prior Year

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

Assessable Lots

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

B. FISCAL YEAR 2016/2017 DISTRICT BUDGET

BUDGET ITEM	TOTAL
Direct Costs	
Maintenance - Labor, Material and Equipment	$ 100
Utilities – Electric	700
Capital Replacement Costs - Repairs and Upgrades	50
Reserves - Operating Reserves	100
Direct Costs Subtotal	**$ 950**
Administrative Costs	
Administrative Services - City Staff	$ 200
Administrative Services - Professional Services	320
County Administration Fees – Assessment Collection	10
Administrative Costs Subtotal	**$ 530**
Fiscal Year 2016/2017 Assessment	
Total Direct and Administrative Costs	$ 1,480
Carryover (Deficit) Prior Years – Available Funds	0
Balance to Levy [1]	**$ 1,480**
Assessable Lots – Current and Planned Lots	**31**
Annual Assessment Per Parcel	**$ 47.74**

[1] Balance to Levy rounded to nearest dollar

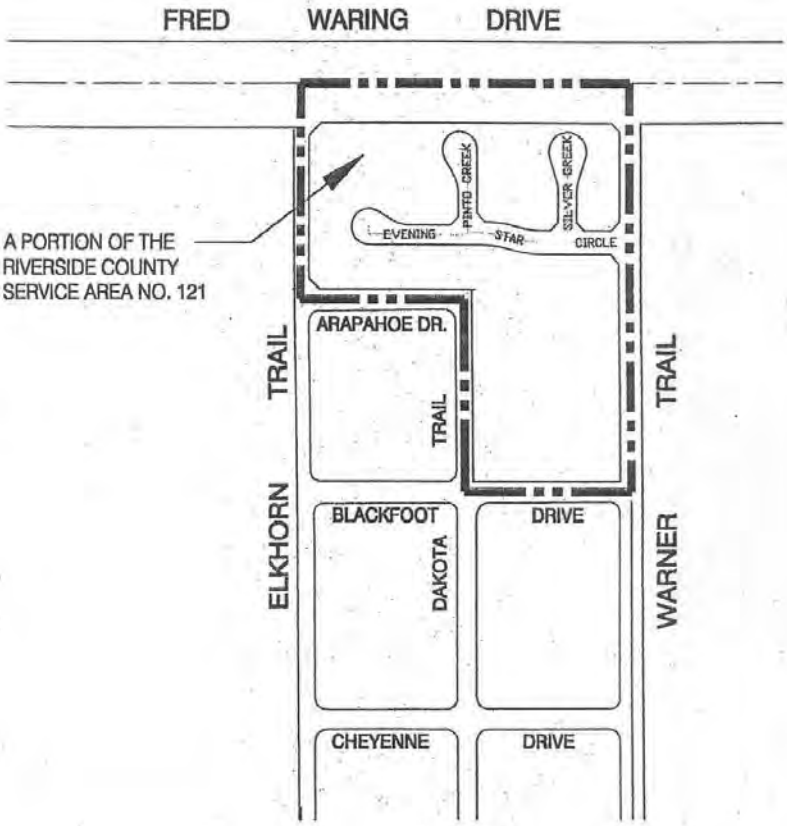
APPENDIX A – DISTRICT BOUNDARY MAPS

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

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

CITY OF INDIAN WELLS

PROPOSED STREET LIGHTING DISTRICT NO. 2000-1



APPENDIX B – 2016/2017 ASSESSMENT ROLL

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

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

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

Upon approval of the Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2016/2017. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.

WILLDAN Financial Services

Assessment Roll

Assessor's Parcel Number	Fiscal Year 2016/2017 Assessment Amounts
633-300-007 (1)	$ 0.00
633-700-001	47.74
633-700-002	47.74
633-700-003	47.74
633-700-004	47.74
633-700-005	47.74
633-700-006	47.74
633-700-007	47.74
633-700-008	47.74
633-700-009	47.74
633-700-010	47.74
633-700-011	47.74
633-700-012	47.74
633-700-013	47.74
633-700-014	47.74
633-700-015	47.74
633-700-021	47.74
633-700-022	47.74
633-700-023	47.74
633-700-024	47.74
633-700-025	47.74
633-700-026	47.74
633-700-027	47.74
633-700-028	47.74
633-700-029	47.74
633-700-030	47.74
633-700-031	47.74
633-700-032 (2)	0.00
633-700-033	47.74
633-700-034	47.74
633-700-035	47.74
633-700-036	47.74
633-700-037	47.74
Total Assessment	**$1,479.94**

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

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

5/19/2016

File #: RES-162-16 Item #: B.

Indian Wells City Council

Staff Report - Finance

Landscape and Lighting District No. 91-1 Levy for Fiscal Year 2016-17

RECOMMENDED ACTIONS:

Council ADOPTS Resolution initiating the proceedings for the annual levy and collection of assessments for Fiscal Year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1 and declaring intention to order the levy and collection of assessments; and

SCHEDULES a noticed Public Hearing on June 16, 2016 to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the Landscape and Lighting District No. 91-1 for fiscal year 2016/17

DISCUSSION:

Summary

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

Each year the City Council conducts a public hearing to take action on costs to operate and maintain the landscape and maintenance districts. The public hearing will be held on Thursday, June 16, 2016 to receive public testimony and take action to approve the Fiscal Year 2016-17 levy. The Engineer's Report provides a complete budget detail for the landscape and lighting maintenance districts.

FISCAL IMPACT:

The average cost to operate the districts rose 2.3% over last year. The cost increase is attributed to labor and utility charges to provide landscape services. The total cost to operate all of the districts during Fiscal Year 2016-17 is $1,324,503.

The preliminary levy amounts to operate the LLMD for Fiscal Year 2016-17 per the Engineer's Report are as follows:

Zone	Description	Maximum Levy Allowed per EDU	Prior Year Levy per EDU	Proposed Levy per EDU	Increase (Decrease)	% Increase (Decrease)
A1	Eldorado	$ 183.33	$ 61.62	$ 61.75	$ 0.13	0.2%
A2	Montecito/Stardust	$ 385.68	$ 267.29	$ 282.33	$ 15.04	5.6%
A3	Casa Dorado (A Pass-through District)	$ 177.09	$ 171.29	$ 177.00	$ 5.71	3.3%
A5B	The Cove (A Pass-through District)	$ 274.50	$ 262.36	$ 274.35	$ 11.99	4.6%
A8	Indian Wells Golf Resort	$ 528.30	$ 291.51	$ 291.63	$ 0.12	0.0%
A11A	Hwy. 111 & Club Drive	$ 255.99	$ 79.23	$ 79.79	$ 0.56	0.7%
A11C	Club Drive	$ 166.11	$ 128.28	$ 133.73	$ 5.45	4.2%
C	The Colony	$ 3,169.97	$ 731.64	$ 756.64	$ 25.00	3.4%
D	Colony Cove Estates	$ 9,113.41	$ 725.91	$ 728.18	$ 2.27	0.3%
E	Desert Horizons (A Pass-through District)	$ 603.41	$ 467.44	$ 513.20	$ 45.76	9.8%
A19	Mountain Gate	$ 977.62	$ 654.00	$ 659.00	$ 5.00	0.8%
A20	Mountain Gate Estates	$ 950.99	$ 685.36	$ 686.79	$ 1.43	0.2%
A21	Villagio	$ 2,000.98	$ 968.62	$ 973.94	$ 5.32	0.5%
A22	Vaidya	$ 752.27	$ 284.62	$ 284.62	$ -	0.0%
A23	Montelena	$ 1,074.75	$ 829.86	$ 855.56	$ 25.70	3.1%
A25	Sundance (A Pass-through District)	$ 1,165.35	$ 962.82	$ 962.82	$ -	0.0%
A26	Province (A Pass-through District)	$ 1,234.97	$ 1,204.14	$ 1,234.96	$ 30.82	2.6%

Funding Sources

The City provides approximately $208,046 in administrative and field support to all the 17 Districts. These costs are paid by the City and are not reflected in the calculation of the annual levy. In addition, the City pays a total of $65,066 to eight landscape districts that provide a general benefit to the City. District reserves contribute $40,820 and the remaining $1,010,571 of the costs to operate the landscape and lighting maintenance districts is collected from property owners living within the districts.

ATTACHMENTS:

1. Resolution - initiate proceedings
2. Resolution - engineer's report

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2016/17 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

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

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

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

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

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

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

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

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

<u>SECTION 5.</u> Public Hearing. The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, June 16, 2016 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers located within:

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2016/17

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

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

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

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

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

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

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

a. A Description of the Improvements

b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT"A"

THE CITY OF INDIAN WELLS CALIFORNIA

City of Indian Wells

Landscape and Lighting District No. 91-1

2016/2017 ENGINEER'S REPORT

Intent Meeting: May 19, 2016
Public Hearing: June 16, 2016

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

www.willdan.com/financial

WILLDAN Financial Services

ENGINEER'S REPORT AFFIDAVIT

Indian Wells Landscaping and Lighting District No. 91-1

City of Indian Wells

Riverside County, State of California

This Report describes the District and all relevant zones therein including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2016/2017, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2016.

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

By: _____

Susana Medina, Project Manager
District Administration Services

By: _____

Richard Kopecky
R. C. E. # 16742

TABLE OF CONTENTS

I. OVERVIEW 1

A. INTRODUCTION 1
B. HISTORICAL BACKGROUND AND LEGISLATION 1

II. DESCRIPTION OF THE DISTRICT 3

A. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT 3
B. IMPROVEMENTS WITHIN THE DISTRICT 4
C. DISTRICT ZONE BOUNDARIES AND SPECIFIC AREAS OF IMPROVEMENT 5

III. METHOD OF APPORTIONMENT 8

A. PROPOSITION 218 BENEFIT ANALYSIS 8
B. DISTRICT BENEFIT 9
C. METHODOLOGY 10
D. DEFINITIONS 11
E. INFLATION FACTOR 12

IV. DISTRICT BUDGETS 13

A. DESCRIPTION OF BUDGET ITEMS 13
B. PERSONNEL OVERHEAD 15
C. DISTRICT BUDGETS 17

APPENDIX A – DISTRICT ASSESSMENT DIAGRAM 23

APPENDIX B – 2016/2017 COLLECTION ROLL 24

I. OVERVIEW

A. INTRODUCTION

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

The Engineer's Report (Report) describes the District; any changes to the District, and the proposed assessments for Fiscal Year 2016/2017. The assessments are based on the City's estimate of revenues and expenses to maintain the improvements that provide direct and special benefits to properties within the District and Zones. The improvements within the District and the corresponding costs and the annual levy are budgeted and assessed for each separate Zone, including all expenditures, deficits, surpluses, revenues, and reserves.

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

Following consideration of all public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for Fiscal Year 2016/2017 pursuant to the Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in Fiscal Year 2016/2017.

B. HISTORICAL BACKGROUND AND LEGISLATION

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

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

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

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

II. DESCRIPTION OF THE DISTRICT

A. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

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

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

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

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

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

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

B. IMPROVEMENTS WITHIN THE DISTRICT

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

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

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

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

C. DISTRICT ZONE BOUNDARIES AND SPECIFIC AREAS OF IMPROVEMENT

Zone A1 **El Dorado –** Zone A1 consists of those parcels in Tracts 10262 and 10863 that front El Dorado Drive between Highway 111 and Fairway Drive. These parcels receive special benefits from the landscaped medians along El Dorado Drive. Parcels that use El Dorado Drive as the main access way to their properties are included in this Zone.

Zone A2 **Montecito/Stardust –** Zone A2 contains all parcels within the Montecito/Stardust development (Rancho Palmeras Estates Unit No. 3). This zone consists of residential properties on Montecito Drive and Stardust Lane west of Rancho Palmeras Drive. The parcels receive special benefits from improvements within the parkway along Rancho Palmeras Drive, adjacent to the development, and the landscaped entryway to the development, on Stardust Lane and Montecito Drive.

Zone A3 **Casa Dorado –** Zone A3 consists of all the parcels in Tracts 2752, 3097, and 4853 that are at the southeast corner of Highway 111 and Rancho Palmeras Drive. These parcels are part of a homeowner's association (HOA). The HOA, acting as an Agent of the City, contracts for landscape maintenance. The District collects assessments from parcels within the Zone to reimburse the HOA for the contracted maintenance. These parcels receive special benefits from improvements along the frontage on the south side of Highway 111, from Rancho Palmeras Drive to the project's eastern boundary, a distance of approximately 1,300 feet.

Zone A5B **Cook Street/The Cove –** Zone A5B is the development known as "The Cove", and all parcels within the Zone are part of a homeowner's association (HOA). The HOA, acting as an Agent of the City, contracts for landscape maintenance of the entrance to the Cove on Cook Street. The District collects assessments from parcels within the Zone to reimburse the HOA for the contracted maintenance. Parcels in the Cove receive direct and special benefits from these improvements.

Zone A8 **Entrance to Indian Wells Golf Resort –** Zone A8 consists of three parcels south of the Coachella Valley Stormwater Channel along Highway 111 and east of El Dorado Drive. These three parcels are the Hyatt Grand Champions of Indian Wells, the Renaissance Esmeralda Hotel, and the parcel owned by the City of Indian Wells. These parcels receive

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

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

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

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

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

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

Street, Fred Waring Drive, and Whitewater River Channel.

Zone A19 **Mountain Gate** – Zone A19 is generally located south of Highway 111 and east of Manitou Drive and includes all parcels within Tract 26595 known as the Mountain Gate Development. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.

Zone A20 **Mountain Gate Estates** – Zone A20 lies generally south of Highway 111 and east of Manitou Drive and includes all parcels within Tract 27747-1 known as the Mountain Gate Development. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.

Zone A21 **Villagio** – Zone A21 lies generally south of Highway 111 and west of Mountain Gate Drive and includes all parcels within Tract 29502 known as the Villagio. Parcels within this Zone receive special benefits from landscaped improvements associated with the development located in the parkway on the south side of Highway 111 adjacent to the development.

Zone A22 **Vaidya** – Zone A22 lies generally on the south side of Highway 111 and east of Manitou Drive and includes parcels within Tract 27747 known as Vaidya. Parcels within this Zone receive special benefits from landscaped improvements associated with the development.

Zone A23 **Montelena** – Zone A23 lies generally on the southeast corner of Highway 111 and El Dorado Drive. Parcels within this Zone receive special benefits from landscaped improvements and includes parcels within Tract 31200 known as Montelena associated with the development. The landscaping improvements for this District include the entry to the Montelena tract on east side of El Dorado Drive and along the south side of Highway 111.

Zone A25 **Tract 27104** – Zone A25 lies generally on the south of Highway 111, west of El Dorado Drive, east of Camino de Dorado and includes parcels within Tract 27104. Parcels within this Zone receive special benefits from landscaped improvements associated with the development. The landscaping improvements for this District include the entry to the Sundance

tract on west side of El Dorado Drive and along the south side of Highway 111.

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

III. METHOD OF APPORTIONMENT

A. PROPOSITION 218 BENEFIT ANALYSIS

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

Article XIIID Section 2d defines District as follows:

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

Article XIIID Section 2i defines Special Benefit as follows:

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

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

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

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting

improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

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

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

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

B. DISTRICT BENEFIT

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

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

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

C. METHODOLOGY

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

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

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

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

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

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

BUF Factor x (Acres or Units) = Parcel EBU

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

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

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

Total Balance to Levy / Total EBUs = Levy Rate per EBU

Levy Rate per EBU x Parcel EBU = Parcel Levy Amount

D. DEFINITIONS

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

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

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

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

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

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

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

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

E. INFLATION FACTOR

For All Zones Except for Zones A19 – A23 and A26 – By approval of the City Council, the maximum assessment rate that may be levied for each EBU may be increased in each year by the greater of the change in the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Area from February to February or three percent (3.0%). Such assessment adjustments shall not be considered an increased in assessment. A proposed

assessment that exceeds the adjusted maximum assessment rate will require property owner balloting approval before the increase may be imposed.

For fiscal year 2016/2017 the change in February CPI for the Los Angeles-Riverside-Orange County Area is 2.41% therefore the maximum assessment rate will be adjusted by 3.00%.

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

For fiscal year 2016/2017, the maximum assessment rate for Zones A19-A23 and A26 will be adjusted by the Los Angeles-Riverside-Orange County Area February change in CPI of 2.41%.

IV. DISTRICT BUDGETS

A. DESCRIPTION OF BUDGET ITEMS

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

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

Landscape and Lighting Materials - This includes all materials necessary during the landscape maintenance procedures, e.g., pipe, shrubs, fertilizer, etc.

as well as to maintain and ensure the proper operating condition of all lighting including electricity.

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

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

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

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

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

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

Reserve Fund - The Reserve Fund reflects funds being added or deleted from the Reserve Account for the current Fiscal Year. The Reserve Account provides for collection by the District of funds to operate the District from the time period of July 1 (Beginning of the Fiscal Year) through January when the County provides

the City with the first installment of assessments collected from the property tax bills. The Reserve Account reduces the need for the City to transfer funds from non-district accounts to pay for District charges during the first seven (7) months of the Fiscal Year.

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

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

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

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

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

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

B. PERSONNEL OVERHEAD

Personnel overhead costs are set forth in the following table. The Finance Department's administrative costs have been budgeted at $29,323 for Fiscal Year 2016/2017. These costs include, but are not limited to, time spent by Finance Personnel on budgets, payment of bills, and working with consultants to ensure the levy is placed on County tax rolls. Total Public Works costs for Fiscal Year 2016/2017 have been budgeted at $178,723. These costs include, but are not limited to, time spent by Public Works Personnel on everyday inspections of landscaping, replacement of light bulbs and broken sprinklers, electrical maintenance, and monitoring of landscaping workers to make sure grass is maintained and weeds are clear.

TABLE I – 2016/2017 PERSONNEL OVERHEAD

	Hours Spent	Loaded Hourly Rate[1]	Total Cost Allocation
FINANCE			
Payables Tech	80	$73.55	$5,884
Accountant	120	83.91	10,069
Senior Accountant	140	95.50	13,370
Total Finance	**340**		**$29,323**
PUBLIC WORKS			
Landscape Specialist	1,250	$85.81	$107,263
Maintenance Worker 11	800	59.15	47,320
Superintendent	120	111.71	13,405
Public Works Admin Asst.	80	67.58	5,406
Public Works Director	40	133.22	5,329
Total Public Works	**2,290**		**$178,723**
Grand Total	**2,630**		**$208,046**

[1] Loaded Hourly Rate includes benefits and salary.

C. DISTRICT BUDGETS

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	A1 (1) EL DORADO	A2 (1) MONTECITO/ STARDUST	A3 (2) CASA DORADO
DIRECT COSTS			
Contracted Maintenance Costs	$17,200	$8,400	$22,035
Landscape Flowers & Lighting Materials	1,500	1,800	0
Utilities - Landscape Water & Electric	8,150	4,500	0
Direct Subtotal	**$26,850**	**$14,700**	**$22,035**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,725	$1,725
Public Works Personnel Overhead	10,513	10,513	10,513
Professional Fees	2,000	320	700
Admin. Subtotal	**$14,238**	**$12,558**	**$12,938**
Total Direct and Admin. Costs	**$41,088**	**$27,258**	**$34,973**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution	(6,500)	$0	$0
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(12,238)
Annual City Operating Contribution	0	0	(2,204)
City of Indian Wells Contribution and Subsidy Subtotal	**($18,738)**	**($12,238)**	**($14,442)**
Remaining Balance to Levy	**$22,350**	**$15,020**	**$20,532**
DISTRICT STATISTICS			
Total Parcels	378	59	123
Total Parcels Levied	372	56	116
Total Equivalent Benefit Unit (EBU)	361.92	53.20	116.00
FY 2016/17 Levy Rate per EBU (projected)	**$61.76**	**$282.34**	**$177.00**
Maximum Levy per EBU Allowed	**$183.33**	**$385.68**	**$177.09**
FY 2016/17 Maximum Allowable Assessment	**$66,351**	**$20,518**	**$20,542**
FY 2015/16 Applied Levy Rate per EBU	**$61.62**	**$267.29**	**$171.29**
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	$90,852	$222	N/A
Reserve Fund Collection/(Deduction)	(6,500)	0	N/A
Ending Reserve Fund Balance 6/30/2015	**$84,352**	**$222**	**$0**
Minimum 50% operating reserve Balance	**$20,544**	**$13,629**	**$17,487**

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

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

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

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	A5B (2) THE COVE	A8 (2) INDIAN WELLS GOLF RESORT	A11A (2) HWY 111/ CLUB DRIVE
DIRECT COSTS			
Contracted Maintenance Costs	$18,425	$98,550	$15,300
Landscape Flowers & Lighting Materials	0	15,000	850
Utilities - Landscape Water & Electric	0	41,500	2,000
Direct Subtotal	**$18,425**	**$155,050**	**$18,150**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,723	$1,725
Public Works Personnel Overhead	10,513	10,515	10,513
Professional Fees	400	1,000	100
Admin. Subtotal	**$12,638**	**$13,238**	**$12,338**
Total Direct and Admin. Costs	**$31,063**	**$168,288**	**$30,488**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution	**$0**	**($12,550)**	**(3,600)**
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(12,238)
Annual City Operating Contribution	(1,843)	(15,505)	(1,815)
City of Indian Wells Contribution and Subsidy Subtotal	**($14,081)**	**($40,293)**	**($17,653)**
Remaining Balance to Levy	**$16,983**	**$127,995**	**$12,835**
DISTRICT STATISTICS			
Total Parcels	64	16	11
Total Parcels Levied	64	14	9
Total Equivalent Benefit Unit (EBU)	61.90	438.90	160.86
FY 2016/17 Levy Rate per EBU (projected)	**$274.36**	**$291.63**	**$79.79**
Maximum Levy per EBU Allowed	**$274.50**	**$528.30**	**$255.99**
FY 2016/17 Maximum Allowable Assessment	**$16,992**	**$231,871**	**$41,179**
FY 2015/16 Applied Levy Rate per EBU	**$262.36**	**$291.51**	**$79.23**
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	N/A	$266,222	$54,955
Reserve Fund Collection/(Deduction)	N/A	(12,550)	(3,600)
Ending Reserve Fund Balance 6/30/2015	**$0**	**$253,672**	**$51,355**
Minimum 50% operating reserve Balance	**$15,532**	**$84,144**	**$15,244**

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

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

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	A11C (1) CLUB DRIVE	C (2) THE COLONY	D (2) COLONY COVE ESTATES
DIRECT COSTS			
Contracted Maintenance Costs	$3,450	$41,250	$7,650
Landscape Flowers & Lighting Materials	250	1,000	3,000
Utilities - Landscape Water & Electric	4,750	11,500	2,250
Direct Subtotal	**$8,450**	**$53,750**	**$12,900**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,725	$1,725
Public Works Personnel Overhead	10,513	10,513	10,513
Professional Fees	100	300	100
Admin. Subtotal	**$12,338**	**$12,538**	**$12,338**
Total Direct and Admin. Costs	**$20,788**	**$66,288**	**$25,238**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution	(1,220)	($250)	($3,700)
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(12,238)
Annual City Operating Contribution	0	(5,375)	(1,290)
City of Indian Wells Contribution and Subsidy Subtotal	**($13,458)**	**($17,863)**	**($17,228)**
Remaining Balance to Levy	**$7,330**	**$48,425**	**$8,010**
DISTRICT STATISTICS			
Total Parcels	8	64	13
Total Parcels Levied	6	64	11
Total Equivalent Benefit Unit (EBU)	54.96	64.00	11.00
FY 2016/17 Levy Rate per EBU (projected)	**$133.37**	**$756.65**	**$728.19**
Maximum Levy per EBU Allowed	**$166.11**	**$3,169.97**	**$9,113.41**
FY 2016/17 Maximum Allowable Assessment	**$9,129**	**$202,878**	**$100,248**
FY 2015/16 Applied Levy Rate per EBU	**$128.28**	**$731.64**	**$725.91**
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	$11,508	$30,472	$59,800
Reserve Fund Collection/(Deduction)	(1,220)	(250)	(3,700)
Ending Reserve Fund Balance 6/30/2015	**$10,288**	**$30,222**	**$56,100**
Minimum 50% operating reserve Balance	**$10,394**	**$33,144**	**$12,619**

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

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

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

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	E (2) DESERT HORIZONS	A19 (1) MOUNTAIN GATE	A20 MOUNTAIN GATE ESTATE
DIRECT COSTS			
Contracted Maintenance Costs	$355,000	$25,900	$8,550
Landscape Flowers & Lighting Materials	2,000	4,000	2,300
Utilities - Landscape Water & Electric	0	6,500	2,500
Direct Subtotal	**$357,000**	**$36,400**	**$13,350**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,725	$1,725
Public Works Personnel Overhead	10,513	10,513	10,513
Professional Fees	2,800	300	100
Admin. Subtotal	**$15,038**	**$12,538**	**$12,338**
Total Direct and Admin. Costs	**$372,038**	**$48,938**	**$25,688**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution		**($3,750)**	**($2,500)**
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(12,238)
Annual City Operating Contribution	(35,700)	0	(1,335)
City of Indian Wells Contribution and Subsidy Subtotal	**($47,938)**	**($15,988)**	**($16,073)**
Remaining Balance to Levy	**$324,100**	**$32,950**	**$9,615**
DISTRICT STATISTICS			
Total Parcels	535	51	18
Total Parcels Levied	521	50	14
Total Equivalent Benefit Unit (EBU)	631.53	50.00	14.00
FY 2016/17 Levy Rate per EBU (projected)	**$513.20**	**$659.00**	**$686.79**
Maximum Levy per EBU Allowed	**$603.41**	**$977.62**	**$950.99**
FY 2016/17 Maximum Allowable Assessment	**$381,072**	**$48,881**	**$13,314**
FY 2015/16 Applied Levy Rate per EBU	**$467.44**	**$654.00**	**$685.36**
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	N/A	$77,247	$41,958
Reserve Fund Collection/(Deduction)	N/A	(3,750)	(2,500)
Ending Reserve Fund Balance 6/30/2015	**$0**	**$73,497**	**$39,458**
Minimum 50% operating reserve Balance	**$186,019**	**$24,469**	**$12,844**

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

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

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

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	A21 (1) VILLAGIO	A22 (1) VAIDYA	A23 (1) MONTELENA
DIRECT COSTS			
Contracted Maintenance Costs	$69,500	$2,650	$46,200
Landscape Flowers & Lighting Materials	10,000	1,000	500
Utilities - Landscape Water & Electric	17,000	1,200	14,500
Direct Subtotal	**$96,500**	**$4,850**	**$61,200**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,725	$1,725
Public Works Personnel Overhead	10,513	10,513	10,513
Professional Fees	550	100	400
Admin. Subtotal	**$12,788**	**$12,338**	**$12,638**
Total Direct and Admin. Costs	**$109,288**	**$17,188**	**$73,838**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution	**($5,500)**	**($1,250)**	**$0**
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(12,238)
Annual City Operating Contribution	0	0	0
City of Indian Wells Contribution and Subsidy Subtotal	**($17,738)**	**($13,488)**	**($12,238)**
Remaining Balance to Levy	**$91,550**	**$3,700**	**$61,600**
DISTRICT STATISTICS			
Total Parcels	104	18	79
Total Parcels Levied	94	13	72
Total Equivalent Benefit Unit (EBU)	94.00	13.00	72.00
FY 2016/17 Levy Rate per EBU (projected)	**$973.94**	**$284.62**	**$855.56**
Maximum Levy per EBU Allowed	**$2,000.98**	**$752.27**	**$1,074.75**
FY 2016/17 Maximum Allowable Assessment	**$188,092**	**$9,780**	**$77,382**
FY 2015/16 Applied Levy Rate per EBU	**$968.62**	**$284.62**	**$829.86**
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	$234,747	$29,042	$16,275
Reserve Fund Collection/(Deduction)	(5,500)	(1,250)	0
Ending Reserve Fund Balance 6/30/2015	**$229,247**	**$27,792**	**$16,275**
Minimum 50% operating reserve Balance	**$54,644**	**$8,594**	**$36,919**

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

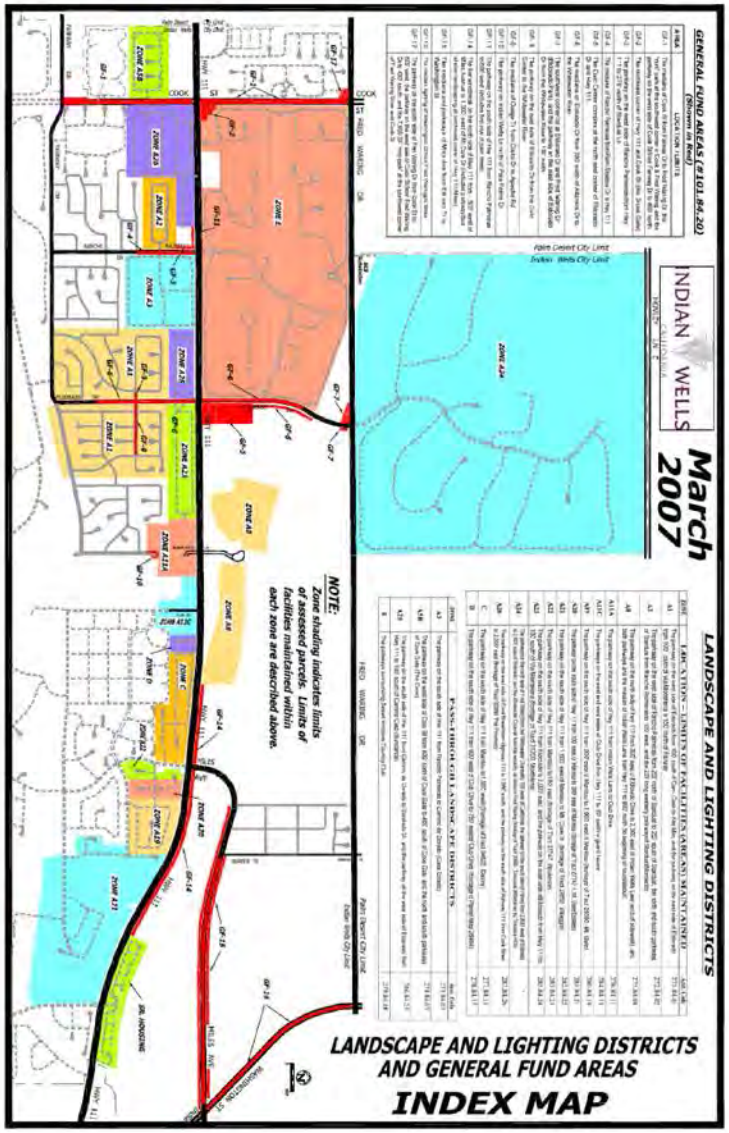
Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.

TABLE II – 2016/2017 DISTRICT BUDGETS

Zone Description	A25 SUNDANCE	A26 PROVINCE	TOTAL
DIRECT COSTS			
Contracted Maintenance Costs	$40,577	$163,000	$943,637
Landscape Flowers & Lighting Materials	2,500	600	46,300
Utilities - Landscape Water & Electric	0	0	116,350
Direct Subtotal	**$43,077**	**$163,600**	**$1,106,287**
ADMINISTRATION COSTS			
Administrative Personnel Overhead	$1,725	$1,725	$29,323
Public Works Personnel Overhead	10,513	10,513	178,723
Professional Fees	250	650	10,170
Admin. Subtotal	**$12,488**	**$12,888**	**$218,216**
Total Direct and Admin. Costs	**$55,565**	**$176,488**	**$1,324,503**
CITY CONTRIBUTIONS AND OPERATING SUBSIDIES			
Reserve Fund Contribution	$0	$0	($40,820)
Personnel/Overhead - City of Indian Wells Subsidy	(12,238)	(12,238)	(208,046)
Annual City Operating Contribution	0	0	(65,066)
City of Indian Wells Contribution and Subsidy Subtotal	**($12,238)**	**($12,238)**	**($313,932)**
Remaining Balance to Levy	**$43,327**	**$164,250**	**$1,010,571**
DISTRICT STATISTICS			
Total Parcels	48	151	1,740
Total Parcels Levied	45	133	1,654
Total Equivalent Benefit Unit (EBU)	45.00	133.00	2,375.27
FY 2016/17 Levy Rate per EBU (projected)	**$962.82**	**$1,234.97**	
Maximum Levy per EBU Allowed	**$1,165.35**	**$1,234.97**	
FY 2016/17 Maximum Allowable Assessment	**$52,441**	**$164,251**	**$1,644,919.14**
FY 2015/16 Applied Levy Rate per EBU	**$962.82**	**$1,205.91**	
FUND BALANCE INFORMATION			
Beginning Reserve Balance 2015 (estimated)	N/A	N/A	$913,300
Reserve Fund Collection/(Deduction)	N/A	N/A	(40,820)
Ending Reserve Fund Balance 6/30/2015	**$0**	**$0**	**$872,480**
Minimum 50% operating reserve Balance	**$27,782**	**$88,244**	**$662,251**

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

APPENDIX A – DISTRICT ASSESSMENT DIAGRAM



APPENDIX B – 2016/2017 COLLECTION ROLL

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

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

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

Upon approval of the Engineer's Annual Levy Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in Fiscal Year 2016/2017. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.

5/19/2016

File #: RES-166-16 Item #: C.

Indian Wells City Council

Staff Report - Finance

Indian Wells Drainage Maintenance Benefit Assessment District No. 1 Levy for Fiscal Year 2016-17

RECOMMENDED ACTIONS:

Council ADOPTS Resolution initiating proceedings for annual levy and collection of assessments for Fiscal Year 2016-17 for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 pursuant to the Benefit Assessment Act of 1982; and

SCHEDULES a noticed Public Hearing on June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approving the annual engineer's report regarding the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 and the levy and collection of assessments for Fiscal Year 2016-17 pursuant to the provisions of the Benefit Assessment Act of 1982; and

ADOPTS Resolution declaring its intention to order the levy and collection of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016-17 pursuant to the Benefit Assessment Act of 1982.

DISCUSSION:

Summary

The City is responsible for levying the annual drainage maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218. The Council will hold a noticed Public Hearing on Thursday, June 16, 2016 at 1:30 p.m. to hear public testimony on the proposed levy.

Background

As a condition of approval for the Province development in 2006, the City required the developer to install and guarantee the maintenance of storm water control structures. The structures consist of

two drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

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

FISCAL IMPACT:

The annual levy is $101.88 per assessed parcel. The City anticipates collecting $13,550 from 133 assessed parcels inside the gates at the Province. The City records the revenues into a Special Revenue fund to operate the District as described in the attached engineer’s report.

ATTACHMENTS:

1. Resolution - initiating proceedings
2. Resolution - engineer’s report
3. Resolution - intention to order levy

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

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

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

WHEREAS, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the Assessment District for Fiscal Year 2016/17 pursuant to provisions of the Act; and

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

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

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

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

SECTION 2. Extension of Existing Assessments. The City Council hereby **DETERMINES** that to provide the drainage improvements described in Section 1 of this Resolution, it is necessary to levy and collect assessments against lots and parcels within the Assessment District. The City Council hereby **DECLARES** that the property owners previously approved the existing assessments in compliance with the provisions of the California Constitution Article XIIID and the proposed assessments for Fiscal Year 2016-17 comply with said approval and provisions.

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING OF THE ENGINEER'S REPORT REGARDING THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Indian Wells (the "City Council") has by Resolution ordered the preparation of the Engineer's Annual Levy Report (the "Engineer's Report") in connection with the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017, to pay the maintenance, servicing and operation of the improvements, pursuant to provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

WHEREAS, the Assessment District Engineer has prepared and filed with the City Clerk of the City of Indian Wells and the City Clerk has presented to the City Council such report entitled "City of Indian Wells Engineer's Annual Levy Report for the Drainage Maintenance Benefit Assessment District No. 1 Fiscal Year 2016-17" (the "Report"); and

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

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

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

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

(a) A Description of Improvements;

(b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance); and

(c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor's Parcel within Assessment District for Fiscal Year 2016/17.

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT"A"

THE CITY OF INDIAN WELLS CALIFORNIA

City of Indian Wells

Drainage Maintenance Benefit Assessment District No. 1

2016/2017 ENGINEER'S REPORT

Intent Meeting: May 19, 2016
Public Hearing: June 16, 2016

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

www.willdan.com/financial

WILLDAN Financial Services

ENGINEER'S REPORT AFFIDAVIT

Drainage Maintenance Benefit Assessment District No. 1

City of Indian Wells
Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2016/2017, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2016.

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

By: _____

Susana Medina, Project Manager
District Administration Services

By: _____

Richard Kopecky
R. C. E. # 16742

TABLE OF CONTENTS

I. INTRODUCTION 1

II. DESCRIPTION OF THE DISTRICT 2

A. DISTRICT BOUNDARY 2
B. PLANS AND SPECIFICATIONS 2
C. IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT 2

III. METHOD OF ASSESSMENT 3

A. BACKGROUND 3
B. SPECIAL BENEFIT 3
C. APPORTIONMENT 4
D. ASSESSMENT RANGE FORMULA 4

IV. DISTRICT BUDGET 4

A. DESCRIPTION OF BUDGET ITEMS 4
B. DISTRICT BUDGET 6

APPENDIX A – ASSESSMENT DIAGRAM 7

APPENDIX B – 2016/2017 ASSESSMENT ROLL 8

I. INTRODUCTION

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

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

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

This document provides a summary of the District and the proposed budgets and assessments for fiscal year 2016/2017. The budget and assessments are based on the City's estimate of the costs and funds necessary to maintain and service the improvements that provide a special benefit to properties within the District.

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

II. DESCRIPTION OF THE DISTRICT

A. DISTRICT BOUNDARY

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

B. PLANS AND SPECIFICATIONS

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

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

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

C. IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT

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

The location of the drywell improvements is as follows:

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

Maintenance shall include inspections, upkeep, and/or replacement of the pumps necessary to remove the surface nuisance water and to de-water the drywells. Inspection of the drywells, upkeep, or preventative type maintenance shall be performed on a monthly basis. Major maintenance of the drywells and pumps shall be performed on a semi-annual basis.

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

III. METHOD OF ASSESSMENT

A. BACKGROUND

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

The assessed lots or parcels of real property within the District are listed on Assessment Rolls, attached as Exhibit 'A' of this report. The Assessment Roll states the net amount to be assessed upon assessable lands within the District for fiscal year 2016/2017 and shows the assessment upon each lot and parcel within the District and identifies, by assessor parcel number, each assessable lot or parcel of land within the District. These lots or parcels are more particularly described on the County Assessment Roll, which is on file in the office of the Riverside County Assessor and by reference is made a part of this report.

B. SPECIAL BENEFIT

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

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

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the improvements. The proper maintenance of storm water, nuance water control and appurtenant facilities provide special benefit to parcels within the District by alleviating excess

water. This allows individual parcels to be used to their fullest extent. The above-mentioned contributes to a specific enhancement of each of the parcels within the District.

C. APPORTIONMENT

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

D. ASSESSMENT RANGE FORMULA

Commencing with fiscal year 2007/2008, the amount of the assessment for the District is proposed to increase each year, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Riverside-Orange County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living. The percentage difference between February 2015 CPI and February 2016 CPI is 2.41%.

IV. DISTRICT BUDGET

A. DESCRIPTION OF BUDGET ITEMS

Maintenance Costs

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

Utilities

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

Renovation

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

Personnel/Overhead

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

Professional Fees

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

County Administration Fees

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

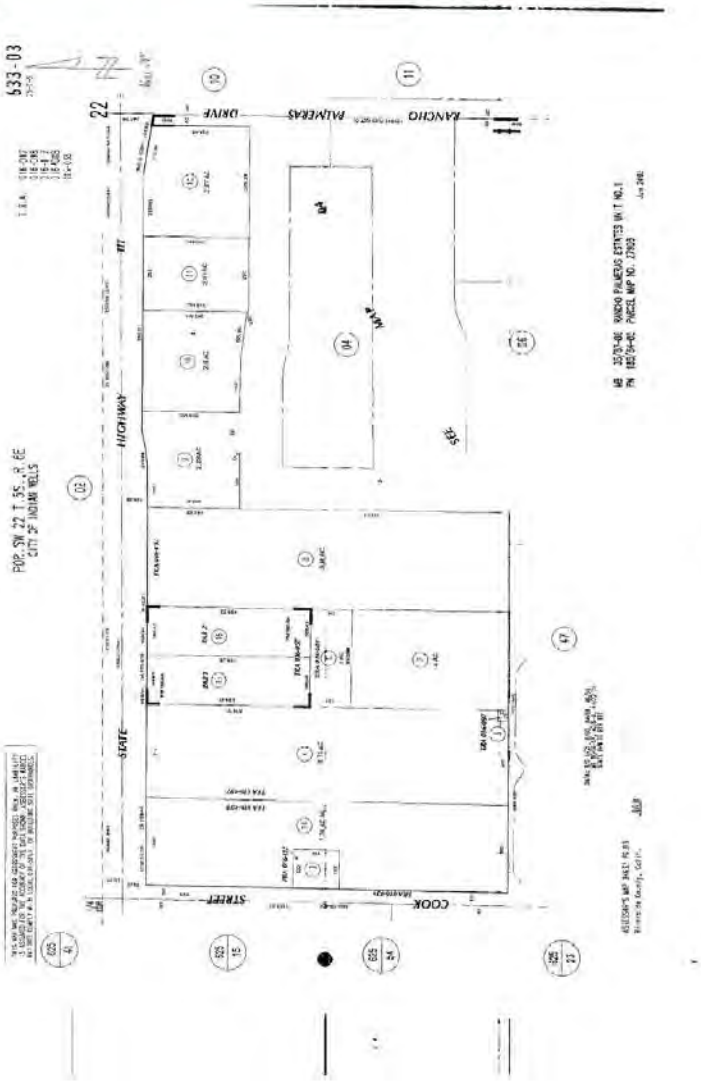
Carryover (Deficit) Prior Years

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

B. DISTRICT BUDGET

DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1 2016/2017 PROJECTED DISTRICT BUDGET	
DIRECT COSTS	
Maintenance Costs	$20,000
Capital Replacement Costs	5,000
Utilities	0
Direct Subtotal	**$25,000**
ADMINISTRATION COSTS	
Administrative Personnel Overhead	$500
Public Works Personnel Overhead	500
Professional Fees	1,750
County Admin. Fees	50
Administration Subtotal	**$2,800**
Total Direct and Administration Costs	**$27,800**
LEVY ADJUSTMENTS	
Reserve Fund Contribution	-$14,250
Personnel/Overhead - City of Indian Wells Subsidy	0
Annual City Operating Contribution	0
City of Indian Wells Contribution and Subsidy Subtotal	**-$14,250**
Remaining Balance to Levy	**$13,550**
DISTRICT STATISTICS	
Total Parcels	151
Total Parcels Levied	133
Total Equivalent Benefit Unit (EBU)	133
FY 2016/17 Levy Rate per EBU (projected)	**$101.88**
Maximum Levy per EBU Allowed	**$512.25**
Maximum Rate per EBU	
FY 2006/07 Maximum Rate	$430.14
FY 2007/08 Maximum Rate	$445.18
FY 2008/09 Maximum Rate	$459.01
FY 2009/10 Maximum Rate	$459.03
FY 2010/11 Maximum Rate	$465.62
FY 2011/12 Maximum Rate	$476.21
FY 2012/13 Maximum Rate	$486.18
FY 2013/14 Maximum Rate	$496.99
FY 2014/15 Maximum Rate	$499.70
FY 2015/16 Maximum Rate	$500.20
FY 2016/17 Maximum Rate	$512.25
FUND BALANCE INFORMATION	
Beginning Reserve Balance	$484,309
Reserve Fund Collection/(Reduction)	-14,250
Ending Reserve Fund Balance 6/30/2017	**$470,059**

APPENDIX A – ASSESSMENT DIAGRAM



APPENDIX B – 2016/2017 ASSESSMENT ROLL

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

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

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

Upon approval of the Engineer's Annual Levy Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2016/2017. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this report by the City Council.

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2016-17 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

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

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

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

SECTION 1. Intention. The City Council hereby **DECLARES** its intention to order the drainage improvements of the Assessment District and to levy and collect assessments against lots and parcels of land within the Assessment District for the Fiscal Year commencing July 1, 2016, and ending June 30, 2017, to pay for the costs and expenses of operating, maintaining and servicing drainage improvements therein as outlined in the original Engineer's Report, filed with the City Clerk and approved by the City Council in connection with the formation and the levy of the assessment.

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

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

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

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

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

SECTION 5. Public Hearing. The City Council hereby **DECLARES** its intention to conduct a Public Hearing concerning the improvements, and the levy of assessments for the Assessment District in accordance with the Act. Notice is hereby given that on **Thursday, June 16, 2016, at 1:30 P.M.**, the City Council will hold a Public Hearing on the question of the levy and collection of assessments for Fiscal Year 2016-17 against lots and parcels of land within the Assessment District, or as soon thereafter as feasible. The Public Hearing will be held at the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California at the times fixed. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**STEPHEN P. DEITSCH** **CITY ATTORNEY**

File #: 1406-16 Item #: D.

Indian Wells City Council

Staff Report - Finance

Annual Adoption of City's Investment Policy

RECOMMEND ACTION:

The Finance Committee recommends the Council **ADOPTS** the City's Investment Policy.

DISCUSSION:

Background:

The Government Code requires City Council to annually review and adopt the City's investment policy. The Treasurer is required to review each section of the policy, verify compliance with the Government Code and make recommendations, which enhance investment policy standards and procedures.

The Treasurer prepares monthly Treasurer Reports to demonstrate compliance with the investment policy subject to City Council approval and public review. The investment policy, procedures, and investments are subject to external auditor review and inspection during the audit. The investment policy and Treasurer Reports are available online at <http://www.cityofindianwells.org/cityhall/depts/finance>.

For the first time, the City's investment policy was submitted to the California Municipal Treasurers Association ("CMTA") Investment Policy Certification Program for an independent review of the policy, and the City was awarded the Certification. The CMTA provides professional guidance for public sector agencies to improve their investment policies. During the certification process, three policy improvement areas were highlighted:

1. Add Section 12.0 Review of the Investment Portfolio: Formalizes existing procedures requiring the City Treasurer to report incidences of securities noncompliance to the City Council.

2. Add Section 13.0 Investment Pools/ Money Market Funds: Establishes review procedures investing in an investment pool and or money market fund.

3. Add Section 18.0 Performance Standards: Formalizes existing procedures for portfolio benchmarking and market value presentations.

The Finance Committee met on April 25, 2016 to review the proposed changes to the City's investment policy and recommends the City Council adopt the investment policy as presented.

ATTACHMENT:

1. Investment Policy

City of Indian Wells Statement of Investment Policy

Re-adopted on May 19, 2016

Table of Contents

Investment Policy Certification 2

Policy 1.0 3

Scope 2.0 3

Fiscal Prudence 3.0 4

Objective 4.0 5

Delegation of Authority 5.0 6

Ethics and Conflicts of Interests 6.0 6

Authorized Financial Dealers and Institutions 7.0 7

Safekeeping and Custody 8.0 7

Investment Diversification and Percentage Limitations 9.0 8

Authorized and Suitable Investments 10.0 9

Prohibited Investments 11.0 10

Review of Investment Portfolio 12.0 10

Investment Pools/ Money Market Funds 13.0 10

Collateralization 14.0 11

Maximum Maturities 15.0 11

Internal Control 16.0 11

Maturity Structure 17.0 12

Performance Standards 18.0 12

Reporting 19.0 12

Investment Policy Adoption 20.0 13

Glossary of Investment Terms 14

Investment Policy Certification

CALIFORNIA MUNICIPAL TREASURERS ASSOCIATION

Investment Policy Certification

Issued on 03/08/2016

City of Indian Wells

The California Municipal Treasurers Association certifies that the investment policy of the City of Indian Wells complies with the current State statutes governing the investment practices of local government entities located within the State of California.

Over 50 Years of Excellence

President

3/10/2016

Date

1.0 Policy

It is the policy of the City of Indian Wells to invest public funds in a manner, which will provide the maximum security of the City's capital while meeting the daily cash flow demands of the City. The policy conforms to all state and local statutes governing the investment of public funds; and beyond that, to maximize return within an acceptable and defined level of risk. The City's policy is to deposit and invest public funds in a manner that shall provide:

- Safety of principal
- Liquidity to meet all of the City's obligations and requirements that may be reasonably anticipated
- A risk-based market rate of return

This policy intends to provide guidelines for the prudent investment of the City's temporarily idle cash in all Funds, and outline the policies for maximizing the efficiency of the City's cash management system.

2.0 Scope

This Investment policy applies to all financial assets of the City of Indian Wells. These funds are accounted for in the City's Comprehensive Annual Financial Report and include:

- The General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Project Funds
- Agency Funds

Included in these funds are the following Component Units of the City of Indian Wells; and, accordingly are encompassed by this investment policy:

- The City of Indian Wells Successor Agency
- The City of Indian Wells Housing Authority
- The City of Indian Wells' Fire Access Maintenance District
- The City of Indian Wells Lighting and Landscaping District(s)
- The City of Indian Wells Assessment District(s)

The City's Investment Policy does not apply to the following:

- Funds held in trust in the City's name in pension or other post-retirement benefit programs;
- Cash and Investments held in lieu of retention by banks or other financial institutions for construction projects;
- Short or long-term loans made to other entities by the City; and Short term (Due to/from) or long-term (Advances from/to) obligations made between the City and its funds.

Investment of Bond Proceeds

California Code Section 5922 (d) governs the investment of bond proceeds and reserve funds in accordance with bond indenture provisions.

- Arbitrage Requirement - The US Tax Reform Act of 1986 requires the City to perform arbitrage calculations as required and return excess earnings to the US Treasury from investments of proceeds of bond issues sold after the effective date of this law. These arbitrage calculations may be contracted with an outside source to provide the necessary technical assistance to comply with this regulation. Investable funds subject to the 1986 Tax Reform Act will be kept segregated from other funds and records will be kept in a fashion to facilitate the calculations.

The City's investment position relative to the new arbitrage restrictions is to continue pursuing the maximum yield on applicable investments while ensuring the safety of capital and liquidity. It is the City's position to continue maximization of yield and to rebate excess earnings, if necessary.

3.0 Fiscal Prudence

When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the City, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, direction and intelligence exercise in the management their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

It is the City's full intent, at the time of purchase, to hold all investments until maturity in order to ensure the return of all invested principal. Staff anticipates market prices of securities purchased

will vary depending on economic conditions, interest rate fluctuations, or individual security credit factors. Such temporary variations in market value will inevitably result in measurable gains or losses at any specific point in time.

The City Treasurer is assigned to manage the investment portfolio, acting within the intent and scope of the investment policy and other written procedures and exercising due diligence. The City Treasurer shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

4.0 Objective

The principle factors of Safety, Credit Risk, Market Rate Risk, Liquidity and Return on Investment shall be taken into consideration, in the specific order listed, when making investment decisions.

1. **Safety of Principal -** Safety of principal is the foremost objective of the investment program. Investments of the City of Indian Wells seek to ensure the preservation of capital in the overall portfolio. To obtain this objective, the City will mitigate credit risk and interest rate risk.

2. **Credit Risk -** Credit risk is the risk of loss due to the failure of the issue of a security. Credit risk will be mitigated by:

    a. Limiting investments to the safest types of securities
    b. By pre-qualifying the financial institutions with which it will do business
    c. By diversifying the investment portfolio in order that potential losses on individual securities do not unduly harm the City's capital base and cash flow.

3. **Market Rate Risk -** Market Risk, defined as market value fluctuations due to overall changes in interest rates shall be mitigated by limiting the average maturity of the investment portfolio to less than 5years, with a maximum maturity of any one security of 10 years. The portfolio shall be structured based on liquidity needs so as to avoid the need to sell securities prior to maturity.

4. **Liquidity -** The investment portfolio will remain liquid to meet all operating requirements, which might be reasonably anticipated. This is accomplished by striving to have securities mature at the same time cash is needed to meet anticipated demands (static liquidity). Additionally, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).

5. **Return on Investment -** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the

portfolio. Return on Investment is of secondary importance compared to the safety and liquidity objectives described above. Investments are limited to relatively low risk securities, as herein defined, in anticipation of earning a fair return relative to the risk assumed. While it occasionally may be necessary or strategically prudent of the City to sell a security prior to maturity to meet unanticipated cash needs or to restructure the portfolio, this policy specifically prohibits trading securities for the sole purpose of speculating on the future direction of interest rates.

5.0 Delegation of Authority

Authority to manage the investment program is derived from California Government Code Section 53600, et seq.; the City's Municipal Code; and City Council's Policy Manual.

Responsibilities of the Finance Department

The Finance Department is charged with the responsibility for maintaining custody of all public funds and securities belonging to or under the control of the City and for the deposit and investment of those funds in accordance with the principles of sound treasury management, applicable laws and ordinances, and this investment policy.

Responsibilities of the City Treasurer

The City Treasurer is responsible for investing all City Funds in accordance with the California Government Code, Sections 53600 et seq. and 53635 et seq. Investment practices shall conform to the prudent man rule (Civil Code Sect. 2261, et seq.).

The City Treasurer shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to: safekeeping, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. The City Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City Treasurer.

6.0 Ethics and Conflicts of Interests

Elected officials and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

Employees and Elected officials shall disclose to the City Manager any material interests in financial institutions that conduct business with the City of Indian Wells, and they shall further

disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and Elected officials shall subordinate their personal investment transactions to those of the City of Indian Wells particularly with regard to the time of purchases and sales.

7.0 Authorized Financial Dealers and Institutions

Authorized Financial Dealers and Institutions defined under California Government Code Section 53601.5 shall be allowed to conduct business with the City. Authorized Financial Dealers and Institutions defined under California Government Code Section 53601.5 shall be defined as an institution licensed by the State of California as a broker-dealer, as defined in Section 25004 of the California Corporations Code, or a member of a federally regulated securities exchange, a national or state-chartered bank, a savings association or federal association or a brokerage firm designated as a primary government dealer by the Federal Reserve Bank.

The City Treasurer will maintain a list of financial institutions authorized to provide investment services conforming to the California Government Code Section 53601.5. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net Capital rule). No public deposit shall be made except in a qualified public depository as established by state laws.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the City Treasurer with the following: audited financial statements, proof of National Association of Security Dealers certification, proof of State of California registration, and certification of having read the City's investment policy. A current (for the fiscal year most recently ended) audited financial statement is required to be on file for each financial institution and broker/dealer in which the City invests.

8.0 Safekeeping and Custody

To protect against fraud or embezzlement or losses caused by collapse of an individual securities dealer, all securities owned by the City shall be held in safekeeping by a third party bank trust department, acting as agent for the City under the terms of a custody agreement. All trades executed by a dealer will settle delivery vs. payment (DVP) through the City's safekeeping agent. Securities held in custody for the City shall be independently audited on an annual basis to verify investment holdings. The only exception to the foregoing shall be depository accounts and securities purchases made with: LAIF, time certificates of deposit and money market mutual funds, since the purchased securities are not deliverable.

9.0 Investment Diversification and Percentage Limitations

Investments shall be diversified among institutions, types of securities and maturities to maximize safety and yield with changing market conditions. The City Treasurer will diversify investments by investment type and institution in accordance with the limitations of the authorized investments.

Diversification

- No more than 70% of the City's total investment portfolio will be invested in a single security type or with a single financial institution.

- The City Treasurer shall take great care not to exceed the maximum 70% diversification limit; however, due to routine fluctuations in the amount of cash held in Local Agency Investment Funds (LAIF) or other short term investments, the City may at times temporarily exceed the maximum 70% diversification limit.

Percentage Limitations

- The City Treasurer shall not exceed the maximum investment percentage of the portfolio by investment type at the time of purchase of the security. Due to routine fluctuations in the amount of cash held in LAIF or other short term investments, the City may at times temporally exceed the maximum investment percentage of the portfolio by investment type. The City Treasurer shall not be required to sell any investment type to maintain the maximum investment percentage of the portfolio by investment type limit.

10. Authorized and Suitable Investments

Investments of City funds are governed by the California Government Code Sections 53600 et seq, as amended from time to time.

Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum par value per name	Credit/Minimum Quality Requirements
US Treasury Bills, Bonds and Notes	10 years – See Maximum Maturity requirements	0-70%	None	Full faith and credit of the United States Government
Federal Agency Securities	10 years – See Maximum Maturity requirements	0-70%	$15,000,000	Implied guarantee of the US Government. Federal Agency Securities have an AAA rating.
Local Agency Bonds	10 years – See Maximum Maturity requirements	0-20%	$5,000,000	Shall be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service such as S&P or Moodys.
State of California Obligations	10 years – See Maximum Maturity requirements	0-20%	$5,000,000	Shall be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service such as S&P or Moodys.
CA Local Agency Obligations	10 years – See Maximum Maturity requirements	0-20%	$5,000,000	Shall be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service such as S&P or Moodys.
Money Market Funds	N/A	0-20%	10% per single issue	Multiple requirements including highest ranking by two nationally recognized rating agencies, must have fund advisor registered with the SEC, have more than $500 million under management, etc.
Certificates of Deposit – Private Placement Certificate of Deposit Account Registry Service (CDARS), Negotiable Certificates of Deposit, Non-negotiable Certificates of Deposit	5 years	0-30%	$250,000 per Issuer	Federal Deposit Insurance Corporation (FDIC) Insured limited to $250,000 per issuer.
Repurchase Agreements	30 days	0-10%	$2,000,000	Signed Security Loan Agreement in file. Reverse Repurchase Agreements are specifically not authorized under this investment policy.
Local Agency Investment Fund	N/A	0-60%	$20,000,000 (per entity)	Investment of funds in the California LAIF which allows the State Treasurer to invest through the Pooled Money Investment Account
Medium-term Corporate Bonds	5 years	0-20%	2,000,000	Shall be rated in a rating category of "A" or its equivalent or better by a nationally recognized rating service such as S&P or Moodys.

11.0 Prohibited Investments

Pursuant to California Government Code Section 53601.6, as amended from time to time, the City shall not invest any funds in inverse floaters, range notes, or interest only strips that are derived from a pool of mortgages. In addition, the City shall not invest funds in any security that could result in zero interest accrual if held to maturity.

12.0 Review of Investment Portfolio

The securities held by the City must be in compliance with Authorized and Suitable Investments at the time of purchase. The City Treasurer shall establish procedures to report to the City Council, major and critical incidences of noncompliance identified through the review of the portfolio.

13.0 Investment Pools/ Money Market Funds

The City may invest in the Local Agency Investment Fund (LAIF), a special fund in the California State Treasury created and governed pursuant to Government Code Sections 16429.1 et seq. LAIF limits investments to $65 million from any one public agency by State law; however, the City's investment policy limits investments to $20 million. The California Government Code states that moneys placed for deposit in LAIF are in trust in the custody of the State Treasurer and cannot be borrowed or withheld from the City. Further, the right to withdraw deposited money from the LAIF upon demand may not be altered, impaired, or denied in any way by any state official or agency based upon the State's failure to adopt a budget by July1 of each new fiscal year.

A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. The purpose of this investigation is to determine the suitability of a pool or fund and evaluate the risk of placing funds with that pool or fund.

The investigation will, at a minimum, obtain the following:

- A description of eligible investment securities, and a written statement of investment policy and objectives.
- A description of interest calculations and how it is distributed, and how gains and losses are treated.
- A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced and the program audited.
- A description of who may invest in the program, how often, what size deposit and withdrawal are allowed.
- A schedule for receiving statements and portfolio listings
- A description of how the pool/fund maintain reserves, retained earnings, etc. or is all income after expenses distributed to participants
- A fee schedule that discloses when and how fees are assessed.

- The eligibility of the pool/fund to invest in bond proceeds and a description of its practices.

Money market mutual funds must be registered with the Securities and Exchange Commission and which comply with rule 2a7 of the Investment Company Act of 1940. The dollar weighted average maturity of the portfolio shall be less than ninety (90) days and the portfolio is managed to maintain a one dollar ($1.00) share price.

The fund shall meet either of the following criteria:

- Attained the highest ranking or the highest letter and numerical rating provided by not less than two Nationally Recognized Statistical-Rating Organizations
- Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars ($500,000,000).

14.0 Collateralization

Collateralization will be required on Repurchase Agreements.

- Repurchase Agreements - In order to anticipate market changes and provide a level of security for all funds, the collateralization level for repurchase agreements will be 102% of market value of principal and accrued interest. The collateral cannot be mortgaged-backed securities.

15.0 Maximum Maturities

The City of Indian Wells will attempt to match its investments with anticipated cash flow requirements. To the extent possible, the City Treasurer shall maintain investments in the portfolio equal to the amount of two years current General Fund operating reserves maturing at no more than five (5) years from the date of purchase. Once this requirement is met, a maximum of 30% of the portfolio may be invested for more than five (5) years but not to exceed ten (10) years. Reserve funds from Bond proceeds may be invested in securities exceeding five (5) years if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.

16.0 Internal Control

The City Treasurer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and, (2) the valuation of costs and benefits requires estimates and judgments by management. Accordingly, the City Treasurer shall

establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

17.0 Maturity Structure

The weighted average maturity of the pooled portfolio shall not exceed four years. In addition to the four year maturity average, the portfolio shall be structured for liquidity purposes to maintain $5,000,000 of invested funds maturing within 360 days.

18.0 Performance Standards

The investment portfolio shall be managed in accordance with the parameters specified within this policy and always within consistently safe and prudent treasury management procedures.

Market Yield (Benchmark)

The City's overall investment strategy is passive: Investments are generally held to maturity. The City portfolio shall be compared to a benchmark in order to determine whether market yields are being achieved. The LAIF apportionment rate and the two-year U.S. Treasury Note shall be considered useful benchmarks of the City's portfolio performance.

Marking to Market

The market value of the portfolio shall be calculated monthly. This will ensure that review of the investment portfolio, in terms of value and price volatility, is performed. In defining market value, consideration shall been given to pronouncements from the Government Accounting Standards Board (GASB) that address the reporting of investment assets and investment income for all investment portfolios held by governmental entities. The fair value of all securities reported in the City's portfolio is based on currently quoted market prices.

19.0 Reporting

The City Treasurer shall prepare monthly Treasurer's Report that provides a clear picture of the status of the current investments. The Treasurer's Report is prepared in a manner that will allow the City Manager and the City Council to ascertain whether investment activities during the reporting period have deviated from the City's investment policy. The monthly Treasurer's Report will include the City portfolio, Fiscal Agent portfolio, and Bond Proceeds portfolio(s).

The following information shall be required in each monthly investment portfolio report:

- A listing of individual securities held at the end of the reporting period
- Percentage of Portfolio by Investment Type
- Investments Stated Rate and Book Value

- Unrealized gains or losses resulting from appreciation depreciation by listing the cost and market value of securities over one-year in duration
- Average rate of return on City's investments
- Maturity aging by type of investment
- Market value of Securities

20.0 Investment Policy Adoption

The City of Indian Wells Investment Policy shall be adopted by minute order of the City Council of the City of Indian Wells. The Policy shall be reviewed annually by the City Council and any modifications made thereto must be approved by the City Council.

APPENDIX "A"
GLOSSARY OF INVESTMENT TERMS

AGENCY: A debt security issued by a federal or federally sponsored agency. Federal agencies are backed by the full faith and credit of the U.S. Government (i.e. Government National Mortgage Association). Federally sponsored agencies (FSA's) are backed by each particular agency with a market perception that there is an implicit government guarantee (i.e. Federal National Mortgage Association).

ASKED PRICE: The price at which securities are offered for sale, also known as offering price.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price offered by a buyer of securities. (When you are selling securities, you *ask* for a bid.)

BOND PROCEEDS: The money paid to the issuer by the purchaser or underwriter of a new issue of municipal securities. These moneys are used to finance the project or purpose for which the securities were issued and to pay certain costs of issuance as may be provided in the bond contract.

BOOK VALUE: The value at which a debt security is shown on the holder's balance sheet. Book value is often acquisition cost plus/minus amortization and accretion, which may differ significantly from the security's current value in the market.

BROKER: Someone who brings buyers and sellers together and is compensated for his/her service.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large denomination CDs are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

CREDIT QUALITY: The measurement of the financial strength of a bond issuer. This measurement helps an investor to understand an issuer's ability to make timely interest payments and repay the loan principal upon maturity. Generally, the higher the credit quality of a bond issuer, the lower the interest rate paid by the issuer because the risk of default is lower. Credit quality ratings are provided by a Nationally Recognized Statistical-Rating Organization.

CREDIT RISK: The risk to an investor that an issuer will default in the payment of interest and/or principal on a security.

CUSTODIAN: A bank or other financial institution that keeps custody of stock certificates and other assets.

CURRENT YIELD (CURRENT RETURN): A yield calculation determined by dividing the annual interest received on a security by the current market price of that security.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, by buying and selling for his/her own account.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DERIVATIVES: (1) financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

DIVERSIFICATION: Dividing investment funds among a variety of security types by sector, maturity and quality ratings offering independent returns.

DURATION: A measure of the timing of the cash flows, such as the interest payments and the principal repayment, to be received from a given fixed-income security. This calculation is based on three variables: term to maturity, coupon rate, and yield to maturity. The duration of a security is a useful indicator of its price volatility for given changes in interest rates.

FAIR VALUE: The amount at which an investment could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

FEDERAL CREDIT AGENCIES: Agencies of the Federal Government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small-business firms, students, farmers, farm co-operatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits currently up to $250,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB): Government sponsored wholesale banks (currently 12 regional banks) that lend funds and provide correspondent banks services to member commercial banks, thrift institutions, credit unions and insurance companies.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., twelve Regional

Banks and about 5,700 commercial banks that are members of the system.

FINANCIAL INDUSTRY REGULATORY AUTHORITY (FINRA): A self-regulatory organization (SRO) responsible for governing business between brokers, dealers and the investing public.

GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB): A standard-setting body, associated with the Financial Accounting Foundation, which prescribes standard accounting practices for governmental units.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA, or FMHA mortgages. The term “pass-throughs” is often used to describe Ginnie Maes.

GOVERNMENT SECURITIES: An obligation of the U.S. government, backed by the full faith and credit of the government. These securities are regarded as the highest quality of investment securities available in the U.S. securities market. See "Treasury Bills, Notes, and Bonds."

INTEREST RATE RISK: The risk associated with declines or rises in interest rates which cause an investment in a fixed-income security to increase or decrease in value.

INTERNAL CONTROLS: An internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that 1) the cost of a control should not exceed the benefits likely to be derived and 2) the valuation of costs and benefits requires estimates and judgments by management. Internal controls should address the following points:

- **Control of collusion** - Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
- **Separation of transaction authority from accounting and record keeping** - By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- **Custodial safekeeping** - Securities purchased from any bank or dealer including appropriate collateral (as defined by state law) shall be placed with an independent third party for custodial safekeeping.
- **Avoidance of physical delivery securities** - Book-entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
- **Clear delegation of authority to subordinate staff members** - Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control

structure that is contingent on the various staff positions and their respective responsibilities.

- **Written confirmation of transactions for investments and wire transfers -** Due to the potential for error and improprieties arising from telephone and electronic transactions, all transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and if the safekeeping institution has a list of authorized signatures.
- **Development of a wire transfer agreement with the lead bank and third-party custodian -** The designated official should ensure that an agreement will be entered into and will address the following points: controls, security provisions, and responsibilities of each party making and receiving wire transfers.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL AGENCY INVESTMENT FUND (LAIF): Chapter 730, Statutes of 1976 of the State of California, established the Local Agency Investment Fund. This fund enables local governmental agencies to remit money not required for immediate needs to the State City Treasurer for the purpose of investment. In order to derive the maximum rate of return possible, the State City Treasurer has elected to invest these monies with State monies as a part of the Pooled Money Investment Account. Each local governmental unit has the exclusive determination of the length of time its money will be on deposit with the State City Treasurer. At the end of each calendar quarter, all earnings derived from investments are distributed by the State Controller to the participating government agencies in proportion to each agency's respective amounts deposited in the Fund and the length of time such amounts remained therein. Prior to the distribution, the State's costs of administering the program are deducted from the earnings.

MARK-TO-MARKET: The process whereby the book value or collateral value of a security is adjusted to reflect its current market value.

MARKET RISK: The risk that the value of a security will raise or decline as a result of changes in market conditions.

MARKET VALUE: The current price at which a security is trading and could presumably be purchased or sold at that particular point in time.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase-reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of a financial obligation is due and payable.

MONEY MARKET MUTUAL FUND: Mutual funds that invest solely in money market instruments (short-term debt instruments, such as Treasury bills, commercial paper, bankers' acceptances, repos and federal funds).

MUTUAL FUND: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. Mutual funds are regulated by the Investment Company Act of 1940 and must abide by Securities and Exchange Commission (SEC) disclosure guidelines.

NATIONALLY RECOGNIZED STATISTICAL-RATING ORGANIZATION (NRSRO): Standard and Poor's, Moody's, and Fitch Financial Services are examples of such organizations.

OFFER: An indicated price at which market participants are willing to sell a security or commodity. Also referred to as the "Ask price."

PAR VALUE: The amount of principal that must be paid at maturity. Also referred to as the face amount of a bond, normally quoted in $1,000 increments per bond.

PORTFOLIO: Combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other asset. The purpose of a portfolio is to reduce risk by diversification.

PRINCIPAL: The face value or par value of a debt instrument, or the amount of capital invested in a given security.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker/dealers, banks and a few unregulated firms.

PRINCIPAL: (1) The face amount or par value of a debt instrument. (2) One who acts as a dealer buying and selling for his own account.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REINVESTMENT RISK: The risk that a fixed-income investor will be unable to reinvest income proceeds from a security holding at the same rate of return currently generated by that holding.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate the buyer for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is increasing bank reserves.

REVERSE REPURCHASE AGREEMENT: An agreement of one party (for example, a financial institution) to purchase securities at a specified price from a second party (such as a public agency) and a simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specific date.

RISK: Degree of uncertainty of return on an asset.

RULE 2A-7 OF THE INVESTMENT COMPANY ACT: Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13-month maturity

limit and a 90-day average maturity on investments, to help maintain a constant net asset value of one dollar ($1.00).

SAFEKEEPING SERVICE: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vault for protection and security.

SECONDARY MARKET: A market is made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES LENDING: An agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

STRUCTURED NOTES: Notes issued by Government Sponsored Enterprises, (FHLB, FNMA, FHLMC, etc.), and Corporations that have imbedded options, (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns), into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

SWAP: Trading one asset for another.

TOTAL RETURN: The sum of all investment income plus changes in the capital value of the portfolio.

TREASURY BILLS: Short-term U.S. government non-interest bearing discounted debt securities with maturities of no longer than one year and issued in minimum denominations of $10,000. Auctions of three- and six-month bills are weekly, while auctions of one-year bills are monthly. The yields on these bills are monitored closely in the money markets for signs of interest rate trends.

TREASURY BOND: A long-term coupon-bearing U.S. Treasury security issued as a direct obligation of the U.S. Government and having an initial maturity of more than 10 years and issued in minimum denominations of $1,000.

TREASURY NOTE: A medium-term coupon-bearing U.S. Treasury security issued as a direct obligation of the U.S. Government and having an initial maturity of from one to ten years and issued in denominations ranging from $1,000 to $1 million or more.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission (SEC) Rule 15C3-1 outlining requirements that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

VOLATILITY: A degree of fluctuation in the price and valuation of securities.

YIELD: The current rate of return on an investment security generally expressed as a percentage of the security's current price. (a) INCOME YIELD is obtained by dividing the current dollar

income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

File #: 1407-16 Item #: E.

Indian Wells City Council

Staff Report - Finance

City's Appropriations Limitation for Fiscal Year 2016-17

RECOMMENDED ACTION:

Council ADOPTS Resolution establishing of the City's appropriations limitation for Fiscal Year 2016-17.

DISCUSSION:

The voters approved Proposition 4 in November 1979 adding to the California Constitution Article XIIIB, which establishes limits on most appropriations from tax sources the state and local government entities are permitted to receive in any given year. The City Council establishes the City's appropriations limitation for each new fiscal year. The limit specifies the maximum appropriations that could be funded by proceeds of taxes. The City's appropriations limit for fiscal year 2016/17 is calculated at $79,405,936.

The City will utilize only 19.0454% of its appropriations limit for Fiscal Year 2016/17 budget based upon estimated tax proceeds of $15,123,149. The City's estimated tax proceeds are within the calculated appropriation limitation and in compliance with the law. The City's Appropriations Limit calculations are reviewed by the City's auditing firm as part of the annual audit.

ATTACHMENTS:

1. Resolution
2. Price factor and population information

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL APPROPRIATION LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2017

WHEREAS, on November 6, 1979, the voters in California added Article XIII B to the State Constitution placing various limitations on the appropriations of the state and local governments; and

WHEREAS, Article XIII B provides that the appropriations limit for the new Fiscal Year is calculated by adjusting the base Fiscal Year 1978-79 appropriations by the lower of (1) U.S. CPI or California Per Capita Income, or (2) City Population Growth; and

WHEREAS, in June of 1990, the voters in California modified Article XIII B to the State Constitution by approving Proposition III and SB 88 which allows cities to choose between the following adjustment factors when adjusting the base year appropriations: (1) either the growth in the California per capita income and City (or County) population growth, or (2) the growth in the non-residential assessed valuation due to new construction within the City and City (or County) population growth; and

WHEREAS, the City chooses to use the growth in California per capita income and City population growth as the factor for calculating the appropriations limit; and

WHEREAS, the City of Indian Wells has complied with the provisions of Article XIII B in determining the appropriations limit for Fiscal Year 1990-91, Fiscal Year 1991-92, Fiscal Year 1992-93, Fiscal Year 1993-94, Fiscal Year 1994-95, Fiscal Year 1995-96, Fiscal Year 1996-97, Fiscal Year 1997-98, Fiscal Year 1998-99, Fiscal Year 1999-00, Fiscal Year 2000-01, Fiscal Year 2001-02, Fiscal Year 2002-03, Fiscal Year 2003-04, Fiscal Year 2004-05, Fiscal Year 2005-06, Fiscal Year 2006-07, Fiscal Year 2007-08, Fiscal Year 2008-09; Fiscal Year 2009-10; Fiscal Year 2010-11; Fiscal Year 2011-12; Fiscal Year 2012-13; Fiscal Year 2013-14; Fiscal Year 2014-15; Fiscal Year 2015-16 and Fiscal Year 2016-17; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES HEREBY RESOLVES the appropriations limitation in Fiscal Year 2016-17 as described in Exhibit "A" is hereby **ADOPTED** at $79,405,936 for the City of Indian Wells on a provisional basis using the alternative factor of California Per Capita Income for the inflationary adjustment.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"

CITY OF INDIAN WELLS
CALCULATION OF GANN APPROPRIATION LIMIT - FY 2016-17

Prop. 111 Options

	Adjusted Approp. Limit	New Ratio of Change	(1) IW City Population Ratio	(2) County Population Ratio	(3) Per Capita Change	(4) Non-Res. Growth Change
78-79	$3,329,638	Base Year Calculation				
79-80	$3,700,176	1.1113	1.0087	N/A	1.1017	N/A
80-81	$4,404,215	1.1903	1.0617	N/A	1.1211	N/A
81-82	$5,827,129	1.3231	1.2125	N/A	1.0912	N/A
82-83	$7,077,181	1.2145	1.1373	N/A	1.0679	N/A
83-84	$8,123,896	1.1479	-	N/A	-	N/A
84-85	$8,832,300	1.0872	1.0474	N/A	1.038	N/A
85-86	$9,727,045	1.1013	1.0616	N/A	1.0374	N/A
86-87	$10,314,966	1.0604	1.0366	N/A	1.023	N/A
87-88	$11,586,172	1.1232	1.0901	1.0573	1.0304	Unknown
88-89	$12,856,718	1.1097	1.0677	1.0667	1.0393	Unknown
89-90	$14,459,318	1.1247	1.0601	1.0713	1.0498	Unknown
90-91	$16,327,744	1.1292	1.0386	1.0836	1.0421	Unknown
91-92	$18,185,471	1.1138	1.0569	1.0695	1.0414	Unknown
92-93	$19,138,774	1.0524	1.0592	1.0474	0.9936	Unknown
93-94	$20,426,063	1.0673	1.0390	1.0369	1.0272	Unknown
94-95	$21,307,533	1.0432	1.0358	1.0256	1.0071	Unknown
95-96	$22,804,140	1.0702	1.0045	1.0220	1.0472	Unknown
96-97	$24,324,993	1.0667	1.0148	1.0191	1.0467	Unknown
97-98	$26,005,835	1.0691	1.0214	1.0019	1.0467	Unknown
98-99	$27,878,670	1.0720	1.0235	1.0293	1.0415	Unknown
99-00	$30,400,490	1.0905	1.0432	1.0229	1.0453	Unknown
00-01	$33,168,880	1.0911	1.0400	1.0281	1.0491	Unknown
01-02	$38,956,294	1.1745	1.0893	1.0333	1.0782	Unknown
02-03	$40,480,780	1.0391	1.0525	1.0388	0.9873	Unknown
03-04	$41,842,470	1.0336	1.0103	1.0369	1.0231	Unknown
04-05	$43,223,546	1.0330	1.0002	1.0337	1.0328	Unknown
05-06	$48,185,983	1.1148	1.0591	1.0387	1.0526	Unknown
06-07	$51,822,397	1.0755	1.0114	1.0345	1.0396	Unknown
07-08	$55,904,085	1.0788	1.0088	1.0331	1.0442	Unknown
08-09	$59,882,364	1.0712	1.0162	1.0271	1.0429	Unknown
09-10	$61,121,287	1.0207	1.0186	1.0144	1.0062	Unknown
10-11	$60,402,770	0.9882	1.0088	1.0140	0.9746	Unknown
11-12	$63,039,611	1.0437	1.0140	1.0181	1.0251	Unknown
12-13	$66,063,825	1.0480	1.0090	1.0099	1.0377	Unknown
13-14	$70,147,700	1.0618	1.0061	1.0101	1.0512	Unknown
14-15	$70,770,208	1.0089	1.0106	1.0112	0.9977	Unknown
15-16	$74,421,440	1.0516	1.0119	1.0129	1.0382	Unknown
16-17	$79,405,936	1.0670	1.0142	1.0126	1.0537	Unknown

Appropriations Subject to Limitation

Ratio of change calculated by multiplying the greater amount in columns 1 or 2 times column 3.

FY 83-84, historical research yielded only the ratio of change

Total Proceeds of Taxes	15,123,149
Less: Bonded Debt Service	0
Plus: Excess Fund Balance Carryover	0
Total Appropriations Subject to Limitation	15,123,149
Gann Limit Limitation	79,405,936
Percent of Limitation	19.0454%

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

EDMUND G. BROWN JR. ▪ GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

May 2016

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit
The California Revenue and Taxation Code, section 2227, requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2016, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2016-17. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2016-17 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts
Some special districts must establish an annual appropriations limit. The Revenue and Taxation Code, section 2228 provides additional information regarding the appropriations limit.
Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The Code and the California Constitution can be accessed at the following website: http://leginfo.legislature.ca.gov/faces/codes.xhtml.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification
The population certification program applies only to cities and counties. Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2016**.

Please Note: Prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

MICHAEL COHEN
Director
By:

AMY COSTA
Chief Deputy Director

Attachment

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2016-17 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2016-17	5.37

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2016-17 appropriation limit.

2016-17:

Per Capita Cost of Living Change = 5.37 percent
Population Change = 0.90 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.37 + 100}{100} = 1.0537$

Population converted to a ratio: $\frac{0.90 + 100}{100} = 1.0090$

Calculation of factor for FY 2016-17:

$$1.0537 \times 1.0090 = 1.0632$$

5/19/2016

File #: 1413-16 Item #: F.

January 17, 2016 Strategic Planning Meeting Minutes

RECOMMENDED ACTION:

Council APPROVES the January 17, 2016 Strategic Planning Meeting Minutes.

City Council

Unofficial

Meeting Minutes

Wednesday, January 27, 2016

9:00 AM

Indian Wells Golf Resort, Celebrity Ballroom

The Indian Wells City Council and Housing Authority welcomes and encourages participation at meetings. The joint body requests speakers present their remarks in a respectful manner, within the 3 minute time limit, and focus on issues which directly affect the City/Housing Authority or which are within the subject jurisdiction of the City or Housing Authority. 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.

Unofficial

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

Mayor Reed convened the City Council of the City of Indian Wells at 9:00 a.m. on January 27, 2016 at the Indian Wells Golf Resort, Celebrity Ballroom.

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

2. APPROVAL OF THE FINAL AGENDA

A motion was made by Council Member Peabody, seconded by Mayor Pro Tem Balocco, to Approve the Agenda as Submitted. The motion carried unanimously.

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

NOES: 0

4. PUBLIC COMMENTS

Three speakers expressed their support of the use of medical cannabis. Dr. Tang updated the Council on the hemaclear tourniquets medical study at Eisenhower Medical Center. Gail McQuery spoke in opposition to CV Link. Jeffrey & Katrina Kyle requested Council consider constructing public facilities for children in the City.

5. CONSENT CALENDAR

Mayor Reed stated he will recuse himself from voting on items #5D & E as his law firm has clients who are payee listed as a vendor.

A. **Ordinance Amending Section 21.90.020 of the Indian Wells Municipal Code to Prohibit Cannabis Dispensaries, Cannabis Manufacturers, Cannabis Cultivation, and Delivery of Cannabis in the City**

It was determined to **ADOPT** Ordinance No. 694 amending Section 21.90.20 of the Indian Wells Municipal Code to prohibit Cannabis dispensaries, manufactures, cultivation, and delivery of Cannabis in the City.

This Ordinance was Adopted.

B. **Ordinance Amending Chapter 21.70 of the Indian Wells Municipal Code Regarding the Adoption of State Updated Water Efficient Landscape Regulations.**

It was determined to **ADOPT** Ordinance No. 695 amending Chapter 21.70 of the Indian Wells Municipal Code regarding the adoption of State updated water efficient landscape regulations.

This Ordinance was Adopted.

Unofficial

C. City Treasurer's Report for November 2015

It was determined to **RECEIVE** and **FILE** the City Treasurer's Report for November 2015.

This Recommendation was Approved.

Approval of the Consent Agenda

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

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

NOES: 0

D. FAMD Warrants and Demands

It was determined to **APPROVE** the January 21, 2016 FAMD Warrants and Demands.

A motion was made that this Warrants and Demands be Approved. The motion carried by the following vote:

AYES: 3 - Balocco, Mertens, Peabody

NOES: 1 - Hanson

RECUSED: 1 - Reed

E. City Warrants and Demands

It was determined to **APPROVE** the January 21, 2016 City Warrants and Demands.

A motion was made that this Warrants and Demands be Approved. The motion carried by the following vote:

AYES: 3 - Balocco, Mertens, Peabody

NOES: 1 - Hanson

RECUSED: 1 - Reed

6. STRATEGIC PLANNING SESSION

Annual Strategic Planning Session to Discuss, Evaluate Priorities, and Provide Direction to Staff Concerning a Range of Topics Relating to City Goals and Operations

FY 2015-17 CITY GOALS

Unofficial

Create a Financial Strategy

It was the **CONSENSUS** of the Council to direct staff to implement strategies to improve the City's long-term fiscal position including analyzing opportunities for shared services within the Cove Communities, and exploring a fire service property assessment ballot measure.

Mayor Reed recessed the meeting for a 10 minute break at 10:44 a.m.

Golf Resort Strategic Plan

Mayor Reed reconvened the meeting at 10:57 a.m.

It was the **CONSENSUS** of the Council to direct Troon to prepare a new 5-year Strategic Plan for the Indian Wells Golf Resort, with a target for the Golf Resort to be self-sustaining after capital expenses within 18 months. The Strategic Plan should consider the following components: determine the brand and define each segment of the business, account for each business segment and provide goals and measurable metrics, explore higher non-resident rates, define standards of operation, include a marketing and advertising plan, and evaluate any improvements to the golf courses.

Pavilion Restrooms

It was the **CONSENSUS** of the Council to direct Troon to evaluate the potential of adding a restoom/bridal facility to the Pavilion.

Mayor Reed recessed the meeting at 12:02 p.m. for a lunch break, stating the meeting will resume at 12:30 p.m.

Encourage and Expand Economic Development Opportunities

Mayor Reed reconvened the meeting at 12:36 p.m.

It was the **CONSENSUS** of the Council to direct staff to explore retaining a consultant to develop a Master Plan for the Northeast corner of the City.

Beautify the Highway 111 Corridor

It was the **CONSENSUS** of the Council to direct staff to implement a phased improvement to the Cook Street Highway 111 intersection to create an entrance.

Strengthen Contract Administration

It was the **CONSENSUS** of the Council to receive the Contract Processing Guidelines and various forms.

DISCUSSION TOPICS

Unofficial

Resort Campus Parking

It was the **CONSENSUS** of the Council to direct staff to evaluate the feasibility of purchasing the vacant site on Highway 111 between the Indian Wells Resort Hotel and the Miramonte Resort for parking area and as a park facility, and to investigate funding option for the park facility through the Desert Recreation District or by separating from the Desert Recreation District.

Mayor Reed recessed the meeting for a 10 minute break at 2:00 p.m.

Fiscal Policy and Procedures

Mayor Reed reconvened the meeting at 2:10 p.m.

It was the **CONSENSUS** of the Council to direct staff to streamline redundant processes relating to contract approval, purchasing, and warrants, and bring the revised Fiscal Policies and Procedures for Council approval.

Landscaping and Lighting Maintenance Districts (LLMD) to Mid-Valley Pipeline

It was the **CONSENSUS** of the Council to direct staff to develop a Request for Proposal for an engineering study to connect the pass-through LLMD's to the Mid-Valley pipeline, to determine the interest of the pass-through LLMD's to participate in an engineering study, and determined the interest of in pass-through LLMD's participating.

Policy on Placing Items on Council Agenda

It was determined to **DIRECT** staff to revise the procedure for Council Members to place items on future agendas and bring the matter for Council approval at the next Council meeting.

The motion was approved by the following vote:

AYES: 3 - Balocco, Hanson, Reed
NOES: 2 - Mertens, Peabody

11. ADJOURNMENT

At 2:41 p.m., Mayor Reed **ADJOURNED** the City Council meeting to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on February 18, 2016 in the City Hall Council Chambers.

Respectfully submitted,

_____
Anna Grandys, City Clerk

5/19/2016

File #: 1414-16 Item #: G.

March 3, 2016 City Council Meeting Minutes

RECOMMENDED ACTION:

Council **APPROVES** the March 3, 2016 City Council Minutes.

City Council

Unofficial

Meeting Minutes

Thursday, March 3, 2016

1:30 PM

City Hall Council Chamber

The Indian Wells City Council and Housing Authority welcomes and encourages participation at meetings. The joint body requests speakers present their remarks in a respectful manner, within the 3 minute time limit, and focus on issues which directly affect the City/Housing Authority or which are within the subject jurisdiction of the City or Housing Authority. 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.

Unofficial

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

Mayor Reed convened the City Council of the City of Indian Wells at 1:30 p.m. on March 3, 2016 in the City Hall Council Chambers.

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

3. PROCLAMATIONS AND PRESENTATIONS

A. Proclamation to Linda Cappella for Realtor of the Year by the California Association of Realtors

Council Member Hanson presented a Proclamation to Linda Cappella honoring her achievement as California Desert Association Realtor of the Year.

4. PUBLIC COMMENTS

Mr. Randy Nolen, resident, commented of the 2012 election campaign mailers. Council Member Ted Mertens read a response to Mr. Nolen's comments. Ms. Linda Blank, resident, spoke on the Modernism Week Tour recently held in Indian Wells. Ms. Nola Hastings, spoke on behalf of Climate Registry, presented the Climate Efficient Certificate and Cool Planet membership project participant membership; Indian Wells was recognized as GOLD level participant. Mr. Joe Tanner, representing the YMCA, presented the different programs available at YMCA and shared a video. Ms. Jaqueline Bradley, resident, commented on the FPPC investigations of Council Member Hanson. Ms. Rocky Randall, resident, commented on the successful resident party. City Manager Wade McKinney responded to prior comments pertaining to code enforcement cases and Christmas tree lighting.

5. CONSENT CALENDAR

Council Member Hanson pulled item #B for discussion and stated he would abstain from voting on Consent Calendar Item #E and #F. Mayor Reed stated he would abstain from voting on Items #C, #D, #E, and #F, as his law firm has two clients who are listed as payees.

A motion was made by Mayor Pro Tem Balocco, seconded by Council Member Peabody,to is Approved. The motion carried by the following vote:

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

NOES: 0

A. Reduce Improvement Bond and Refund Deposit for Tract No. 29663-9 (Toscana)

It was determined to **REDUCE** Improvement Bond No. 0619862 for Tract No. 29663-9 by 90% ($769,755.90); and

REFUND the Survey Monumentation Deposit for Tract No. 29663-9 in the amount of $6,420.

This Recommendation was Approved.

Unofficial

Approval of the Consent Agenda

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

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

NOES: 0

B. City Treasurer's Report for January 2016

Council Member Hanson requested staff to look into using Bank of West as one of the City's banks and he requested for staff to come back with a report on the RFP process for banking services.

It was determined to **RECEIVE** and **FILE** the City Treasurer's Report for January 2016.

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

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

NOES: 0

C. FAMD Warrants and Demands

It was determined to **APPROVE** the FAMD Warrants and Demands for February 4, 2016.

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

AYES: 4 - Balocco, Hanson, Mertens, Peabody

NOES: 0

ABSTAIN: 1 - Reed

D. FAMD Warrants and Demands

It was determined to **APPROVE** the February 18, 2016 FAMD Warrants and Demands.

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

AYES: 4 - Balocco, Hanson, Mertens, Peabody

NOES: 0

ABSTAIN: 1 - Reed

Unofficial

E. City Warrants and Demands

It was determine to **APPROVE** the February 4, 2016 City Warrants and Demands.

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

AYES: 3 - Balocco, Mertens, Peabody

NOES: 0

ABSTAIN: 2 - Reed, Hanson

F. City Warrants and Demands

It was determined to **APPROVE** the City Warrants and Demands for February 18, 2016.

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

AYES: 3 - Balocco, Mertens, Peabody

NOES: 0

ABSTAIN: 2 - Reed, Hanson

6. GENERAL BUSINESS

A. City Goals and Action Plans for 2016-17

City Manager Wade McKinney reviewed the revised City Goals and Action Plans for fiscal year 2016-17.

B. Policy on Placing Items on Council Agenda

It was determined to **ADOPT** Resolution No. 2016-01 amending Council Policy Manual Section 3.02.050 relating to Council Members placing agenda items.

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

AYES: 4 - Reed, Balocco, Hanson, Peabody

NOES: 1 - Mertens

Unofficial

C. Restated and Amended City Manager Employment Agreement

It was determined to **APPROVE** the Restated and Amended City Manager Employment Agreement; and

AUTHORIZE and **DIRECT** the Mayor to execute the same.

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

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

NOES: 0

D. Spring 2016 Council Meeting Schedule

It was determined to **APPROVE** the proposed Spring 2016 meeting schedule.

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

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

NOES: 0

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

No report.

8. COUNCIL MEMBERS' REPORTS AND COMMENTS

A. Exemptions from Transient Occupancy Tax - Mertens

Council Member Mertens requested this item to clarify the City did not receive any Transient Occupancy Tax from the large economic summit recent held in the Valley, as the foreign dignitaries and secret service personnel are exempt from paying TOT by Federal law.

Council Member Peabody

Council Member Peabody reported on CVAG Executive Committee meeting, and he complemented Linda Blank successful event for the Modernism Week held in Indian Wells. Mr. Peabody recognized Community Activities Committee members for a successful resident party and expressed gratitude towards the Indian Wells Fire Department for their services. Mr. Peabody responded to Mr. Randy Nolen public comments.

Council Member Mertens

Council Member Mertens reported the Indian Wells Golf Advisory Committee had encouring news as to the condition of the grass on the fairways, and he reported the Public Safety Committee is exploring cost sharing opportunities.

Unofficial

Council Member Hanson

Council Member Hanson reported CVAG Transportation committee's approval of the study for signal synchronization project and he expressed concern the Finance committee is not meeting regularly.

Mayor Pro Tem Balocco

Mayor Pro Tem Balocco reported the City will have an onsite emergency coordinator at City Hall every other week. Mr. Balocco stated his support of having routine scheduled committee meetings.

Mayor Reed

Mayor Reed reported on the CVAG Executive meeting pertaining to CV Link; Palm Spring Mayor stated it was a conceptual plan only and not binding any city, and the plan has no build option for Indian Wells. Mayor Reed reported the conceptual plan passed on a 12-0 receive and file vote. He stated the environmental impact report is being prepared and public hearings will be taking place. Mayor Reed further reported no action at CVAG Homelessness meeting. Mr. Reed asked the City Attorney to meet with him on Council Memeber Mertens' request to address Mr. Randy Nolen's public comments. Council Member Hanson mentioned his experience with AMR ambulance transport service, the invoice was for $1,900 and he had to pay $400. Mr. Hanson stated the Indian Wells paramedics service is free in Indian Wells.

9. CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Steve Deitsch reported the Council convened a special meeting held at 11:30 a.m. on closed items #4A and #4B. Mr. Deitsch reported item #4B was pertaining to an insurance matter at the Indian Wells Golf Resort for a weather event last year, and no action was taken which, under the Brown Act, would be required to be publicly reported. Mr. Deitsch responded to Council Member Peabody's request for explanation of Council Members reporting obligations. He stated Council Members are able to give brief reports but no discussion is allowed. Mr. Deitsch adviced discussion items to be agendize for discussion and action. Mr. Deitsch introduced two attorneys from Germany who are wisiting Southern California.

10. ADJOURNMENT

At 2:36 p.m., Mayor Reed ADJOURNED the City Council meeting to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on April 21, 2016 in the City Hall Council Chamber.

Respectfully Submitted,

_____

Anna Grandys, City Clerk

5/19/2016

File #: 1415-16 Item #: H.

March 3, 2016 Special Council Meeting Minutes

RECOMMENDED ACTION:

Council APPROVES the March 3, 2016 Special Council Minutes.

Special Council

Unofficial

Meeting Minutes

Thursday, March 3, 2016
11:30 AM

Executive Conference Room

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.

Unofficial

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

Mayor Reed convened the Closed Session of the City Council of the City of Indian Wells at 11:33 a.m. on March 3, 2016 in the City Hall Council Chambers/Executive Conference Room.

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

2. APPROVAL OF THE FINAL AGENDA

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

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

NOES: 0

3. PUBLIC COMMENTS

None.

4. CLOSED SESSION

Mayor Reed stated the City Council would hold a Closed Session to discuss the following agenda items:

A. **Conference with Labor Negotiators Pursuant to Government Code 54957.6. City Designated Representative: City Attorney. Unrepresented Employee: City Manager**

City Attorney Stephen Deitsch reported no action was taken which, under the Brown Act, would be required to be publicly reported.

B. **Conference with Legal Counsel Regarding Anticipated Litigation. Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2). Number of Potential Cases: 1.**

City Attorney Stephen Deitsch stated Item #4B is pertaining to an insurance matter at the Indian Wells Golf Resor for a weather event last year, and no action was taken which, under the Brown Act, would be required to be publicly reported.

Unofficial

5. ADJOURNMENT

At 11:59 a.m., Mayor Reed ADJOURNED the special meeting of the City Council to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on March 3, 2016 in the City Hall Council Chambers.

Respectfully Submitted,

_____

Anna Grandys, City Clerk

5/19/2016

File #: 1408-16 Item #: I.

Indian Wells City Council

Staff Report - Finance

City Treasurer's Report for March 2016

RECOMMENDED ACTION:

Council RECEIVES and FILES the City Treasurer's Report for March 2016.

DISCUSSION:

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

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

As of March 31, 2016:

- The City's cash and investments totaled $47,582,939.29
- The City's portfolio earned a 1.330% rate of return.

ATTACHMENT:

1. March 2016 Treasurer's Report

NET CASH & INVESTMENT SUMMARY MARCH, 2016

UNRESTRICTED FUNDS	March 2016	March 2015
GENERAL FUND		
101- GENERAL	$ 7,382,711.76	$ 6,304,806.19
TOTAL GENERAL FUND	**7,382,711.76**	**6,304,806.19**

RESTRICTED FUNDS		
SPECIAL REVENUE FUNDS		
202 - TRAFFIC SAFETY	0.95	0.76
203 - PUBLIC SAFETY 1/2 CENT SALES TAX	12,513.58	11,432.71
204 - MEASURE "A"	5,505.61	17,504.55
209 - F.A.M.D. #1	2,270,435.88	2,433,793.32
210 - SCAQMD (VEHICLE REG.)	3,915.64	1,418.01
211 - AB 3229 COPS FUNDING	4,176.46	0.81
214 - GAS TAX 2103 MAINTENANCE	16,253.71	31,300.84
215 - GAS TAX 2105 MAINTENANCE	9,811.52	9,779.20
216 - GAS TAX 2106 CONSTRUCT/MAINT	4,670.60	2,566.16
217 - GAS TAX 2107 MAINTENANCE	0.75	0.25
218 - GAS TAX 2107.5 ENG./ADMIN	4,092.16	4,029.16
228 - EMERG. UPGRADE SERVICES	3,591,547.36	3,293,364.40
247 - AB 939 RECYCLING FUND	306,610.42	244,635.02
248 - SOLID WASTE	221,500.44	210,976.26
251 - STREET LIGHTING DISTRICT 2000-1	5,883.44	4,668.34
253- INDIAN WELLS VILLAS OPERATIONS	987,601.50	975,256.31
254- MOUNTAIN VIEW VILLAS OPERATIONS	1,195,290.10	949,849.12
256- HOUSING AUTHORITY	2,935,923.71	2,755,334.52
260 - IWGR OPERATIONS	0.00	862,923.54
271 - ELDORADO DRIVE LLMD	87,401.38	86,827.13
272 - MONTECITO/STARDUST LLMD	(3,683.53)	(543.14)
273 - CASA DORADO LLMD	1,023.35	1,017.00
274 - THE COVE LLMD	1,018.75	1,014.00
275 - SH 111/IWGR (ENTRANCE) LLMD	251,505.05	269,292.78
276 - CLUB/IW LANE LLMD	52,490.68	51,564.88
277 - COLONY LLMD	31,316.75	26,394.96
278 - COLONY COV ESTATES LLMD	59,160.82	57,674.50
279 - DESERT HORIZONS LLMD	5,326.14	5,226.00
280 - MOUNTAIN GATE LLMD	78,329.13	71,714.83
281 - MOUNTAIN GATE ESTATES LLMD	42,481.21	39,381.76
282 - VILLAGIO LLMD	242,233.61	214,655.96
283 - VAIDYA LLMD	30,716.55	29,600.09
284 - CLUB, SOUTH OF 111 LLMD	12,119.75	9,886.29
285 - MONTELENA LLMD	16,007.49	8,421.50
286 - SUNDANCE LLMD	5,053.74	5,042.00
287 - PROVINCE LLMD	5,224.99	5,183.00
288 - PROVINCE DBAD	508,845.78	452,724.22
TOTAL SPECIAL REVENUE FUNDS	**13,002,305.47**	**13,143,911.04**
CAPITAL PROJECT FUNDS		
314 - PARK-IN-LIEU FEES	0.20	0.20
315 - CITYWIDE PUBLIC IMPROVEMENT FEE	0.26	0.26
316 - CAPITAL IMPROVEMENT	3,469,183.85	3,841,465.16
319 - ART IN PUBLIC PLACES	331,068.45	401,658.75
321 - HIGHWAY 111 CIRCULATION IMP FEE	0.70	0.70
TOTAL CAPITAL PROJECT FUNDS	**3,800,253.46**	**4,243,125.07**

Attachment 1

RESTRICTED FUNDS (Cont.)	March 2016	March 2015
REPLACEMENT FUNDS		
326 - INFRASTRUCTURE CAPITAL	8,548,341.00	7,085,029.00
327 - FF&E ROLLING STOCK CAPITAL	2,351,720.00	2,319,218.00
328 - GOLF RESORT CAPITAL	3,284,247.40	4,019,431.00
329 - HOUSING VILLAS CAPITAL	3,396,095.00	3,349,154.00
330 - FACILITIES CAPITAL	2,351,788.00	2,319,284.00
TOTAL REPLACEMENT FUNDS	**19,932,191.40**	**19,092,116.00**
SUCCESSOR AGENCY FUNDS		
453 - RDA (WHITEWATER)	4,799,339.17	4,393,170.98
456 - RDA OBLIGATION RETIREMENT	0.00	0.00
TOTAL SUCCESSOR AGENCY FUNDS	**4,799,339.17**	**4,393,170.98**
ENTERPRISE FUNDS		
560 - INDIAN WELLS GOLF RESORT	(2,765,756.62)	0.00
561 - CLUB DRIVE PROPERTY	289,336.13	0.00
TOTAL ENTERPRISE FUNDS	**(2,476,420.49)**	**0.00**
INTERNAL SERVICE FUNDS		
601 - OPEB BENEFIT FUND	403,969.49	1,248,313.85
TOTAL INTERNAL SERVICE FUNDS	**403,969.49**	**1,248,313.85**
RESERVE FUNDS		
602 - COMPENSATED ABSENCES	556,244.00	548,554.00
TOTAL RESERVE FUNDS	**556,244.00**	**548,554.00**
TRUST & AGENCY FUNDS		
732 - SPECIAL DEPOSITS	182,345.03	636,123.65
760 - VISITOR COMMITTEE	0.00	110,582.08
TOTAL TRUST & AGENCY FUNDS	**182,345.03**	**746,705.73**
TOTAL ALL FUNDS	**47,582,939.29**	**49,720,702.86**
FISCAL AGENTS		
253 - INDIAN WELLS VILLAS	81,498.59	38,659.51
254 - MOUNTAIN VIEW VILLAS	156,708.22	243,987.02
560 - INDIAN WELLS GOLF RESORT	2,608,063.15	1,598,984.85
453 - UNION BANK OF CALIFORNIA TRUSTEE	796,556.42	780,761.76
TOTAL FISCAL AGENTS	**3,642,826.38**	**2,662,393.14**
TOTAL ALL FUNDS & FISCAL AGENTS	**$ 51,225,765.67**	**$ 52,383,096.00**
UNRESTRICTED FUNDS	**7,382,711.76**	**6,304,806.19**
RESTRICTED FUNDS	**43,843,053.91**	**46,078,289.81**
	$ 51,225,765.67	**$ 52,383,096.00**

City of Indian Wells

Bank Reconciliation Report - City Held Cash

Finance Department

MONTH: **March 31, 2016**

Investment #	Investment Type	Investment Description	Book Value	
	Bank Checking & Sweep			
1		Pacific Western Bank - Sweep 45-301117	$ 1,197,712.80	
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	63,059.08	
19		Petty Cash	1,400.00	
				1,262,171.88
	Managed Pool Accounts			
21		Local Agency Investment Fund - City 98-33-385	12,095,837.36	
				12,095,837.36
	Bank Certificates of Deposit			
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	
390		Certificate of Deposit-HSBC Bank USA 40434AH51	250,000.00	
				5,000,000.00
	Medium Term Corporate Notes			
296		Barclays Bank Corporate Note 06738JVS0	1,000,000.00	
322		AT&T Inc. 00206RBF8	1,001,118.43	
331		JP Morgan 46625HJG6	1,001,091.82	
346		General Electric Cap Corp 36962G6W9	1,003,379.05	
369		GE Capital Financial 36163FP64	245,000.00	
373		Caterpillar Financial Services Corp 14912L6F3	1,015,052.63	
375		Berkshire Hathaway 084664BW0	1,001,519.32	
				6,267,161.25
	Federal Agency Issues			
334		Freddie Mac 3134G33S7	1,000,000.00	
335		Fannie Mae 3136GICF4	1,000,000.00	
341		Federal Farm Credit Bank 3133EC7L2	999,485.73	
342		Federal Farm Credit Bank 3133ECDX9	999,075.82	
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	1,005,638.98	
356		Fannie Mae 3136G26U6	2,000,000.00	
357		Fannie Mae 3136G26N2	1,000,000.00	
374		Federal Home Loan Bank 3130A5GC7	999,583.24	
378		Federal Home Loan Bank 3130A5L98	1,000,000.00	
380		Federal National Mortgage Assoc 3136G2L47	1,000,000.00	
391		Federal Home Loan Bank 3130A7BT1	2,000,000.00	
392		Fed. Nat'l Mortgage Assoc 3136G3CN3	2,000,000.00	
393		Fed. Farm Credit Bank 3133EFS65	1,999,280.80	
394		Fed. Home Loan Mtg corp	2,000,000.00	
				23,003,064.57
		Total Pooled Cash and Investments		**$ 47,628,235.06**
		Fair Value Increase (over cost)		(8,936.32)
Outstanding items				
		Outstanding Warrants/Wire Transfers	(29,314.10)	
		Deposit in Transit	(9,858.71)	
		Credit Card in Transit	2,813.36	
Total Outstanding Items				(36,359.45)
		Reconciled Bank Balance		**$ 47,582,939.29**
		General Ledger Balance		**$ 47,582,939.29**
				0.00

City of Indian Wells

Trustee Reconciliation Report - Cash and Investments with City Agents

Finance Department

MONTH: **March 31, 2016**

Investment #	Investment Description				
	RDA Series 2006 A Bonds	$	23.32	$	23.32
	RDA Series 2010 A Bonds	$	780,902.83	$	780,902.83
	RDA Series 2014 A Bonds	$	33.54	$	33.54
	RDA Series 2015 A Bonds	$	15,596.73	$	15,596.73
	Other Trustees				
6	Indian Wells Golf Resort		2,608,063.15		
7	Indian Wells Villas		81,498.59		
10	Mountain View Villas	$	156,708.22	$	2,846,269.96
	Total Cash and Investments with City Agents			**$**	**3,642,826.38**
	Fair Value Increase (over cost)				-
	Reconciled Bank Balance			**$**	**3,642,826.38**
	General Ledger Balance			**$**	**3,642,826.38**
					0.00

INDIAN WELLS
CALIFORNIA

The City of Indian Wells
Portfolio Management
Portfolio Summary
March 31, 2016

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	4,540,702.50	4,500,000.00	9.45	1,553	726	1.568	1.590
Certificates of Deposit	245,000.00	247,886.10	245,000.00	0.51	1,830	1,473	1.775	1.800
Managed Pool Accounts - LAIF	12,095,837.36	12,095,837.36	12,095,837.36	25.40	1	1	0.499	0.506
Money Market Sweep/Checking Account	1,262,171.88	1,262,171.88	1,262,171.88	2.65	1	1	0.246	0.250
Negotiable CD's	500,000.00	500,878.00	500,000.00	1.05	1,827	1,202	1.212	1.229
Medium Term Corporate Notes	6,000,000.00	6,056,120.00	6,022,161.25	12.64	1,667	692	1.846	1.872
Federal Agency Issues - Callables	23,000,000.00	23,041,540.00	23,003,064.57	48.30	1,928	1,386	1.605	1.627
Investments	**47,603,009.24**	**47,745,135.84**	**47,628,235.06**	**100.00%**	**1,318**	**846**	**1.312**	**1.330**

Total Earnings	March 31 Month Ending
Current Year	62,020.85
Average Daily Balance	**47,412,609.61**
Effective Rate of Return	**1.54%**

The above investments are consistant 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.

4/26/2016

Kevin McCarthy, Finance Director

Reporting period 03/01/2016-03/31/2016

Run Date: 04/19/2016 - 16:55

No fiscal year history available

Portfolio CITY
AP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3

The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
Bank Certificates of Deposit												
SYS364	364	Pacific Western Bank		03/10/2015	250,000.00	250,000.00	250,000.00	1.000		1.000	9	04/10/2016
SYS317	317	Ally Bank		05/23/2012	250,000.00	250,267.50	250,000.00	1.250		1.233	52	05/23/2016
795450NW1	329	Sallie Mae		08/15/2012	250,000.00	250,640.00	250,000.00	1.250		1.233	136	08/15/2016
38143A5L5	338	Goldman Sachs Bank		02/06/2013	250,000.00	250,712.50	250,000.00	1.050		1.036	311	02/06/2017
SYS316	316	GE Capital Retail Bank		05/25/2012	250,000.00	252,752.50	250,000.00	1.800		1.800	419	05/25/2017
17284CJG0	348	CIT BANK		07/24/2013	250,000.00	252,077.50	250,000.00	1.400		1.381	479	07/24/2017
02587DKR8	337	American Express Centurion		02/06/2013	250,000.00	252,002.50	250,000.00	1.700		1.677	488	08/02/2017
319141CQ8	361	FIRST BANK OF HIGHLAND		10/15/2014	250,000.00	250,745.00	250,000.00	1.250		1.233	563	10/16/2017
81423LBN1	360	SECURITY FEDERAL		10/15/2014	250,000.00	250,785.00	250,000.00	1.250		1.233	563	10/16/2017
48124JSY5	339	JP Morgan Chase		02/27/2013	250,000.00	250,027.50	250,000.00	1.125		1.110	689	02/19/2018
20451PBG0	349	Compass Bank		07/24/2013	250,000.00	254,642.50	250,000.00	1.700		1.677	844	07/24/2018
254672HV3	362	Discover Bank		02/25/2015	250,000.00	252,962.50	250,000.00	1.600		1.578	1,060	02/25/2019
06740KHK6	351	Barclays Bank PLC		07/23/2014	250,000.00	253,975.00	250,000.00	2.100		2.071	1,208	07/23/2019
02587CAJ9	350	American Express Bank FSB		07/24/2014	250,000.00	254,065.00	250,000.00	2.000		1.973	1,209	07/24/2019
140420NX4	354	Capital One Bank CD		09/10/2014	250,000.00	253,725.00	250,000.00	1.900		1.874	1,257	09/10/2019
71270QGS9	353	People's United Bank CD		09/10/2014	250,000.00	253,722.50	250,000.00	1.950	AAA	1.923	1,257	09/10/2019
856284Z98	355	State Bank of India NY, NY CD		09/11/2014	250,000.00	253,870.00	250,000.00	2.150		2.121	1,258	09/11/2019
05580AAW4	358	BMW BANK NORTH AMERICA		09/26/2014	250,000.00	253,730.00	250,000.00	2.100		2.071	1,273	09/26/2019
		Subtotal and Average	**4,500,000.00**		**4,500,000.00**	**4,540,702.50**	**4,500,000.00**			**1.568**	**726**	
Certificates of Deposit												
36163FP64	369	GE Capital Financial inc		04/10/2015	245,000.00	247,886.10	245,000.00	1.800		1.775	1,473	04/13/2020
		Subtotal and Average	**245,000.00**		**245,000.00**	**247,886.10**	**245,000.00**			**1.775**	**1,473**	
Managed Pool Accounts - LAIF												
SYS21	21	LAIF - City			12,095,837.36	12,095,837.36	12,095,837.36	0.506		0.499	1	
SYS23	23	LAIF - Redevelopment			0.00	0.00	0.00	0.233		0.230	1	
		Subtotal and Average	**12,314,192.20**		**12,095,837.36**	**12,095,837.36**	**12,095,837.36**			**0.499**	**1**	
Money Market Sweep/Checking Account												
SYS1	1	Pacific Western Bank			1,197,712.80	1,197,712.80	1,197,712.80	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			63,059.08	63,059.08	63,059.08	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
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
		Subtotal and Average	**1,214,292.02**		**1,262,171.88**	**1,262,171.88**	**1,262,171.88**			**0.246**	**1**	
Negotiable CD's												
94986TLX3KK	385	Wells Fargo CD		01/30/2013	250,000.00	250,174.50	250,000.00	1.000		0.946	670	01/31/2018
40434AH51	390	HSBC BANK USA		12/30/2015	250,000.00	250,703.50	250,000.00	1.500		1.479	1,734	12/30/2020
		Subtotal and Average	**500,000.00**		**500,000.00**	**500,878.00**	**500,000.00**			**1.212**	**1,202**	
Medium Term Corporate Notes												
06738JVS0	296	Barclays Bank PLC		10/27/2011	1,000,000.00	1,005,680.00	1,000,000.00	3.500	AA	3.452	209	10/27/2016
00206RBF8	322	AT&T INC		06/21/2012	1,000,000.00	1,005,340.00	1,001,118.43	1.600		1.479	426	06/01/2017
46625HJG6	331	J P Morgan		01/28/2013	1,000,000.00	1,004,640.00	1,001,091.82	1.800		1.713	664	01/25/2018
36962G6W9	346	General Elec. Cap Crp		05/01/2013	1,000,000.00	1,012,300.00	1,003,379.05	1.625		1.430	731	04/02/2018
084664BW0	375	Berkshire Hathaway		06/09/2015	1,000,000.00	1,004,040.00	1,001,519.32	1.300	AA	1.210	774	05/15/2018
14912L6F3	373	Catapillar Financial Services		04/28/2015	1,000,000.00	1,024,120.00	1,015,052.63	2.250		1.795	1,339	12/01/2019
		Subtotal and Average	**6,022,475.73**		**6,000,000.00**	**6,056,120.00**	**6,022,161.25**			**1.846**	**692**	
Federal Agency Issues - Callables												
3134G43H9	344	Fed. Home Loan Mtg Corp		04/30/2013	2,000,000.00	2,000,060.00	2,000,000.00	1.060		1.045	759	04/30/2018
3135G0WN9	345	Fed. Nat'l Mortgage Assoc		04/30/2013	2,000,000.00	2,000,020.00	2,000,000.00	1.000		0.986	759	04/30/2018
3134G33S7	334	Fed. Home Loan Mtg Corp		01/24/2013	1,000,000.00	1,002,200.00	1,000,000.00	1.000		0.986	836	07/16/2018
3136G1CF4	335	Fed. Nat'l Mortgage Assoc		01/30/2013	1,000,000.00	1,005,010.00	1,000,000.00	1.000	AAA	0.986	850	07/30/2018
3136G26N2	357	Fed. Nat'l Mortgage Assoc		09/26/2014	1,000,000.00	1,005,040.00	1,000,000.00	1.600		1.578	908	09/26/2018
3133EC7L2	341	Fed. Farm Credit Bank		03/22/2013	1,000,000.00	1,000,010.00	999,485.73	1.290		1.289	1,169	06/14/2019
3136G26U6	356	Fed. Nat'l Mortgage Assn (c)		10/07/2014	2,000,000.00	2,017,120.00	2,000,000.00	2.000	AAA	1.973	1,294	10/17/2019
3130A5GC7	374	Fed. Home Loan Bank		06/02/2015	1,000,000.00	1,001,320.00	999,583.24	1.000		2.005	1,518	05/28/2020
3130A5L98	378	Fed. Home Loan Bank		06/30/2015	1,000,000.00	1,002,960.00	1,000,000.00	2.000		1.973	1,551	06/30/2020
3136G2L47	380	Fed. Nat'l Mortgage Assoc		06/30/2015	1,000,000.00	1,007,790.00	1,000,000.00	1.800		1.775	1,551	06/30/2020
3136G1FL8	347	Fed. Nat'l Mortgage Assoc		04/26/2013	1,000,000.00	1,001,270.00	1,005,638.98	1.820		1.660	1,609	08/27/2020
3133ECDX9	342	Fed. Farm Credit Bank		03/25/2013	1,000,000.00	998,160.00	999,075.82	1.840		1.835	1,770	02/04/2021
3130A7BT1	391	Fed. Home Loan Bank		02/26/2016	2,000,000.00	1,999,020.00	2,000,000.00	1.730		1.706	1,792	02/26/2021
3136G3CN3	392	Fed. Nat'l Mortgage Assoc		03/23/2016	2,000,000.00	2,000,400.00	2,000,000.00	1.000		2.142	1,817	03/23/2021
3133EFS65	393	Fed. Farm Credit Bank		03/29/2016	2,000,000.00	2,000,100.00	1,999,280.80	1.800		1.783	1,818	03/24/2021
3134G8UQ0	394	Fed. Home Loan Mtg Corp		03/30/2016	2,000,000.00	2,001,060.00	2,000,000.00	1.800		1.775	1,824	03/30/2021
		Subtotal and Average	**22,616,649.67**		**23,000,000.00**	**23,041,540.00**	**23,003,064.57**			**1.605**	**1,386**	

The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity
		Total and Average	47,412,609.61		47,603,009.24	47,745,135.84	47,628,235.06			1.312	846

INDIAN WELLS
CALIFORNIA

2006 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2016

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	23.32	23.32	23.32	100.00	1	1	0.387	0.392
Investments	**23.32**	**23.32**	**23.32**	**100.00%**	**1**	**1**	**0.387**	**0.392**

Total Earnings	March 31 Month Ending
Current Year	339.45
Average Daily Balance	**974,821.14**
Effective Rate of Return	**0.41%**

4/26/2016

Kevin McCarthy, Agency Treasurer

Reporting period 03/01/2016-03/31/2016

Run Date: 04/25/2016 - 15:58

No fiscal year history available

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

2006 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS13	13	2006A Good Faith Deposit			0.00	0.00	0.00	5.080		5.080	1	
SYS15	15	2006 A Bonds Reserve			1.00	1.00	1.00			0.000	1	
SYS14	14	2006 A Bonds Interest			19.32	19.32	19.32	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			3.00	3.00	3.00	0.410		0.410	1	
		Subtotal and Average	**974,821.14**		**23.32**	**23.32**	**23.32**			**0.392**	**1**	
		Total and Average	**974,821.14**		**23.32**	**23.32**	**23.32**			**0.392**	**1**	

INDIAN WELLS
CALIFORNIA

RDA Series 2010 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2016

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Money Market Sweep/Checking Account	780,902.83	780,902.83	780,902.83	100.00	1	1	0.000	0.000
Investments	**780,902.83**	**780,902.83**	**780,902.83**	**100.00%**	**1**	**1**	**0.000**	**0.000**

Total Earnings	March 31 Month Ending
Current Year	97.91
Average Daily Balance	**998,322.97**
Effective Rate of Return	**0.12%**

4/26/2016

Kevin McCarthy, Agency Treasuer

Reporting period 03/01/2016-03/31/2016

Run Date: 04/25/2016 - 16:08

No fiscal year history available

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

RDA Series 2010 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS1	1	2010 A Bonds Reserve		07/01/2014	780,821.41	780,821.41	780,821.41			0.000	1	
SYS14	13	2010 A Bonds Principal		07/01/2014	77.33	77.33	77.33			0.000	1	
SYS4	4	2010 A Bonds Interest			4.09	4.09	4.09	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	
		Subtotal and Average	**998,322.97**		**780,902.83**	**780,902.83**	**780,902.83**			**0.000**	**1**	
		Total and Average	**998,322.97**		**780,902.83**	**780,902.83**	**780,902.83**			**0.000**	**1**	

INDIAN WELLS
CALIFORNIA

Series 2014 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2016

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	33.54	33.54	33.54	100.00	1	1	0.000	0.000
Investments	**33.54**	**33.54**	**33.54**	**100.00%**	**1**	**1**	**0.000**	**0.000**

Total Earnings	March 31 Month Ending
Current Year	0.00
Average Daily Balance	**957,833.99**
Effective Rate of Return	**0.00%**

4/26/2016

Kevin McCarthy, Agency Treasurer

Reporting period 03/01/2016-03/31/2016

Run Date: 04/25/2016 - 16:31

No fiscal year history available

Portfolio 14A
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7 3 3

Series 2014 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS28	28	2014 A Bonds Reserve		05/01/2015	1.00	1.00	1.00			0.000	1	
SYS26	26	2014 A Bonds Principal		08/26/2014	6.72	6.72	6.72			0.000	1	
SYS25	25	2014 A Bonds Interest		08/26/2014	3.48	3.48	3.48			0.000	1	
SYS27	27	2014 Debt Service		09/08/2014	22.34	22.34	22.34			0.000	1	
SYS24	1	UBC Cost Of Issuance Escrow		07/01/2014	0.00	0.00	0.00			0.000	1	
		Subtotal and Average	**957,833.99**		**33.54**	**33.54**	**33.54**			**0.000**	**1**	
		Total and Average	**957,833.99**		**33.54**	**33.54**	**33.54**			**0.000**	**1**	

INDIAN WELLS
CALIFORNIA

2015 A Bonds
Portfolio Management
Portfolio Summary
March 31, 2016

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	15,596.73	15,596.73	15,596.73	100.00	1	1	0.000	0.000
Investments	**15,596.73**	**15,596.73**	**15,596.73**	**100.00%**	**1**	**1**	**0.000**	**0.000**

Total Earnings	March 31 Month Ending
Current Year	0.00
Average Daily Balance	**15,596.73**
Effective Rate of Return	**0.00%**

4/26/2016

Kevin McCarthy, Agency Treasurer

Reporting period 03/01/2016-03/31/2016

Run Date: 04/25/2016 - 17:07

No fiscal year history available

Portfolio 15A
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3

2015 A Bonds
Portfolio Management
Portfolio Details - Investments
March 31, 2016

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS22	22	UBC Cost Of Issuance Escrow		08/11/2015	15,596.73	15,596.73	15,596.73			0.000	1	
		Subtotal and Average	**15,596.73**		**15,596.73**	**15,596.73**	**15,596.73**			**0.000**	1	
		Total and Average	**15,596.73**		**15,596.73**	**15,596.73**	**15,596.73**			**0.000**	1	

5/19/2016

File #: 1423-16 Item #: J.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the May 5, 2016 FAMD Warrants and Demands.

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
05/05/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49399	5/5/2016		DESERT RESORT MANAGEMENT INC.		
		DRM024890	4/16 FAMD MANAGEMENT SERVICES	5,942.00	**5,942.00**
49396	5/5/2016		AMS		
		12624	4/16 FAMD SECURITY GATE TRANSPONDERS	4,437.00	
		12625	4/16 FAMD SECURITY GATE BARRIER ARM REPLACEMENT	1,319.20	**5,756.20**
49405	5/5/2016		UNITED BROTHERS CONCRETE, INC.		
		316846	3/16 FAMD CONCRETE REPAIR SERVICES	4,500.00	**4,500.00**
49406	5/5/2016		WILLDAN FINANCIAL SERVICES		
		010-30781	4/16-6/16 FAMD LEVY SERVICES	1,131.14	**1,131.14**
49401	5/5/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-04-020-2624	4/16 FAMD UTILITIES	542.20	
		2-01-570-2145	4/16 FAMD UTILITIES	244.68	**786.88**
49404	5/5/2016		TMDE CALIBRATION LABS, INC.		
		25905	4/16 FAMD MAINTENANCE SERVICES	776.00	**776.00**
49403	5/5/2016		TIME WARNER CABLE		
		844841076002411	4/16 FAMD MANITOU INTERNET SERVICES	126.19	
		844841076002410	4/16 FAMD CLUB DRIVE INTERNET SERVICES	126.19	**252.38**
49398	5/5/2016		CONSERVE LANDCARE		
		13020	4/5/16 FAMD EXTRA LANDSCAPE MAINTENANCE	195.00	**195.00**
49402	5/5/2016		SPARKLETTS DRINKING WATER		
		14583030040116	4/16 FAMD GATEHOUSE DRINKING WATER	126.38	**126.38**
49400	5/5/2016		SIGN A RAMA		
		76948	4/16 FAMD SIGN INSTALLATION SERVICE	113.96	**113.96**
49397	5/5/2016		ASSOCIA ONCALL CALFORNIA, INC.		
		54544	4/16 FAMD MAINTENANCE SERVICES	65.00	**65.00**

11 checks in this report

TOTAL FAMD WARRANTS: 49396-49406 **19,644.94**

156

5/19/2016

File #: 1424-16 Item #: K.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council APPROVES the May 19, 2016 FAMD Warrants and Demands.

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
05/19/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49477	5/19/2016		UNIVERSAL PROTECTION SERVICE		
		2032081	4/1-4/28/16 FAMD SECURITY SERVICES	58,904.33	
	5/19/2016		UNIVERSAL PROTECTION SERVICE		
		2018129	4/15-4/21/16 FAMD SECURITY SERVICES	608.76	
		2028949	4/22-4/28/16 FAMD SECURITY SERVICES	331.08	**59,844.17**
49474	5/19/2016		M & M SWEEPING, INC.		
		40620	4/16 FAMD STREET SWEEPING SERVICE	5,380.00	
		40744	4/16 FAMD DRAIN CLEANING-WEST OF MANITOU	2,050.00	
		40743	4/16 FAMD DRAIN CLEANING-EAST OF MANITOU	800.00	**8,230.00**
49480	5/19/2016		WILLDAN FINANCIAL SERVICES		
		010-29815	1/16-3/16 FAMD LEVY SERVICES	1,130.67	**1,130.67**
49478	5/19/2016		VERIZON CALIFORNIA		
		345-1307	4/16 FAMD MANITOU GATE PHONE SERVICE	525.40	
		345-1306	3/16 FAMD CLUB GUARDGATE PHONE SERVICE	234.67	
		345-1306	4/16 FAMD CLUB GUARDGATE PHONE SERVICE	220.81	**980.88**
49476	5/19/2016		STAPLES		
		1542420821	3/16 FAMD OFFICE SUPPLIES	423.75	
		1542165671	3/16 FAMD OFFICE SUPPLIES	196.45	
		1549176461	4/16 FAMD OFFICE SUPPLIES	28.06	**648.26**
49470	5/19/2016		APPLICATIONS BY DESIGN, INC.		
		31604	5/16 FAMD ACCESS CONTROL SYSTEM HOSTING	625.00	**625.00**
49479	5/19/2016		WALLACE & ASSOCIATES, INC.		
		2016-01-FAMD	1/4-1/31/16 FAMD ENGINEERING SERVICES	468.87	**468.87**
49472	5/19/2016		COACHELLA VALLEY WATER DIST.		
		313223-844958	4/16 FAMD UTILITIES	207.90	
		152597-419098	4/16 FAMD UTILITIES	82.27	
		155649-422592	4/16 FAMD UTILITIES	46.46	**336.63**
49473	5/19/2016		CONSERVE LANDCARE		
		13087	4/14/16 FAMD EXTRA LANDSCAPE MAINTENANCE	155.00	
		13086	4/19/16 FAMD EXTRA LANDSCAPE MAINTENANCE	115.00	**270.00**
49475	5/19/2016		SPARKLETTS DRINKING WATER		
		14583030050116	5/16 FAMD GATEHOUSE DRINKING WATER	124.48	**124.48**

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
05/19/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49469	5/19/2016		AMS		
		12833	5/3/16 FAMD MANITOU GATE REPAIR SERVICES	97.20	**97.20**
49471	5/19/2016		ASSOCIA ONCALL CALFORNIA, INC.		
		58607	4/17/16 FAMD MAINTENANCE SERVICES	73.63	**73.63**

12 checks in this report

TOTAL FAMD WARRANTS: 49469-49480 **72,829.79**

159

5/19/2016

File #: 1425-16 Item #: I.

City Warrants and Demands

RECOMMENDED ACTION:

Council APPROVES the May 5, 2016 City Warrants and Demands.

CITY OF INDIAN WELLS
05/05/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49379	5/5/2016		RIVERSIDE COUNTY SHERIFF DEPT		
		SH0000027923	12/10/15-1/6/16 SHERIFF CONTRACT SERVICES	253,735.87	
	5/5/2016		RIVERSIDE COUNTY SHERIFF DEPT		
		SH0000027922	1/7-2/3/16 SHERIFF CONTRACT SERVICES	249,384.26	**503,120.13**
49391	5/5/2016		VINTAGE ASSOCIATES		
		SI-172350	4/16 CITYWIDE LANDSCAPE MAINTENANCE SERVICES	47,909.17	
		SI-172098	3/16 EXTRA LANDSCAPE SERVICES	4,612.00	
		SI-172655	3/16 EXTRA LANDSCAPE SERVICES	2,250.00	**54,771.17**
49334	5/5/2016		BEST, BEST & KRIEGER, L.L.P.		
		769016	3/16 LEGAL SERVICES	2,295.86	
		769017	3/16 CODE ENFORCEMENT LEGAL SERVICES	1,165.10	
		769013	3/16 CODE ENFORCEMENT LEGAL SERVICES	845.58	
		769018	3/16 CODE ENFORCEMENT LEGAL SERVICES	585.62	
		769019	3/16 CODE ENFORCEMENT LEGAL SERVICES	252.10	
		769020	3/15 CODE ENFORCEMENT LEGAL SERVICES	66.72	
		769038	3/16 GENERAL RETAINER LEGAL SERVICES	20,611.00	
		769012	3/16 CODE ENFORCEMENT LEGAL SERVICES	5,313.70	**31,135.68**
49392	5/5/2016		WIDE ANGLE GROUP, INC.		
		2821	3/16 2016 BNP PARIBAS OPEN CITY BOOTH EXPERIENCE	13,930.00	**13,930.00**
49353	5/5/2016		GTC SYSTEMS INC.		
		40114	3/16 CITRIX WORKSPACE & MAINTENANCE SOFTWARE SYSTEMS	10,336.87	**10,336.87**
49383	5/5/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-10-345-9178	4/16 UTILITIES	6,666.54	
		2-01-570-2186	4/16 UTILITIES	1,029.35	
		2-26-379-6526	4/16 UTILITIES	334.26	
		2-32-228-7590	4/16 UTILITIES	277.63	
		2-26-446-8521	4/16 UTILITIES	128.86	
		2-30-405-2939	4/16 UTILITIES	121.97	
		2-28-811-8029	4/16 UTILITIES	89.95	
		2-02-275-6597	4/16 UTILITIES	80.47	
		2-33-975-8682	4/16 UTILITIES	77.68	
		2-28-811-8524	4/16 UTILITIES	75.05	
		2-04-013-0916	4/16 UTILITIES	68.05	
		2-28-811-9811	4/16 UTILITIES	65.21	
		2-26-702-6078	4/16 UTILITIES	62.07	
		2-28-811-8276	4/16 UTILITIES	60.94	
		2-28-811-8425	4/16 UTILITIES	51.02	
		2-28-811-8466	4/16 UTILITIES	49.67	
		2-30-405-3051	4/16 UTILITIES	48.48	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		2-28-811-8367	4/16 UTILITIES	45.23	
		2-31-473-5101	4/16 UTILITIES	40.22	
		2-19-200-4638	4/16 UTILITIES	37.68	
		2-19-255-7163	4/16 UTILITIES	37.51	
		2-35-253-2683	4/16 UTILITIES	33.97	
		2-01-570-2202	4/16 UTILITIES	21.13	**9,502.94**
49324	4/25/2016		CRAIL COMMUNICATIONS		
		1310	2/16-4/16 MISCELLANOUS WRITING PROJECTS	5,000.00	
		3009	3/16 NEWSLETTER CONTENT	2,435.00	**7,435.00**
49369	5/5/2016		MVT PUBLIC RELATIONS, LLC		
		40716	4/16 SOCIAL MEDIA/PR/BRAND INTERGRATION SERVICES	6,000.00	**6,000.00**
49386	5/5/2016		SUSTAINABLE CIVIL ENGINEERING		
		2016-002	4/16 ON-CALL ENGINEERING PLAN CHECK SERVICES	5,677.00	**5,677.00**
49338	5/5/2016		CLEANSTREET		
		81741	3/16 CITYWIDE STREET SWEEPING SERVICES	3,702.43	
		81721	3/30/16 EXTRA STREET SWEEPING SERVICE	242.00	**3,944.43**
49319	4/22/2016		DELTA DENTAL		
		BE001600930	5/16 DENTAL INSURANCE PREMIUMS	3,505.44	**3,505.44**
49373	5/5/2016		PERFECT IMAGES JANITORIAL		
		91867	3/16 JANITORIAL MAINTENANCE	3,495.00	**3,495.00**
49394	5/5/2016		WILLDAN FINANCIAL SERVICES		
		010-30781	4/16-6/16 CITYWIDE LEVY SERVICES	3,471.49	**3,471.49**
49340	5/5/2016		COUNTY OF RIVERSIDE		
		AN0000000724	3/5/16 FY 2015/16 SHOT CLINIC	2,783.00	
		AN0000000723	3/16 ANIMAL SHELTER MAINTENANCE SERVICES	280.01	**3,063.01**
49328	5/5/2016		AEGIS ITS, INCOPORATED		
		18404	3/16 TRAFFIC SIGNALS MAINTENANCE	2,608.62	**2,608.62**
49384	5/5/2016		SOUTHWEST NETWORKS		
		16-3551	3/16 WINDOWS SERVER USER CAL LICENSING	1,688.04	
		16-4504	4/16 1-YEAR FIREWALL SOFTWARE LICENSE	877.00	**2,565.04**
49390	5/5/2016		TYLER TECHNOLOGIES, INC.		
		045-157713	4/16 CITIZEN TRANSPARENCY SOFTWARE INSTALLATION	2,500.00	**2,500.00**
49322	4/22/2016		UNION SECURITY INSURANCE CO.		
		4015595	5/16 SHORT/LONG TERM DISABILITY INSURANCE	1,924.09	**1,924.09**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49368	5/5/2016		MIRAMONTE RESORT		
		1	3/16 2016 BNP PARIBAS OPEN IW BOOTH SERVICES	1,840.00	**1,840.00**
49337	5/5/2016		CIRCLE TAKE MEDIA, INC.		
		CT/16/4960	5/30/16 MEMORIAL DAY AUDIO/VISUAL	1,810.00	**1,810.00**
49366	5/5/2016		MAUREEN KANE & ASSOCIATES, INC		
		DTD 4/13/16	6/21-6/24/16 CITY CLERKS TECHNICAL TRAINING-S.HAPNER	1,550.00	**1,550.00**
49393	5/5/2016		WILKEY, MICAELA		
		LAKE TAHOE	4/8-4/16/16 CAPIO ANNUAL CONFERENCE TRAVEL EXP REIMB	1,500.85	**1,500.85**
49367	5/5/2016		MCKINNEY, WADE G.		
		SACRAMENTO	4/13-4/15/16 CCMF QUARTERLY MEETING TRAVEL EXP REIMB	1,495.69	**1,495.69**
49381	5/5/2016		SIMPLOT PARTNERS		
		208060443	4/16 LANDSCAPE MAINTENANCE SUPPLIES	1,247.41	**1,247.41**
49332	5/5/2016		AVILA, ANGELICA		
		SCHOOL REIMB	3/1-4/19/16 EDUCATION REIMBURSEMENT	1,246.31	**1,246.31**
49359	5/5/2016		INNOVATIVE DOCUMENT SOLUTIONS		
		166810	3/16 COPIERS MAINTENANCE-IRA6265 & IRC7270	983.70	
		166809	3/16 CANON COPIER MAINTENANCE-IR7105 & IR4045	173.52	**1,157.22**
49352	5/5/2016		GREAT AMERICA FINANCIAL SVCS		
		18620630	5/16 CANON EQUIPMENT RENTAL LEASE	999.00	**999.00**
49377	5/5/2016		REDWOOD MEDIA GROUP		
		PAYMENT ID 4403	3/17-3/20/16 ADMISSION TAX DEPOSIT REFUND	991.82	**991.82**
49356	5/5/2016		HYATT REGENCY INDIAN WELLS		
		34371	3/16 2016 BNP PARIBAS OPEN IW BOOTH SERVICES	980.00	**980.00**
49363	5/5/2016		MARK CIESLIKOWSKI PHOTOGRAPHY		
		5757	4/16 PHOTOGRAPHY SERVICES	378.00	
		5746	3/23/16 PHOTOGRAPHY SERVICES	285.12	
		5748	2/24/16 PHOTOGRAPHY SERVICES	237.60	
		5751	4/16 PHOTOGRAPHY SERVICES	77.76	**978.48**
49364	5/5/2016		MARTIN SWEEPING		
		9253	3/16 CITYWIDE STORM DRAIN FACILITIES MAINTENANCE	962.70	**962.70**
49395	5/5/2016		ZUMAR INDUSTRIES, INC.		
		0164016	3/16 CITY TRAFFIC SIGN SUPPLY	934.36	**934.36**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49339	5/5/2016		CORELOGIC INFORMATION		
		81680986	3/16 REALQUEST ONLINE REAL ESTATE DATA	825.00	**825.00**
49355	5/5/2016		HOSPITALITY EBUSINESS		
		27791	5/16 ADVERTISING & PROMOTION WEB SERVICES	821.00	**821.00**
49347	5/5/2016		DUDEK		
		20161401	2/16-3/16 GIS CONSULTING SERVICES	815.00	**815.00**
49342	5/5/2016		DESERT AIR CONDITIONING, INC.		
		160645	3/16 CLUB DR A/C MAINTENANCE SERVICES	814.00	**814.00**
49375	5/5/2016		PROPER SOLUTIONS		
		4413	3/31-4/1/16 CITY STAFF TEMP SERVICES	319.68	
		4448	4/7-4/8/16 CITY STAFF TEMP SERVICES	319.68	
		4484	4/14/16 CITY STAFF TEMP SERVICES	159.84	**799.20**
49325	4/28/2016		INDIAN WELLS, CITY OF		
		PETTY CASH	3/17/16 EMPLOYEE LUNCHEON SUPPLIES	108.76	
		PETTY CASH	4/4/16 APWA TOUR OF INDIO CORP YARD LUNCH	100.00	
		PETTY CASH	4/12/16 RETURNED PAYROLL DIRECT DEPOSIT	60.00	
		PETTY CASH	4/26/16 RETURNED PAYROLL DIRECT DEPOSIT	60.00	
		PETTY CASH	4/12/16 COMMUNITY DEVELOPMENT STRATEGIC PLANNING SUPPLIES	50.00	
		PETTY CASH	4/12/16 INSURANCE TRAINING LUNCH MEETING	45.14	
		PETTY CASH	3/17/16 PINLESS MOISTURE METER-PW DEPT	43.18	
		PETTY CASH	4/27/16 EDP EMPLOYEE SEPARATIONS BEST PRACTICES SEMINAR REGISTRATION	40.00	
		PETTY CASH	4/18/16 COMMUNITY DEVELOPMENT STRATEGIC PLANNING BREAKFAST	33.92	
		PETTY CASH	3/21/16 ECONOMIC DEVELOPMENT STRATEGY LUNCH MEETING	33.04	
		PETTY CASH	4/12/16 COMMUNITY DEVELOPMENT STRATEGIC PLANNING SUPPLIES	30.05	
		PETTY CASH	3/25/16 PUBLIC SPEAKING EMPLOYEE TRAINING SUPPLIES	27.97	
		PETTY CASH	3/18/16 MMASC WINTER FORUM MILEAGE REIMB-K.NELSON	27.22	
		PETTY CASH	4/12/16 INSURANCE TRAINING SUPPLIES	26.95	
		PETTY CASH	4/11/16 ROTARY DUES-W.MCKINNEY	20.00	
		PETTY CASH	4/18/16 ROTARY DUES-W.MCKINNEY	20.00	
		PETTY CASH	3/28/16 ROTARY DUES-W.MCKINNEY	20.00	
		PETTY CASH	3/17/16 EMPLOYEE LUNCHEON SUPPLIES	14.97	
		PETTY CASH	3/17-4/27/16 PETTY CASH RECONCILING ITEM VARIANCE	-35.14	**726.06**
49343	5/5/2016		DESERT CHAMPIONS, LLC		
		STADIUM 1 PHASE 1	4/16 IW TENNIS GARDEN STADIUM 1 PHASE 1 DEPOSIT REIMBURSEMENT	703.66	**703.66**
49326	4/28/2016		STATE BOARD OF EQUALIZATION		
		101637688	1/16-3/16 SALES AND USE TAX DUE	703.00	**703.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49382	5/5/2016		SITEONE LANDSCAPE SUPPLY, LLC		
		74915795	3/16 MEDIAN LANDSCAPE CONVERSION SUPPLIES	518.50	
		75186120	4/16 LANDSCAPE IRRIGATION SUPPLIES	133.26	**651.76**
49333	5/5/2016		BAY CITY ELECTRIC WORKS		
		W156860	4/16 CITY GENERATOR MAINTENANCE SERVICES	638.42	**638.42**
49374	5/5/2016		POINT 7 WEST, INC.		
		10944	4/16 VIDEO SERVICES	625.00	**625.00**
49365	5/5/2016		MASTERS ENVIRONMENTAL		
		2468	5/16 ASBESTOS AND LEAD TESTING SERVICES	560.00	**560.00**
49388	5/5/2016		TELEPACIFIC COMMUNICATIONS		
		77549419-0	4/16 CITY HALL PHONE SERVICE	533.51	**533.51**
49318	4/22/2016		ASSURANT EMPLOYEE BENEFITS		
		5478680	5/16 LIFE INSURANCE/AD&D PREMIUMS	426.30	**426.30**
49385	5/5/2016		STAPLES		
		3297347615	3/16 CITY HALL KITCHEN, MEETINGS, &	109.80	
		3297347613	3/16 OFFICE SUPPLY	89.05	
		3297347614	3/16 OFFICE SUPPLY	89.05	
		3298564003	4/16 OFFICE SUPPLIES	68.10	
		3299109900	4/16 OFFICE SUPPLY	25.11	
		3299109901	4/16 OFFICE SUPPLY	18.78	
		3298564002	3/16 FIRST AID SUPPLIES	-13.17	**386.72**
49361	5/5/2016		LEONG, SUSAN		
		SEATTLE	4/6-4/8/16 GFOA DATA ANALYSIS TRAINING TRAVEL REIMB	352.10	**352.10**
49351	5/5/2016		GRAPHTEK INTERACTIVE		
		10587-1	4/16 STATE OF THE CITY EBLAST DESIGN SERVICES	295.00	**295.00**
49341	5/5/2016		DALLOSTA, AMY		
		SEATTLE	4/6-4/8/16 GFOA DATA ANALYSIS TRAINING TRAVEL REIMB	260.52	**260.52**
49317	4/22/2016		AMEZCUA, DAISY		
		PHOENIX	5/2-5/4/16 TYLER CONNECT CONFERENCE TRAVEL ADVANCE	225.00	**225.00**
49321	4/22/2016		ROJO, NORMA L.		
		PHOENIX	5/2-5/4/16 TYLER CONNECT CONFERENCE TRAVEL ADVANCE	225.00	**225.00**
49389	5/5/2016		TOPS N BARRICADES		
		1052956	3/16 MAINTENANCE SUPPLIES	108.32	
		1053222	4/16 MAINTENANCE SUPPLIES	90.40	**198.72**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49358	5/5/2016		INLAND POWER EQUIPMENT CO.		
		125604	3/16 TOOL SUPPLY	188.98	**188.98**
49349	5/5/2016		FERNANDO'S BUST-A-BUG		
		98707	4/16 PEST CONTROL SERVICE FOR CIVIC CENTER	96.00	
		98708	4/16 PEST CONTROL SERVICES-FIRE STATION	50.00	
		98709	4/16 PEST CONTROL SERVICES-WALK OF HONOR	20.00	**166.00**
49320	4/22/2016		NATIONAL INSURANCE MARKETING		
		MAY 2016	4/8/16 PAYROLL LIFE INSURANCE PAYMENT	77.49	
		MAY 2016	4/22/16 PAYROLL LIFE INSURANCE PAYMENT	77.49	**154.98**
49380	5/5/2016		RIVERSIDE COUNTY SHERIFF DEPT.		
		SH0000027861	2/16 TRAFFIC MOTORCYCLE FUEL	154.37	**154.37**
49350	5/5/2016		GOVERNMENT FINANCE OFFICERS		
		0154835	5/1/16-4/30/17 GFOA MEMBERSHIP RENEWAL-S.LEONG	150.00	**150.00**
49362	5/5/2016		LIGATURE, THE		
		2038106	4/16 BUSINESS CARDS SUPPLY	140.40	**140.40**
49348	5/5/2016		FEDERAL EXPRESS CORP.		
		5-377-66672	3/16 EXPRESS MAIL SERVICES	125.49	**125.49**
49329	5/5/2016		AMERICAN FORENSIC NURSES		
		67644	2/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES	80.00	
		67710	3/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES	40.00	**120.00**
49376	5/5/2016		PRUDENTIAL OVERALL SUPPLY		
		22224535	4/6/16 FACILITY SERVICES	115.55	**115.55**
49360	5/5/2016		LASR-INK		
		12793	4/16 (3) PRINTER CARTRIDGES	114.45	**114.45**
49336	5/5/2016		CADENCE COMMUNICATIONS		
		083314	3/16 VACATION RENTAL HOTLINE & MONITORING SERVICES	50.75	
		082999	1/16 VACATION RENTAL HOTLINE & MONITORING SERVICES	50.00	**100.75**
49354	5/5/2016		HDS WHITE CAP CONST SUPPLY		
		10004972179	3/16 TOOL SUPPLY	95.03	**95.03**
49330	5/5/2016		AROUND-THE-CLOCK		
		160400106101	3/8-4/4/16 AFTER HOURS PHONE ANSWERING	91.00	**91.00**
49335	5/5/2016		BURRTEC WASTE & RECYCLING		
		44-BS 405166	4/16 ONSITE STORAGE BOX RENTAL	80.00	**80.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49345	5/5/2016		DESERT FIRE EXTINGUISHER CO.,		
		237472	4/16 MAINTENANCE SUPPLIES	74.52	**74.52**
49327	5/5/2016		ACCESS ELECTRIC SUPPLY, INC.		
		30115	4/16 LANDSCAPE LIGHTING SUPPLIES	71.28	**71.28**
49344	5/5/2016		DESERT ELECTRIC SUPPLY		
		S2295103.001	4/16 PW DEPT ELECTRICAL SUPPLIES	59.17	
		S2292268.001	3/16 ELECTRICAL SUPPLIES	1.32	
		S2224204.001	4/16 MAINTENANCE SUPPLIES CREDIT	-10.96	**49.53**
49357	5/5/2016		IMPERIAL IRRIGATION DISTRICT		
		50579115	3/16 UTILITIES	48.82	**48.82**
49346	5/5/2016		DESERT PIPE & SUPPLY		
		0015031610	4/16 MAINTENANCE SUPPLIES	42.12	**42.12**
49387	5/5/2016		TCC SALES		
		23387	3/16 MAINTENANCE SUPPLIES	36.40	**36.40**
49370	5/5/2016		NAPA AUTO PARTS		
		657056	3/16 MAINTENANCE SUPPLIES	37.80	
		345083	2/16 VEHICLE MAINTENANCE SUPPLIES	19.31	
		362391	4/16 MAINTENANCE SUPPLIES	12.70	
		318722	11/15 CREDIT MAINTENANCE SUPPLIES	-43.18	**26.63**
49323	4/22/2016		UNITED WAY OF THE DESERT		
		352000006506	4/22/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	**25.00**
49378	5/5/2016		RIVERSIDE COUNTY AUDITOR/		
		FEB16	2/16 CITATIONS PAYABLE COLLECTIONS	25.00	**25.00**
49331	5/5/2016		AT&T MOBILITY		
		287243904839	3/12-4/11/16 SIM CARD DATA CONNECTION	24.50	**24.50**
49371	5/5/2016		NEXTEL COMMUNICATIONS		
		627757319-173	3/16 CELLULAR COMMUNICATION SERVICES	20.79	**20.79**
49372	5/5/2016		PALM DESERT ACE HARDWARE		
		199648	4/16 MAINTENANCE SUPPLIES	3.87	
		199643	4/16 MAINTENANCE SUPPLIES	2.59	**6.46**

79 checks in this report

TOTAL CITY WARRANTS 49317-49395: 700154.77

167

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
Wires :					
1671	4/22/2016	100000014742617	CALIFORNIA PUBLIC EMPLOYEES 5/16 MEDICAL INSURANCE PREMIUMS	71,004.22	**71,004.22**
1670	4/22/2016	95-2489139	INTERNAL REVENUE SERVICE 4/22/16 PAYROLL-FWT, FICA & MEDICARE	35,659.32	**35,659.32**
1672	4/22/2016	6392517834	CALPERS RETIREMENT SYSTEM 4/22/16 PAYROLL CONTRIBUTIONS	21,407.81	**21,407.81**
1669	4/21/2016	CONTRIBUTIONS	ICMA 4/22/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	8,565.01	**8,565.01**
1673	4/22/2016	925-0060-2	CALIFORNIA, STATE OF 4/22/16 PAYROLL-SDI & SWT DEPOSIT	7,044.68	**7,044.68**
46	4/22/2016	100000014747075	CALPERS RETIREMENT SYSTEM 4/16 GASB 68 REPORT FEE	1,300.00	**1,300.00**
1674	4/25/2016	121858900001	VISION SERVICE PLAN - (CA) 5/16 VISION INSURANCE PREMIUMS	877.71	**877.71**
2938	4/21/2016	2379795	INDIAN WELLS EMPLOYEE ASSOC. 4/22/16 PAYROLL IW EMPLOYEE ASSOCIATION	196.00	**196.00**
			TOTAL WIRE DISBURSEMENTS 46 & 1669-1674 & 2938:		**146,054.75**

168

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 14730-14759	76,539.05	
			Total Net Payroll 04/22/16		**76,539.05**
			TOTAL CITY DISBURSEMENTS:		**923,106.57**

Note: Warrants 49317-49326 were issued prior to the regular scheduled City Council meeting.

Note: Warrant 49281 voided 4/27/16

5/19/2016

File #: 1426-16 Item #: M.

City Warrants and Demands

RECOMMENDED ACTION:

Council APPROVES the May 19, 2016 City Warrants and Demands.

CITY OF INDIAN WELLS
05/19/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49466	5/19/2016		VINTAGE ASSOCIATES		
		SI-173815	5/16 CITYWIDE LANDSCAPE MAINTENANCE SERVICES	47,909.17	**47,909.17**
49417	5/19/2016		BURRTEC WASTE & RECYCLING		
		ABS2016Q2	4/16-6/16 RECYCLING COORDINATOR SERVICES	8,750.00	**8,750.00**
49423	5/19/2016		CLEANSTREET		
		82151	4/16 CITYWIDE STREET SWEEPING SERVICES	3,702.43	**3,702.43**
49468	5/19/2016		WILLDAN FINANCIAL SERVICES		
		010-29815	1/16-3/16 CITYWIDE LEVY SERVICES	3,467.39	**3,467.39**
49442	5/19/2016		MCKINNEY, WADE G.		
		SACRAMENTO	4/26-4/28/16 LEGISLATIVE ACTION DAY TRAVEL EXP REIMB	1,529.21	
		MONTEREY	2/17 LCC CITY MANAGERS MEETING TRAVEL EXP REIMB	840.04	
		NEWPORT BEACH	5/5-5/6/16 ICMA REGIONAL SUMMIT TRAVEL EXP RIEIMB	740.67	**3,109.92**
49460	5/19/2016		THARP, STEVEN G.		
		1185-B	3/16 EDITORIAL & MOTION DESIGN SERVICES	3,000.00	**3,000.00**
49445	5/19/2016		PALM SPRINGS DESERT RESORTS		
		313	4/16 2016 RESTAURANT WEEK CITY SPONSORSHIP	3,000.00	**3,000.00**
49435	5/19/2016		JOE A. GONSALVES & SON		
		26086	5/16 LEGISLATIVE ADVOCACY SERVICES	3,000.00	**3,000.00**
49425	5/19/2016		COACHELLA VALLEY WATER DIST.		
		155641-422578	4/16 UTILITIES	766.39	
		153215-419808	4/16 UTILITIES	199.18	
		542759-418520	4/16 UTILITIES	155.24	
		313547-845300	4/16 UTILITIES	154.38	
		627893-867338	4/16 UTILITIES	122.19	
		155805-422752	4/16 UTILITIES	120.03	
		281269-740542	4/16 UTILITIES	112.44	
		324083-740422	4/16 UTILITIES	109.96	
		155581-422504	4/16 UTILITIES	89.56	
		281271-740546	4/16 UTILITIES	84.00	
		314309-846198	4/16 UTILITIES	69.26	
		331197-849962	4/16 UTILITIES	60.40	
		152067-418436	4/16 UTILITIES	58.08	
		152073-418442	4/16 UTILITIES	54.56	
		152069-418438	4/16 UTILITIES	54.12	
		314511-846428	4/16 UTILITIES	50.22	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		152175-418598	4/16 UTILITIES	42.52	
		134443-394192	4/16 UTILITIES	32.76	
		314503-846420	4/16 UTILITIES	32.44	
		155761-422706	4/16 UTILITIES	30.65	
		152173-418596	4/16 UTILITIES	29.08	
		152575-419066	4/16 UTILITIES	27.82	
		314329-846220	4/16 UTILITIES	27.23	
		314499-846416	4/16 UTILITIES	25.72	
		152599-419102	4/16 UTILITIES	25.72	
		281233-740500	4/16 UTILITIES	23.50	
		156361-423526	4/16 UTILITIES	23.50	
		152991-419528	4/16 UTILITIES	23.50	
		308623-839674	4/16 UTILITIES	19.00	
		281261-740534	4/16 UTILITIES	15.00	
		281263-740536	4/16 UTILITIES	10.00	**2,648.45**
49463	5/19/2016		VACATION RENTAL COMPLIANCE,LLC		
		364	4/16 VACATION RENTAL COMPLIANCE SERVICES	2,640.00	**2,640.00**
49428	5/19/2016		CRAIL COMMUNICATIONS		
		3303	5/16 NEWSLETTER CONTENT	2,435.00	**2,435.00**
49421	5/19/2016		CIRCLE TAKE MEDIA, INC.		
		CT/16/4961	5/16 AUDIO/VISUAL SERVICES	2,260.00	**2,260.00**
49424	5/19/2016		COACHELLA VALLEY ASSOC OF GOVT		
		APR16	4/16 TUMF DISTRIBUTION	1,837.44	**1,837.44**
49416	5/19/2016		BMW MOTORCYCLES OF RIVERSIDE		
		6012912/1	3/16 TRAFFIC MOTORCYCLE MAINTENANCE	1,714.97	**1,714.97**
49450	5/19/2016		RA STRUCTURAL ENGINEERING		
		B00-013-041-1	2/16-3/16 PLAN CHECK SERVICES	1,560.00	**1,560.00**
49461	5/19/2016		TIME WARNER CABLE		
		8448410760148720	5/16 CITY HALL INTERNET SERVICES	1,488.73	**1,488.73**
49467	5/19/2016		WILLDAN ASSOCIATES		
		002-16554	3/16 ON-CALL BUILDING INSPECTION & PLAN CHECK SERVICES	855.00	**855.00**
49430	5/19/2016		EVENTERTAINMENT, LLC		
		6823	5/16 MEMORIAL DAY EVENT ENTERTAINMENT	500.00	
		6824	5/16 MEMORIAL DAY EVENT ENTERTAINMENT	350.00	**850.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49426	5/19/2016		CORELOGIC INFORMATION		
		8168119	4/16 REALQUEST ONLINE REAL ESTATE DATA	825.00	**825.00**
49454	5/19/2016		ROJO, NORMA L.		
		PHOENIX	5/1-5/4/16 TYLER CONNECT TRAVEL EXPENSE REIMB	700.54	**700.54**
49433	5/19/2016		GREAT AMERICA FINANCIAL SVCS		
		18654562	5/16 CANON EQUIPMENT LEASE	694.53	**694.53**
49420	5/19/2016		CDW GOVERNMENT, INC.		
		CVJ1864	4/16 COMPUTER HARDWARE PURCHASE	397.89	
		CWG2875	4/16 COMPUTER HARDWARE PURCHASE	235.91	**633.80**
49412	5/19/2016		AMEZCUA, DAISY		
		PHOENIX	5/1-5/4/16 TYLER CONNECT TRAVEL EXPENSE REIMB	525.24	**525.24**
49443	5/19/2016		MUNISERVICES, LLC		
		0000041474	4/16 SALES TAX REPORTING SYSTEMS	510.00	**510.00**
49436	5/19/2016		LAW SEMINARS INTERNATIONAL		
		77617	6/16 SEMINAR REGISTRATION	465.00	**465.00**
49446	5/19/2016		PAUL BLATT ENTERPRISES, INC.		
		1113	4/16 MAINTENANCE SUPPLIES	464.00	**464.00**
49459	5/19/2016		STAPLES		
		3300273064	4/16 OFFICE SUPPLIES	386.06	
		3299692371	4/16 OFFICE SUPPLIES	34.33	**420.39**
49432	5/19/2016		FULTON DISTRIBUTING		
		380724	4/16 JANITORIAL SUPPLIES	412.11	**412.11**
49410	5/9/2016		LEONG, SUSAN		
		TORONTO	5/21-5/25/16 GFOA CONFERENCE TRAVEL ADVANCE	375.00	**375.00**
49438	5/19/2016		LIEBERT CASSIDY WHITMORE		
		1418817	3/16 LEGAL SERVICES	367.00	**367.00**
49451	5/19/2016		RASA		
		4969	4/16 CITY MAP/PLAN CHECKING SERVICES	366.00	**366.00**
49439	5/19/2016		LIGATURE, THE		
		2038462	4/16 BUSINESS CARDS SUPPLY	211.68	
		2038713	4/16 BUSINESS CARDS SUPPLY	140.40	**352.08**

173

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49448	5/19/2016		PROPER SOLUTIONS		
		4515	4/21-4/22/16 CITY STAFF TEMP SERVICES	319.68	**319.68**
49457	5/19/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-10-366-7580	4/16 UTILITIES	141.13	
		2-10-366-7440	4/16 UTILITIES	117.89	
		2-36-295-8456	4/16 UTILITIES	43.50	
		2-35-530-3157	4/16 UTILITIES	10.90	**313.42**
49414	5/19/2016		B.G. STRUCTURAL ENGINEERING		
		917.650	4/16 PLAN CHECK SERVICES	300.00	**300.00**
49464	5/19/2016		VERIZON CALIFORNIA		
		341-3179	4/16 CITY HALL FIRE/ALARM PHONE LINE SERVICES	164.70	
		346-0407	4/16 CITY HALL FAX LINE SERVICE	107.39	**272.09**
49415	5/19/2016		BIO-TOX LABORATORIES		
		32038	3/16 IW POLICE DRUG TESTING SERVICES	272.00	**272.00**
49455	5/19/2016		SIMPLOT PARTNERS		
		208060830	4/16 MAINTENANCE SUPPLIES	259.81	**259.81**
49447	5/19/2016		PRINTING PLACE		
		160799	4/16 RINTING SERVICES	255.96	**255.96**
49409	5/9/2016		EMPLOYMENT DEVELOPMENT DEPT		
		00370351-360	5/6/16 PAYROLL GARNISHMENT	235.28	**235.28**
49462	5/19/2016		TROPICAL PLANT SERVICES		
		22490	4/16 INDOOR PLANT MAINTENANCE SERVICES	225.00	**225.00**
49453	5/19/2016		RIVERSIDE COUNTY INFORMATION		
		9990116000-1603	3/16 SHERIFF MOTORCYCLE RADIO OPERATIONS SERVICES	214.34	**214.34**
49422	5/19/2016		CISLO & THOMAS LLP		
		513570	4/16 TRADEMARK LEGAL SERVICES	202.50	**202.50**
49441	5/19/2016		MARK CIESLIKOWSKI PHOTOGRAPHY		
		5765	4/21/16 PHOTOGRAPHY SERVICES	199.80	**199.80**
49427	5/19/2016		COSTCO-HSBC BANK USA		
		023375	3/30/16 RESIDENT MOVIE NIGHT SUPPLIES	185.35	**185.35**
49434	5/19/2016		HAPNER, SONIA		
		NEWPORT BEACH	4/16 CCAC ANNUAL CONFERENCE TRAVEL EXPENSE REIMB	159.52	**159.52**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49431	5/19/2016		FIRST CHOICE SERVICES		
		585118	4/16 CITY HALL COFFEE SUPPLY	144.65	**144.65**
49449	5/19/2016		PUBLIC RECORD		
		18593	4/5/16 LEGAL NOTICES-PLANNING DEPT	144.00	**144.00**
49437	5/19/2016		LCC RIVERSIDE COUNTY DIVISION		
		3	5/9/16 LCC RIVERSIDE COUNTY DIVISION MEETING	120.00	**120.00**
49456	5/19/2016		SITEONE LANDSCAPE SUPPLY, LLC		
		75341080	4/16 LANDSCAPE IRRIGATION SUPPLIES	119.45	**119.45**
49418	5/19/2016		CALIFORNIA DEPT OF JUSTICE		
		161461	3/16 BLOOD ALCOHOL ANALYSIS SERVICES	105.00	**105.00**
49440	5/19/2016		LOCK SHOP, INC., THE		
		BB00032474	4/16 MAINTENANCE SUPPLIES	96.55	**96.55**
49413	5/19/2016		AROUND-THE-CLOCK		
		160200106101	4/5-5/2/16 AFTER HOURS PHONE ANSWERING SERVICE	91.00	**91.00**
49452	5/19/2016		RIVERSIDE COUNTY AUDITOR/		
		MAR16	3/16 CITATIONS PAYABLE COLLECTIONS	75.00	**75.00**
49408	4/29/2016		MASCORRO CONCRETE CONSTRUCTION		
		BL-3989	4/1/16 BUSINESS LICENSE OVERPAYMENT REFUND	54.00	**54.00**
49458	5/19/2016		SOUTHERN CALIFORNIA GAS CO.		
		15892760008	4/16 UTILITIES	35.28	
		16312760008	4/16 UTILITIES	17.10	**52.38**
49419	5/19/2016		CAM STONE'S AUTOMOTIVE		
		72207	4/16 CITY FLEET VEHICLE MAINTENANCE	48.56	**48.56**
49429	5/19/2016		DESERT FIRE EXTINGUISHER CO.,		
		238667	4/16 ANNUAL FIRE EXTINGUISHER SERVICE	44.00	**44.00**
49411	5/9/2016		UNITED WAY OF THE DESERT		
		352000006506	5/6/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	**25.00**
49465	5/19/2016		VERIZON WIRELESS		
		9763514863	3/16 MOTOR OFFICER TICKET WRITER CELLULAR SERVICE	22.20	**22.20**
49444	5/19/2016		PALM DESERT ACE HARDWARE		
		199934	4/16 MAINTENANCE SUPPLIES	9.71	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		199881	4/16 MAINTENANCE SUPPLIES	4.85	**14.56**

61 checks in this report

TOTAL CITY WARRANTS 49408-49468: 105,910.29

Wires :

48	5/10/2016	2016 04 SD	INDAN WELLS GOLF RESORT 4/16 WIND STORM DAMAGE REIMBURSEMENT	48,506.25	**48,506.25**
1676	5/6/2016	95-2489139	INTERNAL REVENUE SERVICE 5/6/16 PAYROLL-FWT, FICA & MEDICARE	36,921.21	**36,921.21**
1677	5/9/2016	6392517834	CALPERS RETIREMENT SYSTEM 5/6/16 PAYROLL CONTRIBUTIONS	21,725.06	**21,725.06**
1675	5/6/2016	CONTRIBUTIONS	ICMA 5/6/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	8,801.54	**8,801.54**
1678	5/6/2016	925-0060-2	CALIFORNIA, STATE OF 5/6/16 PAYROLL-SDI & SWT DEPOSIT	7,070.44	**7,070.44**
47	5/10/2016	2016 04 CE	INDIAN WELLS GOLF RESORT 4/16 IWGR CAPITAL EXPENSES	5,178.83	**5,178.83**
2939	5/5/2016	2379795	INDIAN WELLS EMPLOYEE ASSOC. 5/6/16 PAYROLL IW EMPLOYEE ASSOCIATION DUES	224.00	**224.00**

TOTAL WIRE DISBURSEMENTS 47 & 48. 1675-1678: 128,427.33

176

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 14760-14793	81,531.38	
			2940	705.83	
			Total Net Payroll 04/22/16	**82,237.21**	
			TOTAL CITY DISBURSEMENTS:	**316,574.83**	

Note: Warrants 49408-49411 were issued prior to the regular scheduled City Council meeting.

File #: RES-163-16 Item #: A.

Indian Wells City Council

Staff Report - Finance

Fire Access Maintenance District No. 1 Levy for Fiscal Year 2016-17

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Fire Access Maintenance District No. 1 for Fiscal Year 2016-17; and

ORDERS the Fire Access Maintenance District No. 1 levy on the Fiscal Year 2016-17 Riverside County tax roll.

DISCUSSION:

The Fire Access Maintenance District ("FAMD") was formed in 1973, when the public streets in the Indian Wells Country Club were converted to private streets. The FAMD is responsible for maintaining and operating access roadways, rights of way, easements for fire protection purposes, security, and entrance landscape services.

The City Council has delegated operational control of the FAMD to the Board of Directors, but the Council retains oversight and final authority, in this case approve the FAMD's levy. City Staff partners with the FAMD Board of Directors to ensure compliance with City policies. The Public Works Director acts as the City's liaison, Finance Department assists in budget development and provides accounting management, and the FAMD legal counsel reviews all contracts for legal sufficiency.

FISCAL IMPACT:

The FAMD has two sources of annual revenues: (1) property taxes of approximately $311,000 and (2) a voter-approved special assessment approved by the voters in May 2005, which generates approximately $1,200,000. These revenue sources generate the necessary funds to operate and maintain the District.

The City collects the FAMD levies in a special revenue fund, which limits expenditures to those associated within the purview of the District. This special assessment is not subject to any Consumer Price Index (CPI) increases, any increase to the special assessment amount requires voter approval.

The FAMD special assessment is as follows:

Land Use	Approved Annual Tax
Residential Improved	$ 1,030.00
Residential Vacant Lot 1 Acre or less	700.00
Vacant Land greater than 1 acre	550.00
Golf Club / Golf Course	$ 190,000.00

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-__

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

WHEREAS, the City Council of the City of Indian Wells, California (the "City Council") by Ordinance No. 572 and previous Resolutions has established procedures to replace in its entirety the parcel fee which has been levied annually against parcels of land within the Indian Wells Fire Access Maintenance District No. 1 (the "FAMD") to finance security, street maintenance and repair, and entrance landscape services within the District; and

WHEREAS, the City Council by Resolution No. 2005-02 and pursuant to the requirements of the laws of the State of California, held a Special Municipal Election on May 5, 2005, at which time the rates stated in Ordinance No. 572 were approved by the qualified electors of the District to finance security, street maintenance and repair, and entrance landscape services within the FAMD; and

WHEREAS, the City Council has retained Willdan Financial (the "Engineer") for the purpose of assisting the City with the preparation of the annual levy and collection of special taxes by the FAMD; and

WHEREAS, the Engineer has prepared the proposed levy and collection of special taxes upon eligible parcels of land within the FAMD, and the City Council has approved such special taxes; and

WHEREAS, the City Council desires to levy and collect special taxes against parcels of land within the FAMD for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 to finance security, street maintenance and repair, and entrance landscape services within the FAMD; and

WHEREAS, a Public Hearing Notice was published in a newspaper of general circulation once at least fifteen (15) days before the public hearing on annual levies; and a copy of the Public Hearing Notice was posted in three (3) public places within the City.

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

SECTION 1. That the Fire Access Maintenance District No. 1 special taxes be paid by the property owners to the City for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 shall be placed on the tax rolls for the County of Riverside, and shall be as follows:

Residential

Land Use	Assessment
Residential Improved *	$1,030.00 per unit per year
Residential Vacant Lot 1 acre or less	$700.00 per unit per year
Vacant Land greater than 1 acre	$550.00 per acre per year
* Includes Indian Wells Country Club	

Golf Club / Golf Course

The amount of the tax imposed each fiscal year for the Golf Club/Golf Course shall be $190,000.00

SECTION 2. The above rates shall be effective July 1, 2016 through June 30, 2017.

SECTION 3. The County Auditor of the County of Riverside shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy set forth herein, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 21st day of April 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 21st day of April 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**STEPHEN P. DEITSCH** **CITY ATTORNEY**

File #: RES-164-16 Item #: B.

Indian Wells City Council

Staff Report - Finance

Special Fire Tax Standby and Availability Charges Levy for Fiscal Year 2016-17

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Special Fire Tax Standby and Availability Charges for Fiscal Year 2016/17; and

ORDERS the Special Fire Tax levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

DISCUSSION:

In 1980, Indian Wells voters approved a special tax of $120 per home per year. The special tax is used for fire suppression, paramedic services, capital replacements such as paramedic equipment, and the City's share of the ladder truck. Through a contract with the Riverside County Fire Department, residents receive a fully staffed 24-hours a day, 365 days per year fire station with five full-time personnel, three on the Engine and two Paramedic Firefighters on an advanced life support ambulance. Specialized rescue equipment for major accidents, confined space rescue, trench rescue, and swift water/flood rescue along with four highly trained personnel on a Ladder Truck shared with the cities of Palm Desert and Rancho Mirage.

FISCAL IMPACT:

Collections of the Special Tax revenues are vital to the City's emergency services program contributing approximately $600,000 of the $3.9 million fire services budget. This special tax is not subject to a CPI index. The voter approved levy rate will remain constant at $120 per home per year for fire suppression and paramedic services.

Staff presented to Council the ten-year citywide financial strategy in January with the analysis uncovering a funding gap starting in fiscal year 2016 in the Fire Services Fund. Council directed the development of strategies to improve the City's long-term fiscal position. The Public Safety

committee is studying the issue and exploring options.

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-__

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

WHEREAS, the City Council of the City of Indian Wells, California (the "City Council") has prepared the annual assessment against parcels of land within the City of Indian Wells for the Fire Tax Standby and Availability Charges for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 pursuant to City Ordinance No. 170 to pay for the described standby costs; and

WHEREAS, the City Council has retained Willdan Financial (the "Engineer") for the purpose of assisting the City with the preparation of the annual assessment and collection of the Fire Tax Standby and Availability Charges; and

WHEREAS, the Engineer has prepared the proposed charge and collection upon eligible parcels of land within the City, and the City Council has approved such assessments; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 to pay for the Fire Tax Standby and Availability Charges; and

WHEREAS, A Public Hearing Notice was published in a newspaper of general circulation once at least fifteen (15) days before the public hearing on annual levies; and a copy of the Public Hearing Notice was posted in three (3) public places within the City.

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

SECTION 1. That the Special Fire Tax Standby and Availability charges be paid by the property owners to the City for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 and shall be as follows:

Land Use	Assessment
Residential Improved Lot	$120.00 per dwelling unit, per year
Residential Subdivided Vacant Lot	$ 60.00 per equivalent dwelling unit, per year
Vacant Acreage:	
Up to and including 1 acre	$ 36.00 per year

Land Use	Assessment
For size over 1 acre up to and including 50 acres	$ 36.00 for the first acre plus $6.50 per each additional acre or prorated portion of an acre, per year
For size over 50 acres up to and including 100 acres	$ 36.00 for the first acre plus $6.50 per each additional acre up to & including 50 acres plus $2.60 per acre or prorated portion of an acre over 50 acres, per year
For size over 100 acres	$ 36.00 for the first acre plus $6.50 per each additional acre up to & including 50 acres plus $2.60 per acre over 50 acres up to & including 100 acres plus $0.65 per acre or prorated portion of an acre over 100 acres, per year

SECTION 2. In accordance with City Ordinance No. 170, non-residential land shall be levied upon the class of improvements to property and the use of property basis utilizing estimated fire flow requirements determined in accordance with the formula contained in the Insurance Services Office guidelines in the Fire Prevention and Control Master Planning Guide distributed by the United States Department of Commerce.

SECTION 3. The document referenced in Section 2 is no longer in production and has been replaced by County of Riverside regulations for fire flow requirements. Those County regulations have been adopted by the City of Indian Wells through Ordinance Nos. 370 and 451. The rates for non-residential land will not exceed the maximum allowable charge.

SECTION 4. The above rates shall be effective July 1, 2016 through June 30, 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 21st day of April 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 the 21st day of April 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

5/19/2016

File #: 1418-16 Item #: A.

Indian Wells City Council

Staff Report - City Clerk

Appointments to City Commissions, Committees and Boards

RECOMMENDED ACTIONS:

Council APPOINTS qualified residents to the following vacant seats for two-year terms beginning July 1, 2016 and ending June 30, 2018, except for one (1) Planning Commission appointment which is for a remainder of a term ending June 30, 2017:

Planning Commission	2
Architecture and Landscape Committee	2
Community Activities Committee	2
Golf Resort Advisory Committee	2
Grants in Aid Committee	1
Joslyn Center Board Representative	1; and

APPOINTS residents with one term remaining on their current committees for a two-year term beginning July 1, 2016 and ending June 30, 2018 as follows:

Ron Easton	Planning Commission
AJ Staples	Planning Commission
Brenda Reed	Architecture and Landscape Committee
Arlene Lucchesi	Grants in Aid Committee

DISCUSSION:

The City received 24 applications from qualified resident voters who applied to fill the vacancies on various City Commissions, Committees and Boards. On May 11 and May 19, 2016, the City Council interviewed the applicants.

Enclosed for your review, is the agreed upon process for voting for committee members as detailed in the June 2, 2004 memorandum. Please contact the Clerk's Office if you have any questions regarding the appointment process.

ATTACHMENTS:

1. Appointment voting process
2. Applicant matrix

Mertens 1st Vote

Planning Commission
Two-year term [07/01/16 – 06/30/18

Vote for **1**

1. ____ Emerson, John
2. ____ DeLateur, Steven
3. X Kaladjian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Hanson 1st Vote

Planning Commission
Two-year term [07/01/16 – 06/30/18

Vote for **1**

1. X Emerson, John
2. ____ DeLateur, Steven
3. ____ Kaladjian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Reed 1st Vote

Planning Commission
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Emerson, John
2. ✓ DeLateur, Steven
3. ____ Kaladjian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Balocco 1st Vote

Planning Commission
Two-year term [07/01/16 – 06/30/18

Vote for **1**

1. ____ Emerson, John
2. ____ DeLateur, Steven
3. ✓ Kaladjian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Peabody 1st Vote

Planning Commission
Two-year term [07/01/16 – 06/30/18

Vote for **1**

1. ____ Emerson, John
2. ____ DeLateur, Steven
3. ____ Kaladjian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Mertens 1st Vote

Planning Commission
One-year term ending 06/30/17

Vote for **1**

1. ____ Emerson, John
2. X DeLateur, Steven
3. ____ ~~Kaladjian,~~ Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Hanson 1st Vote

Planning Commission
One-year term ending 06/30/17

Vote for **1**

1. X Emerson, John
2. ____ DeLateur, Steven
3. ____ ~~Kaladjian, Harry~~
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Reed 1st Vote

Planning Commission
One-year term ending 06/30/17

Vote for **1**

1. ____ Emerson, John
2. ✓ DeLateur, Steven
3. ____ Ka~~ladjian,~~ Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Balocco 1st Vote

Planning Commission
One-year term ending 06/30/17

Vote for **1**

1. ____ Emerson, John
2. ✓ DeLateur, Steven
3. ____ Ka~~ladjian~~, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Peabody 1st Vote

Planning Commission
One-year term ending 06/30/17

Vote for **1**

1. ____ Emerson, John
2. X DeLateur, Steven
3. ____ Kalachian, Harry
4. ____ Laks, Ralph
5. ____ McClue, Sid
6. ____ Pinkerton, Eileen

Mertens 1st Vote

Architecture & Landscape Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. X Burns, Sharon
3. ____ Chiarelli, Kimberlee
4. ____ De Los Reyes, Carina
5. ____ Narz, Debbie
6. ____ Pindiak, Dennis
7. X Pinkerton, Eileen

Hanson 1st Vote

Architecture & Landscape Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. X Burke, Jeff
2. X Burns, Sharon
3. ____ Chiarelli, Kimberlee
4. ____ De Los Reyes, Carina
5. ____ Narz, Debbie
6. ____ Pindiak, Dennis
7. ____ Pinkerton, Eileen

Reed 1st Vote

Architecture & Landscape Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. ✓ Burns, Sharon
3. ____ Chiarelli, Kimberlee
4. ____ De Los Reyes, Carina
5. ____ Narz, Debbie
6. ____ Pindiak, Dennis
7. ✓ Pinkerton, Eileen

Balocco 1st Vote

Architecture & Landscape Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. ✓ Burns, Sharon
3. ____ Chiarelli, Kimberlee
4. ____ De Los Reyes, Carina
5. ____ Narz, Debbie
6. ____ Pindiak, Dennis
7. ✓ Pinkerton, Eileen

Peabody 1st Vote

Architecture & Landscape Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. X Burns, Sharon
3. ____ Chiarelli, Kimberlee
4. ____ De Los Reyes, Carina
5. ____ Narz, Debbie
6. ____ Pindiak, Dennis
7. X Pinkerton, Eileen

Mertens 1st Vote

Golf Advisory Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. X Griffith, Donna
3. ____ Harris, Gordon
4. ____ Hiddleston, Roger
5. ____ Morlock, Gary
6. ____ Randall, Rocky
7. X Romer, Jon

Hanson 1st Vote

Golf Advisory Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. ____ Griffith, Donna
3. ____ Harris, Gordon
4. X Hiddleston, Roger
5. ____ Morlock, Gary
6. X Randall, Rocky
7. ____ Romer, Jon

Reed 1st Vote

Golf Advisory Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. ✓ Griffith, Donna
3. ____ Harris, Gordon
4. ✓ Hiddleston, Roger
5. ____ Morlock, Gary
6. ____ Randall, Rocky
7. ____ Romer, Jon

Balocco 1st Vote

Golf Advisory Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. ✓ Griffith, Donna
3. ____ Harris, Gordon
4. ____ Hiddleston, Roger
5. ____ Morlock, Gary
6. ____ Randall, Rocky
7. ✓ Romer, Jon

Peabody 1st Vote

Golf Advisory Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **2**

1. ____ Burke, Jeff
2. _X_ Griffith, Donna
3. ____ Harris, Gordon
4. ____ Hiddleston, Roger
5. ____ Morlock, Gary
6. ____ Randall, Rocky
7. _X_ Romer, Jon

Mertens 1st Vote

Community Activities Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Brown, Shari
2. ____ De Los Reyes, Carina
3. X Goddard, Linda
4. ____ Merkel Jennifer
5. ____ Morlock, Gary

Reed 1st Vote

Community Activities Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ✓ Brown, Shari
2. ____ De Los Reyes, Carina
3. ____ Goddard, Linda
4. ____ Merkel Jennifer
5. ____ Morlock, Gary

Hanson 1st Vote

Community Activities Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. X Brown, Shari
2. ____ De Los Reyes, Carina
3. ____ Goddard, Linda
4. ____ Merkel Jennifer
5. ____ Morlock, Gary

Balocco 1st Vote

Community Activities Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Brown, Shari
2. ____ De Los Reyes, Carina
3. ✓ Goddard, Linda
4. ____ Merkel Jennifer
5. ____ Morlock, Gary

Peabody 1st Vote

Community Activities Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Brown, Shari
2. ____ De Los Reyes, Carina
3. X Goddard, Linda
4. ____ Merkel Jennifer
5. ____ Morlock, Gary

Mertens 1st Vote

Grants-In-Aid Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Chiarelli, Kimberlee
2. X Sandoval, Alfredo

Hanson 1st Vote

Grants-In-Aid Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Chiarelli, Kimberlee
2. X Sandoval, Alfredo

Reed 1st Vote

Grants-In-Aid Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Chiarelli, Kimberlee
2. ✓ Sandoval, Alfredo

Balocco 1st Vote

Grants-In-Aid Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Chiarelli, Kimberlee
2. ✓ Sandoval, Alfredo

Peabody 1st Vote

Grants-In-Aid Committee
Two-year term [07/01/16 – 06/30/18]

Vote for **1**

1. ____ Chiarelli, Kimberlee
2. X Sandoval, Alfredo

MEMORANDUM

DATE: June 2, 2004

TO: Mayor and City Council

FROM: Anna Grandys, City Clerk

SUBJECT: Voting for Commission/Committee Members

Below is the process that will be implemented 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 Council Members ballots will be shown on the Chamber's screen.

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. For any Committee with positions open for two-year terms and one-year terms, the procedures above will be used to fill the two-year terms first, and then to fill the 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.

If you have any questions, please let me know.

APPLICANTS FOR COMMISSIONS AND COMMITTEES FOR 2016

	Name	# of Terms Left	Registered Voter Status	Planning Commission (2) Positions	Architecture and Landscape Committee (1) Positions	Community Activities Committee (1) Positions	Golf Advisory Committee (2) Positions	Grants-in-Aid Committee (1) Positions	Joslyn Center (1) Position
1	Brown, Shari		Y			X			
2	Burke, Jeff		Pending				X		
3	Burns, Sharon		Pending		X				
4	Chiarelli, Kimberlee		Y		X			X	
5	Emerson, John		Y	X					
6	DeLateur, Steven	1-ALC	Y	X					
7	De Los Reyes, Carina		Pending		X	X			
8	Goddard, Linda		Y			X			
9	Griffith, Donna		Y				X		
10	Harris, Gordon		N				X		
11	Hiddleston, Roger		Y				X		
12	Kaladjian, Harry	1-ALC	Y	X	X				
13	Laks, Ralph		Pending	X					
14	McClue, Sid		Y	X					
15	Merkel, Jennifer		Y			X			
16	Morlock, Gary		Pending			X	X		
17	Narz, Debbie		Y		X				
18	Panasuk, Allen- Withdrew, not a registered voter		N				–		
19	Pindiak, Dennis		Y		X				
20	Pinkerton, Eileen		Y	X					
21	Randall, Rocky	1-Com. Act.	Y				X		
22	Romer, Jon		Y				X		
23	Sandoval, Alfredo		Y					X	
24	Wendt, Karen		Y						X
	Number of Applicants			**6**	**6**	**5**	**7**	**2**	**1**

Attachment 2

File #: 1410-16 Item #: B.

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

Cove Commission Recommended Project to Refurbish and Relocate a Generator to the Joslyn Senior Center

RECOMMENDED ACTION:

Council APPROVES supplemental appropriation of $12,600 for the City's share of the Cove Communities Services Commission project to refurbish and relocate a generator to the Joslyn Senior Center.

DISCUSSION:

Background:

The cities of Indian Wells, Rancho Mirage, and Palm Desert entered into a joint powers authority agreement effective July 1, 2005, establishing the Cove Communities Services Commission ("Cove Commission"). The primary purpose of the Cove Commission is the coordination of provision of municipal services such as police, fire, and the Joslyn Senior Center.

The Cove Commission is not a separate legal entity. It is a non-funded advisory commission that does not have authority to enter into contracts or acquire property. Any projects recommended by the Cove Commission must be separately approved or adopted by the member cities' governing boards.

Summary:

At the November 18, 2015 Cove Commission meeting, the Commission voted three (3) in favor (Smotrich, Weber, & Jonathan) and two (2) against (Mertens & Weill) to recommend a project at the Joslyn Senior Center. The project will relocate a used generator from the Palm Desert Sheriff Station to the Joslyn Senior Center. The relocation project improves the Joslyn Senior Center's capacities as a regional cooling center and emergency shelter for major disasters.

Attachment 1 provides the staff report from the meeting, detailing the project. Of three options

provided, the Cove Commission voted to recommend Option 1, to refurbish the used generator and permanently place it at Joslyn Senior Center to provide for full facility power coverage.

On December 2015, City Council pulled this item from the agenda based on a letter from Ms. Iris Smotrich, Councilmember in Rancho Mirage, who requested reconsideration of the generator at the following Cove Commission Meeting.

On April 20, 2016, the Cove Commission reconsidered the item. In a three (3) in favor (Mertens, Balocco, & Wiell) and three (3) against (Smotrich, Weber, & Jonathan) vote, the item did not have enough votes to withdraw the prior recommendation to approve the project. Therefore, the prior recommendation to fund the generator project was maintained.

Palm Desert's City Council voted to fund the project and Rancho Mirage City Council voted not to fund the project. The question before City Council is whether or not to approve the supplemental appropriation and fund the project with Palm Desert.

FISCAL IMPACT:

A total project cost estimate of $180,000 will retrofit the generator for air quality standards, relocate and permanently place it at the Joslyn Senior Center, and install permanent electrical connection.

For joint regional projects, the Cove Communities utilize an expense sharing formula based on resident population. Indian Wells' current share of costs is 7%, or approximately $12,600 of the generator project cost. The supplemental appropriation is from the General Fund to Account #101.27.03.05511.

ATTACHMENT:

1. Cove Commission Staff Report

COVE COMMUNITIES SERVICES COMMISSION

STAFF REPORT

REQUEST:	CONSIDERATION TO REFURBISH AND RELOCATE A GENERATOR TO THE JOSLYN CENTER.
SUBMITTED BY:	John M. Wohlmuth, City Manager
DATE:	November 18, 2015
CONTENT:	Joslyn Center Map

Recommendation:

By Minute Motion,

1. Provide direction to staff concerning the placement of a refurbished or new generator at the Joslyn Center; and

2. Contingent on the direction received, recommend that the City of Palm Desert advance the costs for the project and be reimbursed per the existing Cove Communities Population Based Formula.

Background:

During the HVAC upgrade at the Palm Desert Sheriff Substation in 2013, the County installed a new backup generator for emergency power. The new generator was installed because the existing generator was undersized and couldn't handle the entire electrical load of the facility. MRC Engineering (MRC), a local electrical engineering firm, has designed a plan to relocate the old generator to the Joslyn Senior Center.

The Joslyn Senior Center was selected to receive the generator because it is designated as an official Riverside County Cooling Center. The generator would enable this designated shelter to function if there is a power loss during a high heat emergency. There is only one other designated cooling centers within the Cove Communities located at the Palm Desert Community Center.

The Joslyn Center has a large capacity industrial freezer stocked with food. In the event of a long term power outage, the freezer could provide food for residents in need. The center is uniquely equipped to accommodate the needs of the elderly in the event of a disaster. Additionally, staff has identified the center as an official shelter in the event of a major disaster. The aforementioned facts lead staff to believe that the site is appropriate for an emergency backup generator.

4.3

The plans have been completed and Southern California Edison (SCE) has reviewed them. In order to bring the system up to current SCE standards, a transformer must be relocated and an easement must be granted to SCE to accommodate their infrastructure.

MRC has provided a cost estimate for a contractor to remove the generator from the substation facility, upgrade the generator system to comply with air quality regulations, and install the generator at the Joslyn Center. The cost for the work is estimated at $164,000, and SCE fees would increase the project cost by over $11,000. The fees charged by SCE are for the upgrades to their electrical system, performed by SCE contractors, and it is not work that the City can bid out. In addition, staff is requesting that an additional $5,000 be allocated to cover any unforeseen conditions.

The following three options could be utilized at The Joslyn Center to provide emergency power during an emergency incident:

Option 1: Fully Power Facility with a Refurbished Generator ($180,000)
In performing the cost analysis to determine if it would be more cost effective to purchase a new generator, it was determined that all the expenses that are required to utilize the existing generator will be required for a new generator. Even the retrofit for air quality standards is required on a brand new unit because of the proximity to the Joslyn Center. The estimated cost for refurbishing the existing generator to power the entire facility is $180,000.

When presented with this option the Cove Commission directed staff to investigate the feasibility of powering just that portion of the Joslyn Center dedicated to shelter operations (e.g. kitchen, industrial freezer unit, main hall, etc.). Staff met with the electrical engineer at the facility to determine how to best proceed with this alternate option.

The engineer provided staff with two options that would back up approximately 50% of the facility, which includes the main hall, kitchen, and offices. The intent is to not install a new electrical service, which eliminates the new utility conduits and the new switchboard. Instead, they would connect the emergency generator to a subpanel, which will then feed two 200 amp transfer switches, rather than one large 600 amp switch. The two options would be identical in the interconnection process into the existing electrical distribution system at the facility.

Option 2: Partially Power Facility (50%) with a Refurbished Generator ($110,000)
The engineer estimated that to reuse and refurbish the existing generator to partially power the Center would be approximately $110,000.

Option 3: Partially Power Facility (50%) with a New Generator ($135,000)
A new generator that partially powers the Center would be approximately $135,000.

4.3

Staff respectfully requests the Cove Commission provide direction on the two options presented. The Cove TAC will present the selected option to each member's City Council for consideration. The Commission can also direct staff to take no action.

Fiscal Analysis:
Should the Cove Commission member agencies agree to share the project expenses, the breakdown for each option and cost to each member city is as follows:

City	Option No. 1 Refurbished Generator Fully Power Facility	Option No. 2 Refurbished Generator* 50% of Facility Powered	Option No. 3 New Generator* 50% of Facility Powered	Cove Formula
Palm Desert	$124,200	$75,900	$93,150	69%
Rancho Mirage	$43,200	$26,400	$32,400	24%
Indian Wells	$12,600	$7,700	$9,450	07%
TOTAL	**$180,000**	**$110,000**	**$135,000**	100%

**includes additional $10,000 for electrical re-engineering services*

Prepared By:

Stephen Y. Aryan, Risk Manager

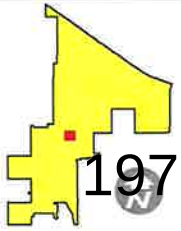
Approval:

John M. Wohlmuth, City Manager

4.3

JOSLYN SENIOR CENTER
GENERATOR POWER AREA

50% of facility powered option



VICINITY MAP

File #: 1409-16 Item #: C.

Indian Wells City Council

Staff Report - Public Safety

Two-Year Fire Services Agreement with Riverside County/CalFire

RECOMMENDED ACTIONS:

Council APPROVES two-year Cooperative Agreement with Riverside County/CalFire to provide fire protection, fire prevention, rescue and medical emergency services for the City of Indian Wells from July 1, 2016 through June 30, 2018; and

AUTHORIZES and DIRECTS the Mayor to execute the Cooperative Agreement.

DISCUSSION:

Background

Indian Wells contracts for fire services from Riverside County, who also contracts for service with the California Department of Forestry and Fire Protection (“CalFire”). The City’s current contract for services expires June 30, 2016. Due to recent changes in state law, the City is required to renew the contract prior to July 1, 2016, or risk necessity of obtaining contract approval from LAFCO (explained herein).

Analysis

<u>Contract Changes</u>

For the next contract term, Riverside County is making a number of modifications to the standard contract used for all of their contracting agencies. Three changes in particular are troubling for the City:

1. Terms of cost increase - historically the City’s contract limited the City’s liability for cost increases after approval of an annual budget. Specifically, the expiring contract states the City is not responsible for any cost increases provided by action of the State or County after the City adopts an annual budget. Annually, the County provides the City with a revised Exhibit A to the contract, which gets adopted via the City Budget.

The County is requiring a change to the contract by removing this protection for the City. The change makes the City liable for any cost increases resulting from action of the State or County.

2. Full cost recovery - historically, the City's contract did not specifically call out County's ability to recover full cost of providing services. Full cost, as interpreted from other County contracts such as with the Sheriff Department, includes allocated costs of County internal services funds. For example, the County passes on to the City an allocable cost for IT, HR, and County Executive Office costs.

   The County is requiring a change to the contract specifically mandating the County's requirement for full cost recovery. The change makes the City liable for allocated costs from internal services funds, costs which have not been a part of the Fire Services contract in the past.

3. Termination of contract - historically, the City's contract allowed for a one (1) year notification to terminate the contract for services.

   The revised contract template provided by the County requires voter approval of either the City or County to terminate the service during the term. The City will maintain ability to decline renewal of a future contract with one (1) year's written notice prior to expiration of the agreement.

The City requested amendments of these provisions. The County has denied all requests for amendment.

<u>State Law Change</u>

Last year, Senate Bill 239 changed state law requiring LAFCO approval for any "new" fire service contract. A union backed bill, the legislation introduced new obstacles for cities to contract out fire services away from in-house departments. While aimed at cities seeking to dismantle their in-house departments to contract out, the legislation may also apply to any existing contracting agency whose contract expires prior to renewal.

Based on City Attorney's interpretation, unless the City renews the contract for service with Riverside County by July 1, 2016, service will have lapsed. If the contract lapses, then any subsequent contract may be considered "new." In order to satisfy the SB239 described LAFCO process, the City would be required to hold a public hearing making findings for contracting services, achieve approval from the State Director of Finance, perform an independent comprehensive financial analysis and plan for services, along with a determination that revenues received are sufficient for delivery of service.

Due to the added requirements, Staff recommends the City move forward with execution of the contract prior to July 1, 2016, despite having unfavorable language changes from the County.

Other Consideration

The County is requesting a two (2) year contract for services as opposed to the historical three (3) year term of service. The shorter term requested by the County allows for further adjustment to future costs based on a recently published Standards of Service Study. The County believes there will be changes in their standards for service coverages, which they estimate to take a little less than two years to implement. This allows the County to modify the contract again in two (2) years to capture any cost changes resulting from changes in the standards of coverage.

FISCAL IMPACT:

The cost estimate for Fire Services for FY2016/17 is $3,145,843. This represents a 5.95% increase over the prior year's cost estimate. All costs are paid for out of Fire Service Funds.

Additional cost increases for future years are unknown. Staff expects future cost increases resulting from introduction of County allocated costs and changes to the standards of coverage to exceed the historical year-over-year cost increase of 3.6% per year.

ATTACHMENT:

1. Agreement (redlined draft)

A COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF _____

THIS AGREEMENT, made and entered into this ____ day of _____, 2015, by and between the County of Riverside, a political subdivision of the State of California, on behalf of the Fire Department, (hereinafter referred to as "COUNTY") and the City of _____ , a duly created city, (hereinafter referred to as "CITY"), whereby it is agreed as follows:

SECTION I: PURPOSE

The purpose of this Agreement is to arrange for COUNTY, through its Cooperative Fire Programs Fire Protection Reimbursement Agreement ("CAL FIRE Agreement") with the California Department of Forestry and Fire Protection ("CAL FIRE") to provide CITY with fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists (hereinafter called "Fire Services"). This Agreement is entered into pursuant to the authority granted by Government Code Sections 55600 et seq.~~55603, 55603.5, 55606, 55632 and 55642~~, and will provide a unified, cooperative, integrated, and effective fire services system. COUNTY's ability to perform under this Agreement is subject to the terms and conditions of the CAL FIRE Agreement.

SECTION II: DESIGNATION OF FIRE CHIEF

A. The County Fire Chief appointed by the Board of Supervisors, or his designee, (hereinafter referred to as "Chief") shall represent COUNTY and CITY during the period of this Agreement and Chief shall, under the supervision and direction of the County Board of Supervisors, have charge of the organization described in Exhibit "A", attached hereto and made a part hereof, for the purpose of providing Fire Services as deemed necessary to satisfy the needs of both the COUNTY and CITY, except upon those lands wherein other agencies of government have responsibility for the same or similar Fire Services.

B. ~~CITY may budget for the position of a Fire Department Division Chief or Deputy Chief, as outlined in Section III B, or~~ The COUNTY will~~may~~ assign an existing Chief Officer as the Fire Department Liaison ("Fire Liaison"). The Chief may delegate certain authority to the Fire Liaison, as the Chief's duly authorized designee and the Fire Liaison shall be responsible for directing the Fire Services provided to CITY as set forth in Exhibit "A".

C. COUNTY will be allowed flexibility in the assignment of available personnel and equipment in order to provide the Fire Services as agreed upon herein.

SECTION III: PAYMENT FOR SERVICES

A. CITY shall annually appropriate a fiscal year budget to support the Fire Services designated at a level of service mutually agreed upon by both parties and as set forth in Exhibit "A" for the term of this Agreement. This Exhibit may be amended in writing by mutual agreement by both parties or when a CITY requested increase or reduction in services is approved by COUNTY.

B. COUNTY provides fire personnel, equipment and services through its CAL FIRE Agreement. In the event CITY desires an increase or decrease in CAL FIRE or COUNTY civil service employees or services assigned to CITY as provided for in Exhibit "A," CITY shall provide one hundred twenty (120) days written notice of the proposed, requested increase or decrease. Proper notification shall include the following: (1) The total amount of increase; (2) The effective date of the increase; and (3) The number of employees, by classification, affected by the proposed increase. If such notice is not provided, CITY shall reimburse COUNTY for relocation costs incurred by COUNTY because of the increase or decrease, in addition to any other remedies available resulting from the increase or decrease in services. ~~In no event will COUNTY authorize or approve a CITY's request to reduce services below the COUNTY Board of Supervisors approved staffing level for any fire station.~~ COUNTY is under no obligation to approve any requested increase or decrease, and it is expressly understood by the parties that in no event will COUNTY authorize or approve CITY's request to reduce services below the COUNTY Board of Supervisors approved staffing level for any fire station, or to reduce services to the extent that the services provided under this Agreement are borne by other jurisdictions.. COUNTY shall render a written decision on whether to allow or deny the increase or decrease within thirty (30) days of the notice provided pursuant to this section.

C. CITY shall pay COUNTY actual costs for Fire Services pursuant to this Agreement. COUNTY shall make a claim to CITY for the actual cost of contracted services, pursuant to Exhibit "A," on a quarterly basis. The COUNTY is mandated per Government Code Section §51350 for full cost recovery. CITY shall pay each claim, in full, within thirty (30) days after receipt thereof.

D. Any changes to the salaries or expenses set forth in Exhibit "A" made necessary by action of the Legislature, CAL FIRE, or any other public agency with authority to direct changes in the level of salaries or expenses, shall be paid from the funds represented as set forth in Exhibit "A." The CITY is obligated to expend or appropriate any sum in excess of Exhibit "A" increased by action of the Legislature, CAL FIRE, or any other public agency with authority to direct changes. If within thirty (30) days after notice, in writing, from COUNTY to CITY that the actual cost of maintaining the services specified in Exhibit "A" as a result of action by the Legislature, CAL-FIRE, or other public agency will exceed the total amount specified therein, and CITY has not agreed to make available the necessary additional funds, COUNTY shall have the right to unilaterally reduce the services furnished under this Agreement by an appropriate amount and shall promptly notify CITY, in writing, specifying the services to be reduced. Any COUNTY or CAL-FIRE personnel reduction resulting solely due to an increase in employee salaries or expenses occurring after signing

this Agreement and set forth in Exhibit "A" that CITY does not agree to fund, as described above, shall not be subject to relocation expense reimbursement by CITY. If CITY desires to add funds to the total included herein to cover the cost of increased salaries or services necessitated by actions described in this paragraph, such increase shall be accomplished by an additional appropriation by the City Council of CITY, and an amendment to Exhibit "A" approved by the parties hereto.

E. Chief may be authorized to negotiate and execute any amendments to Exhibit "A" of this Agreement on behalf of COUNTY as authorized by the Board of Supervisors. CITY shall designate a "Contract Administrator" who shall, under the supervision and direction of CITY, be authorized to execute amendments to Exhibit "A" on behalf of CITY.

F. ____ ____ [ ] (Check only if applicable, and please initial to acknowledge) Additional terms as set forth in the attached Exhibit "B" are incorporated herein and shall additionally apply to this agreement regarding payment of services.

G. ____ ____ [ ] (Check only if applicable, and please initial to acknowledge) Additional terms as set forth in the attached Exhibit "C" are incorporated herein and shall additionally apply to this agreement regarding payment for the Fire Engine Use Agreement.

H. Notwithstanding Paragraph G herein if applicable, additional terms as set forth are incorporated herein and shall additionally apply to this agreement regarding payment of services. In the event that a fire engine, owned and maintained by the CITY has a catastrophic failure, the COUNTY Fire Chief may allow use of a COUNTY fire engine, free of charge up to one hundred twenty (120) days. After the initial one hundred twenty (120) days, a rental fee will be applied to the CITY invoice for use of said COUNTY fire engine. The rental fee shall be Nine Hundred Forty Four Dollars ($944.00) per day; or Six Thousand Six Hundred Eight Dollars ($6,608.00) per week.

SECTION IV: INITIAL TERM AND AMENDMENT

A. The term of this Agreement shall be from July 1, 2016, to June 30, 2018.

B. One (1) year prior to the date of expiration of this Agreement, CITY shall give COUNTY written notice of whether CITY intends to enter into a new Agreement with COUNTY for Fire Services and, if so, whether CITY intends to request a change in the level of Fire Services provided under this Agreement.

~~C. If CITY and COUNTY are actively negotiating the terms to a new agreement, the parties may enter into an amendment of this agreement to extend the term up to an additional one year period. During this extended term, the level of service will remain as set forth in this Agreement. .~~

SECTION V: TERMINATION

~~Either party to this Agreement may terminate this Agreement by providing a written notice of termination to the other party hereto no less than one (1) year prior to the expiration of the term hereof.~~ During the terms of ~~T~~this Agreement, the Agreement may only be terminated by the voters of either the COUNTY or the CITY pursuant to Government Code §55603.5.

SECTION VI: COOPERATIVE OPERATIONS

All Fire Services contemplated under this Agreement shall be performed by both parties to this Agreement working as one unit; therefore, personnel and/or equipment belonging to either CITY or COUNTY may be temporarily dispatched elsewhere from time to time for mutual aid.

SECTION VII: MUTUAL AID

Pursuant to Health and Safety Code Sections 13050 et seq., when rendering mutual aid or assistance, COUNTY may, at the request of CITY, demand payment of charges and seek reimbursement of CITY costs for personnel, equipment use, and operating expenses as funded herein, under authority given by Health and Safety Code Sections 13051 and 13054. COUNTY, in seeking said reimbursement pursuant to such request of CITY, shall represent the CITY by following the procedures set forth in Health and Safety Code Section 13052. Any recovery of CITY costs, less actual expenses, shall be paid or credited to the CITY, as directed by CITY.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Sections 13051 and 3054 to the officer designated by CITY.

SECTION VIII: SUPPRESSION COST RECOVERY

As provided in Health and Safety Code Section 13009, COUNTY may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using CITY equipment and personnel under the terms of this Agreement, COUNTY may, on request of CITY, bring such an action for collection of costs incurred by CITY. In such a case CITY appoints and designates COUNTY as its agent in said collection proceedings. In the event of recovery, COUNTY shall apportion to CITY its pro-rata proportion of recovery, less the reasonable pro-rata costs including legal fees.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Section 13009 to the officer designated by CITY.

In the event the CITY elects to use COUNTY funded Fire Marshal services, the services will be provided at a cost outlined in COUNTY Ordinance 671(Establishing Consolidated Fees For Land Use and Related Functions).

SECTION IX: PROPERTY ACCOUNTING

All personal property provided by CITY and by COUNTY for the purpose of providing Fire Services under the terms of this Agreement shall be marked and accounted for in such a manner as to conform to the standard operating procedure established by the COUNTY for the segregation, care, and use of the respective property of each.

SECTION X: FACILITY

CITY shall provide Fire Station(s), strategically located to provide standard response time within City of __ from which fire operations shall be conducted. If the Fire Station(s) are owned by the CITY, the CITY shall maintain the facilities at CITY's cost and expense. In the event CITY requests COUNTY to undertake repairs or maintenance costs or services, the costs and expenses of such repairs or maintenance shall be reimbursed to COUNTY through the Support Services Cost Allocation, or as a direct Invoice to the CITY.

SECTION XI: INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent permitted by applicable law, COUNTY shall and does agree to indemnify, protect, defend and hold harmless CITY, its agencies, districts, special districts and departments, their respective directors, officers, elected and appointed officials, employees, agents and representatives (collectively, **"Indemnitees"**) for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the Services performed hereunder by COUNTY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of COUNTY, its officers, employees, subcontractors, agents, or representatives (collectively, **"Liabilities"**). Notwithstanding the foregoing, the only Liabilities with respect to which COUNTY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

To the fullest extent permitted by applicable law, CITY shall and does agree to indemnify, protect, defend and hold harmless COUNTY, its agencies, departments, directors, officers, agents, Board of Supervisors, elected and appointed officials and representatives (collectively, **"Indemnitees"**) for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the services performed hereunder, by CITY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of CITY its officers, employees, subcontractors, agents, or representatives (collectively, **"Liabilities"**). Notwithstanding the foregoing, the only Liabilities with respect to which

CITY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

SECTION XII: AUDIT

A. COUNTY and CITY agree that their designated representative shall have the right to review and to copy any records and supporting documentation of the other party hereto, pertaining to the performance of this Agreement. COUNTY and CITY agree to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated or as required by law, and to allow the auditor(s) of the other party access to such records during normal business hours COUNTY and CITY agree to a similar right to audit records in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

B. Each party shall bear their own costs in performing a requested audit.

SECTION XIII: DISPUTES

CITY shall select and appoint a "Contract Administrator" who shall, under the supervision and direction of CITY, be available for contract resolution or policy intervention with COUNTY, when, upon determination by the Chief that a situation exists under this Agreement in which a decision to serve the interest of CITY has the potential to conflict with COUNTY interest or policy. Any dispute concerning a question of fact arising under the terms of this Agreement which is not disposed of within a reasonable period of time by the CITY and COUNTY employees normally responsible for the administration of this Agreement shall be brought to the attention of the Chief Executive Officer (or designated representative) of each organization for joint resolution. For purposes of this provision, a "reasonable period of time" shall be ten (10) calendar days or less. CITY and COUNTY agree to continue with the responsibilities under this Agreement during any dispute. Disputes that are not resolved informally by and between CITY and COUNTY representatives may be resolved, by mutual agreement of the parties, through mediation. Such mediator will be jointly selected by the parties. The costs associated with mediator shall be shared equally among the participating parties. If the mediation does not resolve the issue(s), or if the parties cannot agree to mediation, the parties reserve the right to seek remedies as provided by law or in equity. The parties agree, pursuant to *Battaglia Enterprises v. Superior Court* (2013) 215 Cal.App.4th 309, that each of the parties are sophisticated and negotiated this agreement and this venue at arm's length. Pursuant to this Agreement, the parties agree that v~~V~~enue for litigation shall be in the Superior Court of Riverside County. Should any party attempt to defeat this reaction and challenge venue in Superior Court, the party challenging venue stipulates to request the Court change venue to San Bernardino County and shall not ask for venue in any other County.

Any claims or causes of actions, whether they arise out of unresolved disputes as specified in this Section or claims by third parties that are made against the COUNTY, shall be submitted to the Office of the Clerk of the Board for the County of Riverside in a timely manner. For claims made against the COUNTY that involve CalFire employees, to the extent permissible under the COUNTY's contract with CalFire, the claims will be forwarded on to CalFire for processing.

SECTION XIV: ATTORNEY'S FEES

If CITY fails to remit payments for services rendered pursuant to any provision of this Agreement, COUNTY may seek recovery of fees through litigation, in addition to all other remedies available.

In the event of litigation between COUNTY and CITY to enforce any of the provisions of this Agreement or any right of either party hereto, the unsuccessful party to such litigation agrees to pay the prevailing party's costs and expenses, including reasonable attorneys' fees, all of which shall be included in and as a part of the judgment rendered in such litigation.

SECTION XV: DELIVERY OF NOTICES

Any notices to be served pursuant to this Agreement shall be considered delivered when deposited in the United States mail and addressed to:

COUNTY	CITY OF _____
County Fire Chief	City Manager
210 W. San Jacinto Ave.	City of _____
Perris, CA 92570	_____
	_____

Provisions of this section do not preclude any notices being delivered in person to the addresses shown above. Delivery in person shall constitute service hereunder, effective when such service is made.

SECTION XVI: ENTIRE CONTRACT

This Agreement contains the whole contract between the parties for the provision of Fire Services. It may be amended or modified upon the mutual written consent of the parties hereto where in accordance with applicable state law. This Agreement does NOT supplement other specific agreements entered into by both parties for equipment or facilities, and excepting those equipment or facilities agreements, this Agreement cancels and supersedes any previous agreement for the same or similar services.

///

EXHIBIT "A"

ESTIMATE

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF INDIAN WELLS
ESTIMATE DATED MARCH 31, 2016 FOR FY 2016/2017
ADD .5 FIRE SAFETY SPECIALIST

	CAPTAIN'S		CAPTAIN'S MEDICS		ENGINEER'S		ENGINEER MEDICS		FF II'S		FF II MEDICS		TOTALS	
STA #55														
Engine	204,444	1.0			174,809	1.0			633,039	4.0			1,012,292	6.0
Medic Unit							196,043	1.0			509,356	3.0	705,399	4.0
Fixed Relief	0	0.0	0	0.0	0	0.0	0	0.0	158,260	1.0	169,785	1.0	328,045	2.0
Vacation Relief	0	0.0	0	0.0	174,809	1.0	0	0.0	0	0.0	169,785	1.0	344,594	2.0
SUBTOTALS	204,444		0		349,618		196,043		791,299		848,926		2,390,330	
SUBTOTAL STAFF		1		0		2		1		5		5		14
FIRE SAFETY SPECIALIST (50%)							140,759	each					70,379	0.50
DEPUTY FIRE MARSHAL (6% Shared)							162,547	each					9,753	0.06
SUBTOTAL													$80,132	14.06
ESTIMATED SUPPORT SERVICES														
Administrative/Operational							20,805	per assigned Staff **					296,888	14.27
Volunteer Program							7,658	Per Entity Allocation					7,658	1.0
Medic Program								Medic FTE/Defib Basis					40,527	6.0
Battalion Chief Support							75,164	.27 FTE per Station					75,164	1.0
Fleet Support							54,970	per Fire Suppression Equip					54,970	1.0
ECC Support								Calls/Station Basis					47,962	
Comm/IT Support								Calls/Station Basis					81,514	
Hazmat Support													17,356	
SUPPORT SERVICES SUBTOTAL													622,040	
ESTIMATED DIRECT CHARGES													28,009	
FIRE ENGINE USE AGREEMENT							25,331	each engine					25,331	1
TOTAL STAFF COUNT														14.10
TOTAL ***ESTIMATED*** CITY BUDGET													$3,145,843	
* INDIAN WELLS ***ESTIMATED*** FIRE TAX CREDIT													(2,692,279)	
NET ***ESTIMATED*** CITY BUDGET													453,564	

* STRUCTURAL FIRE TAXES	955,050
ESTIMATED REDEVELOPMENT PASS THRU	2,304,229
total contract transfer	(567,000)
ESTIMATED TOTAL TAX FUNDING	2,692,279

SUPPORT SERVICES

Administrative & Operational Services
- Finance
- Training
- Data Processing
- Accounting
- Personnel

- Procurement
- Emergency Services
- Fire Fighting Equip.
- Office Supplies/Equip.

	14.00	Assigned Staff
	0.27	Battalion Chief Support
**	14.27	Total Assigned Staff
	1	Fire Stations
	1,040	Number of Calls
	6	Assigned Medic FTE
	1	Monitors/Defibs
	1	Hazmat Stations
	9	Number of Hazmat Calls

Volunteer Program - Support staff, Workers Comp. and Personal Liability Insurance

Medic Program - Support staff. Training, Certification, Case Review & Reporting, Monitor/ Defibrillator replacement cycle.

Battalion Chief Support - Pooled BC coverage for Cities/Agencies that do not include BC staffing as part of their contracted services.

Fleet Support - Support staff, automotive costs, vehicle/engine maintenance, fuel costs

Emergency Command Center Support - Dispatch services costs

Communications / IT Support - Support staff, communications, radio maintenance, computer support functions

Hazmat Program - Support staff, operating costs, and vehicle replacement

FY 16/17 POSITION SALARIES TOP STEP

304,607	DEPUTY CHIEF
300,511	DIV CHIEF
244,156	BAT CHIEF
204,444	CAPT
227,317	CAPT MEDIC
174,809	ENG
198,043	ENG/MEDIC
158,260	FF II
169,765	FF II/MEDIC
146,829	FIRE SAFETY SUPERVISOR
140,759	FIRE SAFETY SPECIALIST
122,031	FIRE SYSTEMS INSPECTOR
71,843	OFFICE ASSISTANT III
72,531	SECRETARY I
116,074	COUNTY EMERGENCY SERVICES COORDINATOR
162,547	DEPUTY FIRE MARSHAL

25,331	FIRE ENGINE
20,805	SRVDEL
7,658	VOL DEL
6,425	MEDIC FTE
1,975	MEDIC MONITORS/DEFIBS REPLACEMENT
75,164	BATT DEL
16,626	ECC STATION
30.13	ECC CALLS
54,970	FLEET SUPPORT
28,255	COMM/IT STATION
51.21	COMM/IT CALLS
2,404	FACILITY STATION
646.77	FACILITY FTE
3,731	HAZMAT STATION
1,294.48	HAZMAT CALLS
1,974	HAZMAT VEHICLE REPLACEMENT

EXHIBIT "B"

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL AID FOR THE CITY OF INDIAN WELLS
DATED _____, 2016

PAYMENT FOR SERVICES
ADDITIONAL TERMS

A. Of the sum CITY has appropriated to provide for protection services within the area of responsibility of CITY, COUNTY shall allow a credit to CITY in the estimated amount that represents 100% of the Structural Fire Taxes and Redevelopment Pass Thru Funds in excess of $567,000 collected by COUNTY within the areas of responsibility of CITY. The amount of this credit shall be determined by the County Auditor-Controller prior to COUNTY's billing of its claim for services with CITY as provided herein. The claim filed by COUNTY with CITY shall be those expenses in excess of the credit allowed to CITY.

B. COUNTY shall make a claim to CITY for the cost of contracted services as shown on Exhibit "A" during each of the following periods:

(1) July 1 through September 30, claim in October;
(2) October 1, through December 31, claim in January;
(3) January 1 through March 31, claim in April; and
(4) April 1 through June 20, claim in July.

The claims shall be for 25% of the estimated costs of services after any deduction for fire taxes, with final reconciliation to actual costs resulting in an additional claim or refund to CITY, the subsequent quarter with the final reconciliation in August. CITY shall pay each claim within 30 days after receipt thereof. COUNTY shall allow a credit in the amount of the Structural Fire taxes as determined by COUNTY to be collected in each fiscal year of this Agreement. Any remaining credit that has exceeded the cost of the contracted services shall remain the City of Indian Wells funds, to be utilized for future Fire Services and/or related expenses.

EXHIBIT "C"

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL AID FOR THE CITY OF INDIAN WELLS
DATED _____, 2016

PAYMENT FOR SERVICES
ADDITIONAL SERVICES
FIRE ENGINE USE AGREEMENT

Station 55

Engine E55, RCO No. 06-802	$ 27,104.00
	$ 27,104.00

The Fire Engine Use Agreement is utilized in the event that a fire engine(s) which was initially purchased by the CITY, and then the CITY elects to have the COUNTY take responsibility of said fire engine(s). The Fire Engine Use Agreement guarantees the CITY the use of this fire engine(s), the COUNTY network of equipment, and resources of the COUNTY.

This fire engine(s) shall be used as an integrated unit for Fire Services as set forth in this Cooperative Agreement between the COUNTY and CITY, and shall be stationed primarily in the CITY. The change in ownership of the fire engine does not waive or supersede any responsibilities of the CITY pursuant to this agreement. This exhibit is strictly to further detail for the CITY, the responsibilities and costs associated within the Cooperative Agreement between the COUNTY and CITY; therefore, the Fire Engine Use Agreement is inseparable.

The CITY will have the option of transferring title of said fire engine(s) to the COUNTY. If the CITY transfers title of said fire engine(s) to the County, the County will take ownership of the said fire engine(s), and the County will maintain insurance on said fire engine(s). If the CITY opts to maintain ownership and title of said fire engine(s), the CITY will maintain insurance on said fire engine(s). Proof of Insurance is to be provided to the COUNTY.

The COUNTY will ensure a working fire engine(s) is available for the CITY at all times under this agreement. All capital improvements and/or betterments to the fire engine(s) listed above, will be the responsibility and paid for by the COUNTY under this Agreement.

When the Riverside County Fire Department Fleet personnel determine the fire engine(s) listed above is due for replacement, the COUNTY will purchase a new fire engine(s); and, survey the old fire engine(s).

The annual cost for this service is calculated at 1/20 of the replacement cost. The current replacement cost is $506,625.00. If this Agreement is entered into mid-year, the annual cost will be prorated accordingly.

///

///

[Signature Provisions on following page]

IN WITNESS WHEREOF, the duly authorized officials of the parties hereto have, in their respective capacities, set their hands as of the date first hereinabove written.

Dated: _____

CITY OF _____

By: _____

Title: _____

ATTEST:

By: _____

Title: _____

(SEAL)

APPROVED AS TO FORM:

_____

Dated: _____

COUNTY OF RIVERSIDE

By: _____
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:
GREGORY P. PRIAMOS,
County Counsel

By: _____
ERIC STOPHER
Deputy County Counsel

F:\root\data\RRU County Finance\Contract Cities\COOPERATIVE AGREEMENT\TEMPLATE\TEMPLATE COOPERATIVE AGREEMENT 040815.doc

File #: 1416-16 Item #: D.

Indian Wells City Council

Staff Report - City Clerk

Calling for November 8, 2016 Regular Municipal Election

RECOMMENDED ACTION:

Council ADOPTS Resolution calling and giving notice of the holding of a regular municipal election to be held concurrently with the statewide general election on Tuesday, November 8, 2016, for the election of certain officers as required by the laws of the State of California, adopting regulations pertaining to materials submitted to the electorate and costs thereof; requesting the Board of Supervisors of the County Riverside to consolidate said regular municipal election with the statewide general election to be held on the same date; and requesting said Board of Supervisors to permit the County Registrar of Voters to render certain services related to the consolidated municipal election.

DISCUSSION:

As the first step in the election process, the City Council must adopt legislation calling for the regular municipal election on Tuesday, November 8, 2016 to be held concurrently with the statewide general election. Additionally, the Council must formally request the Riverside County Board of Supervisors to allow the Registrar of Voters to conduct the election.

Slated for this regular municipal election are three (3) City Council Member seats held by Douglas Hanson, Ted Mertens, and Ty Peabody. The nomination period for City Council candidates begins on July 18, 2016 and ends on August 12, 2016. Any interested parties running for a City Council seat are encouraged to contact the City Clerk.

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A REGULAR MUNICIPAL ELECTION TO BE HELD CONCURRENTLY WITH THE STATEWIDE GENERAL ELECTION ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE LAWS OF THE STATE OF CALIFORNIA, ADOPTING REGULATIONS PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND COSTS THEREOF; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE SAID REGUALR MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE; AND REQUESTING SAID BOARD OF SUPERVISORS TO PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER CERTAIN SERVICES RELATED TO THE CONSOLIDATED MUNICIPAL ELECTION

WHEREAS, under the provisions of the laws of the State of California, a regular municipal election shall be held on November 8, 2016, for the election of municipal officers; and

WHEREAS, pursuant to the requirements of the laws of the State of California, the City Council of the City of Indian Wells desires and intends to call and order to be held in the City of Indian Wells, California, on Tuesday, November 8, 2016, a Regular Municipal Election to elect three Municipal Officers; and

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency shall adopt regulations pertaining to materials prepared by any candidate for a municipal election, including the costs thereof.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of the laws of the State of California, there is hereby called and ordered to be held in the City of Indian Wells, California, on Tuesday, November 8, 2016, a Regular Municipal Election of the qualified electors of said City for the purpose of electing three (3) members of the City Council of the City for the term of four (4) years.

SECTION 2. The City Council consents to the consolidation of the Regular Election hereby called with the Statewide General election and all other elections being held in the same territory on November 8, 2016.

SECTION 3. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 4. In accordance with Sections 10002, 10403, and 10418 of the Elections Code, the Board of Supervisors of Riverside County is hereby requested to consolidate the regular municipal election with the Statewide General election to be held in the same territory and on the same day, and to consent to having the Registrar of Voters render such election services to the City of Indian Wells as may be requested by the City Clerk of said City, the County of Riverside to be reimbursed in full for such services as are performed.

SECTION 5. The election services which the City of Indian Wells requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include: the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places, and election officers, and making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the City Clerk of the City of Indian Wells; and the performance of such other election services as may be requested by the City Clerk.

SECTION 6. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 7. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.

SECTION 8. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 9. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.

SECTION 10. The Riverside County Registrar of Voters is hereby authorized to canvass the returns of said Regular Municipal Election.

SECTION 11. The City Clerk of the City of Indian Wells shall receive the canvass as it pertains to the Regular Municipal Election, and shall certify the results to the City Council, as required by law.

SECTION 12. Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the Regular Municipal Election to be held in the City of Indian Wells on November 8, 2016, may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age, and occupation of the candidate and a brief description of no more than four hundred (400) words of the candidate's education and qualifications expressed by the candidate himself/herself. Such statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in the Office of the City Clerk at the same time the candidate's nomination papers are filed. Such statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 13. No candidate shall be permitted to include additional materials in the sample ballot package.

SECTION 14. The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to the Elections Code, and require each candidate filing a statement to pay in advance his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet. The City Clerk shall bill each candidate for any cost in excess of the deposit and shall refund any unused portion of any deposit.

SECTION 15. The City Clerk shall provide to each candidate or the candidate's representative a copy of this Resolution at the time that nominating petitions are issued.

SECTION 16. The City Clerk of the City of Indian Wells is hereby **DIRECTED** to certify to the passage and adoption of this Resolution and to file a certified copy of this Resolution with the County Registrar of Voters of the County of Riverside.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

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 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**STEPHEN P. DEITSCH** **CITY ATTORNEY**

File #: 1412-16 Item #: E.

Indian Wells City Council

Staff Report - City Clerk

CV Link Ballot Measure

RECOMMENDED ACTIONS:

Council provides **DIRECTION** to staff whether to amend the ballot Resolution to include language relating to financing of CV Link; and

ADOPTS or **ADOPTS AS AMENDED** Resolution submitting to qualified voters of the City of Indian Wells an ordinance requiring voter approval prior to the City approving the development or installation of all or any portion of the “CV Link” project within the City of Indian Wells, at the regular municipal election to be consolidated with the Statewide General Election to be held November 8, 2016.

DISCUSSION:

The Council selected a ballot label/question at the April 21, 2016 Council meeting, relating to a measure to require the electorate to approve any portion of the CV Link being built in or through the City of Indian Wells.

At the April 25, 2016 Finance Committee meeting, a resident requested additional clarifying language be included relating to financing of the CV Link project. The resident’s question was:

> “Should the reference to taking any action to approve the establishment, development or installation be expanded to include commitment of City funds - general fund or otherwise such as Measure A funds? It seems reasonable to me to include some appropriate reference to ‘City funds’ since there is a possibility CVAG could propose something which would encompass financial commitments from all cities, even if the project does not flow through a given city.”

The Finance Committee agreed to refer the matter to the full Council for consideration.

The current ballot title reads:

"Shall Section 2.08.180 be added to the Indian Wells Municipal Code to prohibit the City Council from taking any action to approve the establishment, development or installation of all or any part of the Coachella Valley Association of Governments' "CV Link" Project within the City, unless approved by a majority of City voters?"

Staff is inquiring whether the Council wishes to amend the ballot resolution to include language relating to financing of CV Link.

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF INDIAN WELLS AN ORDINANCE REQUIRING VOTER APPROVAL PRIOR TO THE CITY APPROVING THE DEVELOPMENT OR INSTALLATION OF ALL OR ANY PORTION OF THE "CV LINK" PROJECT WITHIN THE CITY OF INDIAN WELLS, AT THE REGULAR MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD NOVEMBER 8, 2016

WHEREAS, the Coachella Valley Association of Governments (CVAG) has proposed the development of "CV Link", an alternative transportation roadway for bicycles, pedestrians, and low-speed electric vehicles (including golf carts and neighborhood electric vehicles); and

WHEREAS, CV Link is projected to span more than 50 miles and run across nine Coachella Valley cities and three tribal governments, including the City of Indian Wells; and

WHEREAS, while CV Link may produce some economic and other benefits, the City Council is concerned that CV Link's negative impacts to the City of Indian Wells may outweigh its benefits; and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council is authorized and desires to submit to the voters a measure which would require majority voter approval prior to the City of Indian Wells approving the establishment, development or installation of all or any portion of CV Link within the City of Indian Wells; and

WHEREAS, the City Council has passed Resolution No. 2016-___, calling a regular municipal election for the purpose of electing three members of the City Council, requesting that the Regular Municipal election be consolidated with the Statewide General election to be held on Tuesday, November 8, 2016, and requesting that the Board of Supervisors of Riverside County direct the Registrar of Voters thereof to take any and all necessary steps to conduct the consolidated election; and under the provisions of City Municipal Code section 2.80.040 and the laws in the State of California, the City's Regular Municipal election shall be held on November 8, 2016, for the election of Municipal Officers; and

WHEREAS, the City Council also desires to consolidate the election for the Ordinance/ballot measure described herein with the Regular Municipal election/Statewide General election to be held on November 8, 2016; and

WHEREAS, the specific terms requiring voter approval prior to development of CV Link within the City of Indian Wells are provided for in the ordinance to be considered by the qualified voters, attached hereto as Exhibit "A" (the "Ordinance") and by this reference made an operative part hereof, and in accordance with all applicable laws.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Recitals. The City Council of the City hereby finds and determines that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

SECTION 2. Submission of Ballot Measure. The City Council of the City, pursuant to its right and authority as contained in California Elections Code section 9215, hereby **ORDERS** the Ordinance attached hereto as Exhibit "A" to be submitted to the qualified voters of the City at the Regular Municipal election to be held and consolidated with the Statewide General election on Tuesday, November 8, 2016. The proposed Ordinance shall be in the form attached hereto as Exhibit "A" to this Resolution and is incorporated by this reference as if fully set forth herein.

SECTION 3. Ballot Measure. The City Council, pursuant to its right and authority, does hereby **ORDER** that the ballot measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the election to be held at the Regular Municipal election to be consolidated with the Statewide General election on Tuesday, November 8, 2016, in addition to any other matters required by law, there shall be printed substantially the following:

"Shall Section 2.08.180 be added to the Indian Wells Municipal Code to prohibit the City Council from taking any action to approve the establishment, development or installation of all or any part of the Coachella Valley Association of Governments' "CV Link" Project within the City, unless approved by a majority of City voters?"	**YES**	
	NO	

SECTION 4. Election Procedures.

A. The City Council consents to the consolidation of the election on this measure with all other elections being held in the same territory on November 8, 2016, and to hold and conduct the consolidated election in the manner prescribed in Election Code Section 10418.

B. The ballots to be used at the election shall be in the form and content as required by law.

C. In accordance with Section 10002, 10403, and 10418 of the Elections Code, the Board of Supervisors of Riverside County is hereby requested to consolidate the regular municipal election with the Statewide General election to be held in the same territory and on the same day, and to consent to having the Registrar of Voters render such election services to the City of Indian Wells as may be requested by the City Clerk of said City, the County of Riverside to be reimbursed in full for such services as are performed.

D. The election services which the City of Indian Wells requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include: the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places, and election officers, and making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the City Clerk of the City of Indian Wells; and the performance of such other election services as may be requested by the City Clerk.

E. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

F. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

G. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections in the City.

H. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

I. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.

J. The Riverside County Registrar of Voters is hereby authorized to canvass the returns of said election.

K. The City Clerk of the City of Indian Wells shall receive the canvass as it pertains to the election on the measure, and shall certify the results to the City Council, as required by law.

SECTION 5. Arguments and Analysis.

A. ~~The persons who filed the petition may file a written argument in favor of the measure and the City Council, or any Council Member or Members designated by the Council may file a written argument against the measure.~~ The City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the measure, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and the author(s) may change the argument until and including **August 22, 2016**, after which no arguments for or against the measure may be submitted to the City Clerk. Arguments in favor of or against the measure shall each not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.

C. Pursuant to Section 9280 of the Elections Code, the City Council **DIRECTS** the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The City Attorney shall transmit such impartial

H. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

I. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.

J. The Riverside County Registrar of Voters is hereby authorized to canvass the returns of said election.

K. The City Clerk of the City of Indian Wells shall receive the canvass as it pertains to the election on the measure, and shall certify the results to the City Council, as required by law.

SECTION 5. Arguments and Analysis.

A. The persons who filed the petition may file a written argument in favor of the measure and the City Council, or any Council Member or Members designated by the Council may file a written argument against the measure, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and may change the argument until and including **August 22, 2016**, after which no arguments for or against the measure may be submitted to the City Clerk. Arguments in favor of or against the measure shall each not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

B. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.

C. Pursuant to Section 9280 of the Elections Code, the City Council **DIRECTS** the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The City Attorney shall transmit such impartial analysis to the City Clerk, who shall cause the analysis to be published in the ballot pamphlet along with the ballot measure as provided by law. The Impartial Analysis shall be filed by the deadline set for filing of primary arguments as set forth in subsection (A) above. The impartial analysis shall include a statement

indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters of by the City Council. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **"The above statement is an impartial analysis of Ordinance or Measure ____. If you desire a copy of the ordinance or measure, please call the election official's office at (insert phone number) and a copy will be mailed at no cost to you."**

SECTION 6. Rebuttals.

A. That pursuant to Section 9285 of the Elections Code of the State of California, when the Clerk has selected the arguments for and against the various City initiated measures which will be printed and distributed to the voters, the Clerk shall send copies of the argument in favor of the measures to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **September 1, 2016**. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

B. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

C. That the provisions herein shall apply only to the election to be held on November 8, 2016, and shall then be repealed.

SECTION 7. Placement on the Ballot. The full text of the Ballot Ordinance shall be printed in the voter pamphlet, and a statement shall be printed in the ballot pursuant to Section 9223 of the Elections Code advising voters that they may obtain a copy of this ordinance, the Ballot Ordinance and/or ballot measure, at no cost, upon request made to the City Clerk.

SECTION 8. Delivery of Resolution to County. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions. The City Council **DIRECTS** the City Clerk to deliver copies of this Resolution, including the Ballot Ordinance attached hereto as Exhibit "A", to the Clerk of the Board of Supervisors of Riverside County and to the Registrar of Voters of Riverside County.

SECTION 9. **CEQA.** The City Council hereby **FINDS** and **DETERMINES** that the ballot measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

SECTION 10. **Severability.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 11. **Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 19th day of May, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-___

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 19th day of May 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**STEPHEN P. DEITSCH** **CITY ATTORNEY**

EXHIBIT "A"

ORDINANCE NO. ____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADDING SECTION 2.08.180 TO CHAPTER 2.08 OR TITLE 2 OF THE INDIAN WELLS MUNICIPAL CODE REQUIRING VOTER APPROVAL PRIOR TO THE CITY APPROVING THE ESTABLISHMENT, DEVELOPMENT OR INSTALLATION OF ALL OR ANY PORTION OF THE "CV" LINK PROJECT WITHIN THE CITY OF INDIAN WELLS

NOW THEREFORE, THE PEOPLE OF THE CITY OF INDIAN WELLS DO ORDAIN AS FOLLOWS:

SECTION 1. Subject to the approval of a majority of the voters of the City of Indian Wells at the regularly scheduled election so designated by the City Council in a separate resolution placing the proposal on the ballot for such election, Section 2.08.180 is hereby added to Chapter 2.08 of Title 2 of the Indian Wells Municipal Code and shall read as follows:

"2.08.180 Voter Approval Required Prior to City Approving or Agreeing to Development of CV Link Project Within the City.

(A) No action of the City Council which, in whole or in part, has the effect of approving, agreeing to or allowing the establishment, development or installation of all or any portion of the CV Link Project within the city limits of the City of Indian Wells, shall be effective until said action is approved by a majority of the electors voting on the issue at a General Municipal Election, or at a special election called for that purpose.

(B) For the purposes of this Section, the term "CV Link" refers to that certain "Coachella Valley Link" Project, an alternative transportation roadway intended for, among other users, bicycles, pedestrians, and low-speed electric vehicles (including golf carts and neighborhood electric vehicles), which has been proposed by the Coachella Valley Association of Governments (CVAG), and as it may be amended from time to time."

SECTION 2. If any portion of this Ordinance is declared invalid by a court of law or other legal body with applicable authority, the invalidity shall not affect or prohibit the force and effect of any other provision or application of the Ordinance that is not deemed invalid. The voters of the City hereby declare that they would have circulated for qualification and/or voted for the adoption of this Section, and each portion thereof, regardless of the fact that any portion of the initiative may be subsequently deemed invalid.

SECTION 3. To the fullest extent allowed by law, the provisions of this Ordinance shall prevail over, and supersede, all other provisions of the Municipal Code and any ordinances, resolutions or administrative policies of the City of Indian Wells which are in conflict with any provision of this Ordinance.

SECTION 4. This Section shall not be repealed or amended except by a measure approved by a majority of the electors voting on the issue at a General Municipal Election, or at a special election called for that purpose.

SECTION 5. This Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Indian Wells voting at a General Municipal election to be held on November 8, 2016, and shall take effect ten (10) days after the City Council has certified the results of the General Municipal election by resolution.

SECTION 6. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 8, 2016, by signing where indicated below.

I hereby certify that the foregoing Ordinance was **PASSED, APPROVED AND ADOPTED** by the people of the City of Indian Wells on the 8th day of November, 2016.

Dated: _____

_____
DANA W. REED
MAYOR

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

File #: 1411-16 Item #: A.

Indian Wells City Council

Council Member Report

Funding for Coachella Valley Economic Partnership - Peabody

RECOMMENDED ACTION:

Council provides DIRECTION to staff as to funding for the Coachella Valley Economic Partnership.

DISCUSSION:

Council Member Ty Peabody requested, at the April 21, 2016 Council meeting, the Council discuss funding Coachella Valley Economic Partnership. Council Member Peabody recommended a funding level not to exceed $7,500.

The City's most recent funding of Coachella Valley Economic Partnership was Fiscal Year 2012-13 for $100,000.