City Council

Meeting Agenda

Thursday, June 16, 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. RECONVENE 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. 1441-16 **Presentation by Coachella Valley Mosquito and Vector Control New Executive Director**

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-167-16 **Local California Environmental Quality Act Guidelines**

RECOMMENDED ACTION:

Council **ADOPTS** Resolution amending and adopting local guidelines for implementing California Environmental Quality Act.

Attachments: BB&K Memorandum

Resolution

B. RES-168-16 **Expand Property Assessed Clean Energy Program (PACE) to Include CaliforniaFIRST, and Finding the Project Exempt from CEQA**

RECOMMENDED ACTIONS:

Council **FINDS** the action to be statutorily exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Govt. Code 65584 Section 15282, regional housing needs determinations made by a council of governments, or a city; and

ADOPTS Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Statewide Communities Development Authority (CSCDA) Open PACE Programs; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the City's jurisdiction; and authorizing related actions thereto.

Attachments: Resolution

C. 1429-16 **Three-Year Agreement for Emergency Services Coordinator**

RECOMMENDED ACTIONS:

Council **APPROVES** agreement for Emergency Services Coordinator between the County of Riverside and the City from July 1, 2016 through June 30, 2019; and

DIRECTS and **AUTHORIZES** the Mayor to execute the same.

Attachments: Agreement

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D. 1430-16 Annual Update to Employee's Salary Range Schedule

RECOMMENDED ACTIONS:

Council **ADOPTS** annual update to employee's salary range schedule as required by the California Public Employees' Pension Reform Act of 2013, and in compliance with the Fiscal Year 2015-17 Memorandum of Understanding with the Indian Wells City Employees Association; and

DIRECTS staff to publish the employee salary range schedule on the City's website.

Attachments: FY 2016-17 Salary Range Schedule
FY 2016-17 Approved Positions and Salary Ranges
US Dept of Labor CPI Report

E. 1442-16 March 17, 2016 Special Council Meeting Minutes

RECOMMENDED ACTION:

Council **APPROVES** the March 17, 2016 Special Council Meeting Minutes.

Attachments: Special Council Minutes

F. 1443-16 May 11, 2016 Special Council Meeting Minutes

RECOMMENDED ACTION:

Council **APPROVES** the May 11, 2016 Special Council Meeting Minutes.

Attachments: Special Council Minutes

G. 1435-16 City Treasurer's Report for April 2016

RECOMMENDED ACTION:

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

Attachments: Treasurer's Report April 2016

H. 1437-16 **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the June 2, 2016 FAMD Warrants and Demands.

Attachments: FAMD Warrants & Demands

I. 1444-16 **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the June 16, 2016 FAMD Warrants and Demands.

Attachments: FAMD Warrants & Demands

J. 1436-16 **City Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the June 2, 2016 City Warrants and Demands.

Attachments: City Warrants & Demands

K. 1445-16 **City Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the June 16, 2016 City Warrants and Demands.

Attachments: City Warrants & Demands

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-172-16 **Annual Levy for Residential and Commercial Rates for Refuse Collection and Recycling Services**

RECOMMENDED ACTIONS:

Council **opens** the public hearing, takes any public testimony, **CLOSES** the public hearing; and

APPROVES the annual levy of residential parcels for refuse collection and recycling services; and

ADOPTS Resolution ordering the levy and collection of fees for refuse collection and recycling services from residential and commercial properties within the City pursuant to Indian Wells Municipal Code section 8.04.190.

Attachments: Resolution

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B. RES-169-16 **Annual Levy of Indian Wells Street Lighting District No. 2000-1**

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016/17; and

ORDERS the Indian Wells Street Lighting District No. 2000-1 levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

Attachments: Resolution

C. RES-170-16 **Annual Levy of Landscape and Lighting District No. 91-1**

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving collection of assessments for Fiscal Year 2016-17 for Landscape and Lighting District No. 91-1 except for Zone A1 (Eldorado) and Zone A23 (Montelena); and

ADOPTS Resolution approving collection of assessments for fiscal year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1, Zone A1 (Eldorado); and

ADOPTS Resolution approving collection of assessments for fiscal year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1, Zone A23 (Montelena); and

ORDERS the Landscape and Lighting District No. 91-1 levy to be placed on the Fiscal Year 2016-17 Riverside County tax roll.

Attachments: Resolution

Resolution - Zone A1

Resolution - Zone A23

D. RES-171-16 **Annual Levy of Drainage Maintenance Benefit Assessment District No. 1**

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the Engineer's Report for the Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016/17; and

ADOPTS Resolution approving the annual levy of the Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016/17; and

ORDERS the Drainage Maintenance Benefit Assessment District No. 1 levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

Attachments: Resolution - Engineer's Report

Resolution - Levy

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. 1433-16 **Funding Request from Coachella Valley Economic Partnership**

RECOMMENDED ACTION:

Council provides **DIRECTION** to staff as to funding for the Coachella Valley Economic Partnership and directs Staff to **APPROPRIATE** any awarded funds.

Attachments: CVEP Letter

YTD Financials

B. 1440-16 **Freezing One Special Enforcement Officer Position Under Riverside County Sheriff's Contract**

RECOMMENDED ACTION:

Public Safety Committee recommends the Council **APPROVES** freezing one Special Enforcement Officer position for fiscal year 2016-17 yielding a savings of approximately $287,434 under the Riverside County Sheriff's Department contract.

C. 1438-16 **Revisions to City Personnel Manual**

RECOMMENDED ACTIONS:

Council **APPROVES** revisions to City Personnel Manual by incorporating sections from the City's Fiscal Procedures Manual and new Fair Employment and Housing Act regulations; and

DIRECTS staff to delete sections 12 - Computer Hardware/Software Purchases, 13 - Employee Computer Purchase Plan, and 14 - Cell Phone from the City's Fiscal Procedures Manual, as recommended by the Finance Committee.

Attachments: Personnel Manual revised sections

D. 1431-16 **City Manager Employment Agreement**

RECOMMENDED ACTION:

Council **CONSIDERS** any possible action concerning Performance Pay provision in the City Manager Employment Agreement dated June 6, 2013 and directs Staff to **APPROPRIATE** any awarded funds.

E. 1432-16 **Summer 2016 Council Meeting Schedule**

RECOMMENDED ACTION:

Council **APPROVES** the proposed Summer 2016 meeting schedule and provides **DIRECTION** on any other Council meeting schedule related matter.

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. 1434-16 **CV Link Project Inclusion in CVAG's Transportation Project Prioritization Study - Peabody**

RECOMMENDED ACTION:

Council provides **DIRECTION** to the CVAG Executive Committee representative in relation to CV Link project being included in the Transportation Project Prioritization Study (TPPS) list.

Attachments: Peabody Memo

CVAG TPPS Staff Report

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

11. CLOSED SESSION

A. 1439-16 **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.**

ADJOURNMENT

To a special meeting of the City Council to be held at 1:30 p.m. on June 29, 2016 in the City Hall Council Chambers/Executive Conference Room.

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 June 10, 2016, I caused to be posted a notice of a City Council Meeting to be held on June 17, 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

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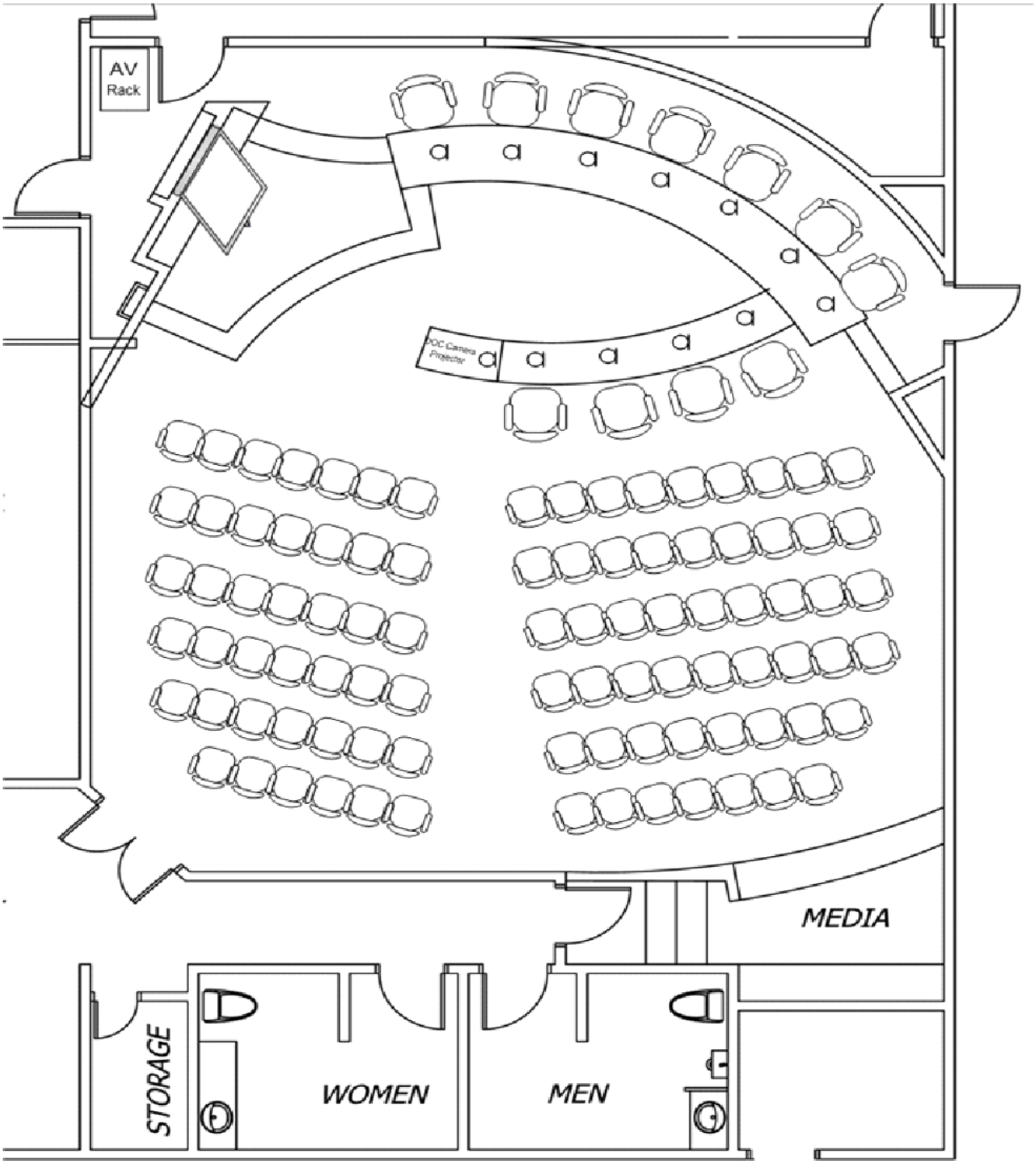

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6/16/2016

File #: 1441-16 **Item #:** A.

Presentation by Coachella Valley Mosquito and Vector Control New Executive Director

6/16/2016

File #: RES-167-16 **Item #:** A.

Indian Wells City Council

Staff Report - Community Development

Local California Environmental Quality Act Guidelines

RECOMMENDED ACTION:

Council **ADOPTS** Resolution amending and adopting local guidelines for implementing California Environmental Quality Act.

DISCUSSION:

The California Environmental Quality Act ("CEQA"), as contained in Public Resources Code sections 21000 et seq., is California's most comprehensive environmental law. CEQA requires all public agencies within the State to evaluate the environmental effects of all projects approved within their jurisdictions. CEQA also aims to prevent significant environmental effects from occurring as a result of agency actions by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their decisions. To this end, CEQA requires all public agencies to periodically adopt Local CEQA Guideline updates that outline specific objectives, criteria and procedures for evaluating public and private projects that are undertaken or approved by each agency.

The Local CEQA Guideline changes are mainly in response to Assembly Bills 52 and 2669, and Senate Bill 1456. Assembly Bill 52 added new sections to the Public Resources Code regarding consultation with Native American Tribes. Assembly Bill 2669 repealed a section related to the applicability of CEQA requirements to a project in an emergency disaster area, while Senate Bill 1456 repealed the sunset dates for language in certain sections of the Guidelines related to timeline for tiering off previous Statement of Overriding Considerations and the timeline for a motion of a frivolous CEQA claim. Attached is the Best Best & Krieger memorandum providing a summary of changes to Local CEQA Guidelines.

ENVIRONMENTAL IMPACT:

No environmental impact is anticipated from amending the Local CEQA Guidelines.

ATTACHMENTS:

1. BB&K Memorandum
2. Resolution

Memorandum

TO: Project 5 Clients (City)

FROM: Best Best & Krieger LLP

DATE: May 2, 2016

RE: 2016 Summary of Changes to Local CEQA Guidelines

Important changes in the law have been incorporated into the 2016 Update to your Local Guidelines for Implementing the California Environmental Quality Act ("Local Guidelines"). For easy reproduction and access to these Local Guidelines, as well as the California Environmental Quality Act ("CEQA") forms your City will need, and other important legal alerts, please access BBK's CEQA client portal at www.bbklaw.net/CEQA. For technical support, please contact Gar House at Gar.House@bbklaw.com.

Public agencies are required to adopt implementing procedures for administering their responsibilities under CEQA. These procedures include provisions governing how the City will process environmental documents and provide for adequate comment, time periods for review, and lists of permits that are ministerial actions and projects that are considered categorically exempt. The City's procedures should be updated within 120 days after the State CEQA Guidelines are revised. To date, the State CEQA Guidelines have not been revised but we recommend adopting the Local CEQA Guidelines within a month of receiving them from Best Best & Krieger LLP.

This memorandum summarizes the substantive amendments to your Local Guidelines made in response to regulations, legislation and legal cases that changed or impacted certain aspects of CEQA between January 2015 and February 2016. Your Local Guidelines and this memorandum are designed to assist in assessing the environmental implications of a project prior to its approval, as mandated by CEQA. We still recommend, however, that you consult with an attorney when you have specific questions on major, controversial, or unusual projects or activities.

Revisions to Local CEQA Guidelines.

Repealed Sections.

1. SECTION 7.37 USING A PREVIOUSLY PREPARED STATEMENT OF OVERRIDING CONSIDERATIONS.

Local Guidelines section 7.37 is repealed pursuant to SB 1456. The language in Local Guidelines section 7.37 was found in the previous version of Public Resources Code section 21094, which was repealed by sunset date on January 1, 2016. The repealed Public Resources Code section 21094 provided a procedure for tiering off a previously adopted Statement of Overriding Considerations.

2. SECTION 9.01 TIMELINES.

Language in the second paragraph of Local Guidelines section 9.01 is repealed pursuant to SB 1456. The language in Local Guidelines section 9.01 was found in Public Resources Code section 21169.11, which was repealed by sunset date on January 1, 2016. The repealed Public Resources Code section 21169.11 related to a motion for sanctions for a frivolous CEQA claim.

3. SECTION 9.02 MEDIATION AND SETTLEMENT-BEFORE LITIGATION HAS BEEN FILED.

Local Guidelines section 9.02 regarding mediation and settlement before litigation has been filed is repealed pursuant to SB 1456. The language in Local Guidelines section 9.02 was found in Public Resources Code section 21169.10, which was repealed by sunset date on January 1, 2016. The repealed Public Resources Code section 21169.11 related to the request for mediation following the filing of a Notice of Determination or a Notice of Exemption, but before the start of litigation.

Revised Sections.

1. SECTION 3.05 NOTICE OF EXEMPTION.

Public Resources Code section 21172 was repealed effective January 1, 2013 pursuant to AB 2669. The repealed section related to the applicability of CEQA requirements to a project in an emergency disaster area. Public Resources Code section 21172 is replaced in the Local Guidelines with Public Resources Code section 21152, which addresses the Notice of Determination to carry out a project and supports the language in Local Guidelines section 3.05.

2. SECTION 5.08 EVALUATING SIGNIFICANT ENVIRONMENTAL EFFECTS.

Local Guidelines section 5.08 was revised for clarity pursuant to State CEQA Guidelines section 15064(d), which provides that the "*reasonably foreseeable* indirect physical changes in the environment which may be caused by the project" be evaluated. (Emphasis added.)

3. SECTION 6.07 CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES.

Local Guidelines section 6.07 was added to the 2015 Local Guidelines pursuant to AB 52 and Public Resources Code section 21080.3.1. It went into effect on July 1, 2015. This section requires a lead agency to begin consultation with a California Native American Tribe ("Tribe") prior to the release of a Negative Declaration or Mitigated Negative Declaration for a project, upon written request by the Tribe. This section also requires a lead agency to provide formal notification to a Tribe that has requested such notice within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project.

Pursuant to AB 52 and Public Resources Code section 21080.3.2, if consultation is requested by a Tribe, the parties may propose mitigation measures capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.

Language indicating Local Guidelines section 6.07 went into effect on July 1, 2015 has been deleted from this section of the 2016 Local Guidelines.

4. SECTION 6.11 SUBMISSION OF NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION TO STATE CLEARINGHOUSE.

Local Guidelines section 6.11 was amended for clarity pursuant to State CEQA Guidelines section 15206(b)(3). Section 15206(b)(3) provides, as an example of a project of statewide, regional, or areawide significance which requires submission to the State Clearinghouse for circulation, a project that would cancel a Williamson Act contract for "any parcel of 100 or more acres."

5. SECTION 7.07 CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES.

Local Guidelines section 7.07 was added to the 2015 Local Guidelines pursuant to AB 52 and Public Resources Code section 21080.3.1. It went into effect on July 1, 2015. This section requires a lead agency to begin consultation with a California Native American Tribe ("Tribe") prior to the release of a Draft EIR for a project, upon written request by the Tribe. This section also requires a lead agency to provide formal notification to a Tribe that has requested such notice within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project.

Pursuant to AB 52 and Public Resources Code section 21080.3.2, if consultation is requested by a Tribe, the parties may propose mitigation measures capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.

Language indicating Local Guidelines section 7.07 went into effect on July 1, 2015 has been deleted from this section of the 2016 Local Guidelines.

6. SECTION 7.20 ANALYSIS OF CUMULATIVE IMPACTS.

Pursuant to SB 1456, Public Resources Code section 21094(b), regarding the use of a tiered impact report to examine a later project, is newly operative as of January 1, 2016.

7. SECTION 8.06 ADDENDUM TO AN EIR

Local Guidelines section 8.06 was revised for clarity pursuant to State CEQA Guidelines section 15164(a), which provides that "[t]he lead agency . . . *shall* prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in [State CEQA Guidelines section 15162] calling for preparation of a subsequent EIR have occurred." (Emphasis added.)

Other Changes.

Department of Fish and Wildlife. Effective January 1, 2016, the Department of Fish and Wildlife has increased some of its fees. For a Negative Declaration or a Mitigated Negative Declaration, the new filing fee is $2,210.25. For an Environmental Impact Report, the new filing

fee is $3,070.00. For an environmental document pursuant to a Certified Regulatory Program, the filing fee remains $1,043.75.

Conclusion.

As always, CEQA remains complicated and, at times, challenging to apply. The only constant in this area of law is how quickly the rules change. Should you have questions about any of the provisions discussed above, or about the environmental review of any of your city's projects, please contact a BB&K attorney for assistance.

BEST BEST & KRIEGER LLP

RESOLUTION NO. 2016-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE §§ 21000 ET SEQ.)

WHEREAS, the California Legislature has amended the California Environmental Quality Act ("CEQA") (Pub. Resources Code §§ 21000 *et seq.*), the State CEQA Guidelines (Cal. Code Regs, tit. 14, §§ 15000 *et seq.*), and the California courts have interpreted specific provisions of CEQA; and

WHEREAS, Section 21082 of CEQA requires all public agencies to adopt objectives, criteria and procedures for the evaluation of public and private projects undertaken or approved by such public agencies, and the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the City of Indian Wells ("City") must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA and the State CEQA Guidelines.

NOW, THEREFORE, the City Council of the City of Indian Wells does hereby **FIND, RESOLVE AND ORDER** as follows:

SECTION 1. The City hereby **ADOPTS** the "Local Guidelines for Implementing the California Environmental Quality Act (2015 Revision)," a copy of which is on file at the offices of the Community Development Department and is available for inspection by the public.

SECTION 2. All prior actions of the City enacting earlier guidelines are hereby repealed.

SECTION 3. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June, 2016.

_____

DANA W. REED
MAYOR

Attachment 2

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 16th day of June, 2015, by the following vote:

AYES:
NOES:

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

6/16/2016

File #: RES-168-16 **Item #:** B.

Indian Wells City Council

Staff Report - Community Development

Expand Property Assessed Clean Energy Program (PACE) to Include CaliforniaFIRST, and Finding the Project Exempt from CEQA

RECOMMENDED ACTIONS:

Council **FINDS** the action to be statutorily exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Govt. Code 65584 Section 15282, regional housing needs determinations made by a council of governments, or a city; and

ADOPTS Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Statewide Communities Development Authority (CSCDA) Open PACE Programs; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the City's jurisdiction; and authorizing related actions thereto.

DISCUSSION:

The City has been working closely with the Coachella Valley Association of Governments (CVAG) who have taken the lead and developed a consistent process for vetting and approving potential PACE program providers (vendors). The CVAG Executive Committee approves implementation of new PACE programs regionally, with CVAG oversight and similar policies and procedures incorporated into the HERO, Ygrene, and recently approved CaliforniaFIRST as regionally qualified PACE vendors in the Coachella Valley.

In 2013 and 2015, the City approved CVAG's PACE vendors YGRENE and HERO, respectively, as authorized PACE vendors within the City. Additionally, in 2015, the City approved Figtree as an authorized PACE vendor, due to a special request by the Vintage Club. Consequently, the City currently has three (3) approved PACE program vendors, and recently received a request from CaliforniaFIRST to also provide their PACE financing services to the City's property and business owners. The addition of the CaliforniaFIRST financing program, to the existing YGRENE, HERO, and Figtree programs, will provide competitive financing options to City property and business owners interested in upgrading their properties with clean energy improvements.

Analysis:

Since the PACE program was established in the City in 2013, forty-eight (48) property owners have taken advantage of the special financing options, for a total financed amount of $1,852,280 "clean energy" improvements. Similar to YGRENE, HERO and Figtree programs, the CaliforniaFIRST program would be available for eligible improvements to residential properties. While the core service provided by these vendors are similar, each vendor has a different approach that make their business model more or less beneficial to different property owners and businesses, by offering different financing rates and repayment options. Property owners who choose to obtain such financing will repay it through a special tax on their property tax bills over a set period of time. Typically, the time period is a 15 to 20 year term with little or no upfront cost to the property owner.

For the City to allow this additional PACE financing vendor it will need to adopt the Resolution attached to this Staff Report (Attachment 1) and approve the required amendments to the Joint Power Agreement to add the City as an Associate Member. The CSCDA (and not the city) will be responsible for entering into voluntary contractual assessment agreements with participating property owners, levying the voluntary contractual assessments, issuing bonds to finance the improvements and taking remedial actions in the event of delinquent assessment payments. The resolution expressly provides that the city will not be responsible for the conduct of any assessment proceedings, the levy of assessments, any required remedial action in the case of delinquencies in assessment payments, or the issuance, sale or administration of any bonds issued in connection with CSCDA Open PACE.

FISCAL IMPACT:

There is no cost to the City to allow CaliforniaFIRST to operate as a PACE provider. Similar to the currently approved YGRENE, HERO, and Figtree financing programs, all costs are borne by the property owners seeking funding for individual projects on their property.

ENVIRONMENTAL IMPACT:

The proposed action is not considered a Project under the California Environmental Quality Act (CEQA) and is statutorily exempt pursuant to Govt. Code 65584 Section 15282, regional housing needs determinations made by a council of governments, or a city.

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFRNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) OPEN PACE PROGRAMS; AUTHORIZING THE CSCDA TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS

WHEREAS, the California Statewide Communities Development Authority (the "Authority") is a joint exercise of powers authority, the members of which include numerous cities and counties in the State of California, including the Coachella Valley Association of Governments; and

WHEREAS, the Authority is implementing Property Assessed Clean Energy (PACE) programs, which it has designated CSCDA Open PACE, consisting of CSCDA Open PACE programs each administered by a separate program administrator (collectively with any successors, assigns, replacements or additions, the "Programs"), to allow the financing or refinancing of renewable energy, energy efficiency, water efficiency and seismic strengthening improvements, electric vehicle charging infrastructure and such other improvements, infrastructure or other work as may be authorized by law from time to time (collectively, the "Improvements") through the levy of contractual assessments pursuant to Chapter 29 of Division 7 of the Streets & Highways Code ("Chapter 29") within counties and cities throughout the State of California that consent to the inclusion of properties within their respective territories in the Programs and the issuance of bonds from time to time; and

WHEREAS, the program administrators currently active in administering Programs are the AllianceNRG Program (presently consisting of Deutsche Bank Securities Inc., CounterPointe Energy Solutions LLC and Leidos Engineering, LLC), PACE Funding LLC and Renewable Funding LLC, and the Authority will notify the City of Indian Wells in advance of any additions or changes; and

WHEREAS, Chapter 29 provides that assessments may be levied under its provisions only with the free and willing consent of the owner or owners of each lot or parcel on which an assessment is levied at the time the assessment is levied; and

WHEREAS, the City of Indian Wells desires to allow the owners of property ("Participating Property Owners") within its territory to participate in the Programs and to allow the Authority to conduct assessment proceedings under Chapter 29 within its territory and to issue bonds to finance or refinance Improvements; and

WHEREAS, the territory within which assessments may be levied for the Programs shall include all of the territory within the City of Indian Wells official boundaries; and

WHEREAS, the Authority will conduct all assessment proceedings under Chapter 29 for the Programs and issue any bonds issued in connection with the Programs; and

WHEREAS, the City of Indian Wells will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs;

Environmental Finding:

The proposed action is not considered a Project under the California Environmental Quality Act (CEQA) and is statutorily exempt pursuant to Govt. Code 65584 Section 15282, regional housing needs determinations made by a council of governments, or a city.

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

SECTION 1. This City Council hereby **FINDS** and declares that properties in the territory of the City will benefit from the availability of the Programs within the territory of the City and, pursuant thereto, the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 and the issuance of bonds to finance or refinance Improvements.

SECTION 2. The City Council **ADOPTS** Resolution No. 2016-__ expanding the City's PACE Program to include CaliforniaFIRST as a qualified PACE Program provider within the territory of the City, and approve amendments to certain Joint Power Agreements related thereto.

SECTION 3. In connection with the Programs, the City hereby consents to the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 on any property within the territory of the City and the issuance of bonds to finance or refinance improvements; provided, that

(1) The Participating Property Owners, who shall be the legal owners of such property, execute a contract pursuant to Chapter 29 and comply with other applicable provisions of California law in order to accomplish the valid levy of assessments; and

(2) The City of Indian Wells will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial

action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs.

SECTION 4. The appropriate officials and staff of the City are hereby **AUTHORIZED** and **DIRECTED** to make applications for the Programs available to all property owners who wish to finance or refinance Improvements; provided, that the Authority shall be responsible for providing such applications and related materials at its own expense. The following staff persons, together with any other staff persons chosen by the City Manager of the City from time to time, are hereby designated as the contact persons for the Authority in connection with the Programs: Community Development Director.

SECTION 5. The appropriate officials and staff of the City are hereby **AUTHORIZED** and **DIRECTED** to execute and deliver such certificates, requisitions, agreements and related documents as are reasonably required by the Authority to implement the Programs.

SECTION 6. The City Council hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act, and is statutorily exempt pursuant to Govt. Code 65584 Section 15282, regional housing needs determinations made by a council of governments, or a City.

SECTION 7. This Resolution shall take effect once it is adopted only for a program administrator who has entered in to an administration agreement with CVAG and provides the City a fully executed copy of such agreement with CVAG. The City Clerk is hereby **AUTHORIZED** and **DIRECTED** to transmit a certified copy of this resolution to the Secretary of the Authority at: Secretary of the Board, California Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June, 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 16th day of June, 2016, by the following vote:

AYES:
NOES:

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

6/16/2016

File #: 1429-16 **Item #:** C.

Indian Wells City Council
Staff Report - Public Safety

Three-Year Agreement for Emergency Services Coordinator

RECOMMENDED ACTIONS:

Council **APPROVES** agreement for Emergency Services Coordinator between the County of Riverside and the City from July 1, 2016 through June 30, 2019; and

DIRECTS and **AUTHORIZES** the Mayor to execute the same.

DISCUSSION:

Beginning in Fiscal Year 2015/16, the City contracted with Riverside County Fire Department for a half time Emergency Services Coordinator position. The contract position provides expertise for establishment and coordination of the City's emergency services planning, response, and recovery. The position splits time with the City of Palm Desert who pays for the other half of the position.

In 2015, Riverside County created a new Emergency Services Department, which is separate and apart from the Fire Department. In order to best clarify the contractual relationship of the parties, City Staff requested a new contract be executed with the Emergency Services Department detailing services provided. **Attachment 1** provides the new agreement with the Emergency Services Department, which further details services rendered.

FISCAL IMPACT:

The City pays for services based on actual hours worked by the Emergency Services Coordinator. Table 1 details the Emergency Services Department's not-to-exceed cost estimates for the three-year term of the agreement.

Table 1				
Item Description	**FY16/17**	**FY17/18**	**FY18/19**	**Total**
Personnel (Salary & FTE ESC)*	$53,851	$56,781	$59,891	$170,523
Communications/I (recurring)**	$3,398	$3,398	$3,398	$10,194
Vehicle Operation	$4,843	$4,843	$4,843	$14,529
Total	**$62,092**	**$65,022**	**$68,132**	**$195,246**

*Personnel cost includes regular hours and 75 projected overtime hours and may fluctuate based on actuals.

**Communications/IT Services/Recurring costs include, but are not limited to: RCIT core service, PSEC, cell phone, hotspot, MDC vehicle modem, tablet, satellite phone and uniform allowance.

***Vehicle Operation & Maintenance is based on estimated mileage and fuel costs.

The Emergency Services Coordinator position was approved in the current budget and is paid for out of the General Fund.

ATTACHMENT:

1. Agreement

AGREEMENT FOR EMERGENCY SERVICES COORDINATOR

SERVICES BETWEEN THE COUNTY OF RIVERSIDE

AND THE CITY OF INDIAN WELLS

This Agreement is made and entered into as of _____, 2016 by and between the County of Riverside ("County") and the City of Indian Wells ("City"). The parties agree as follows:

1. This Agreement has an effective date of July 1, 2016 through June 30, 2019.

2. Through its Emergency Management Department (EMD), County shall provide to City the services of an Emergency Services Coordinator ("ESC services") as described in Exhibit A.

3. City shall pay County for these ESC services as stated in Exhibit B.

4. Either party may terminate this Agreement without cause upon 90 days written notice to the other party. The Agreement may be terminated with cause upon 30 days written notice to the other party. County shall be entitled to receive compensation for all properly provided services rendered prior to termination.

5. If City does not appropriate funds in its budget for payment, City shall immediately notify County in writing that such funds are not forthcoming. Such notice shall be deemed to be cause for termination by County or City. County shall nevertheless be entitled to payment for properly provided services rendered prior to termination.

6. At all times during performance of this Agreement, County shall maintain insurance or self-insurance reasonable and appropriate for a public entity the size of County.

7. County shall indemnify and hold harmless City, its departments, agencies, districts, officials, officers and employees from any liability, claim, damage or action based or asserted upon any act or omission of County relating to this Agreement, including but not limited to property damage, personal injury or death. City shall indemnify and hold harmless the County, its departments, agencies, districts, officials, officers and employees from any liability, claim, damage or action based or asserted upon any act or

omission of City relating to this Agreement, including but not limited to property damage, personal injury or death.

8. County shall maintain and keep records related to the ESC services in accordance with applicable County standards. In addition to their rights under applicable law, City and its employees and agents shall have the right to review and audit such records during County's normal business hours upon request and reasonable advance notice by City.

9. This Agreement shall be administered by County's Director of EMD, or her designee, on behalf of County and _____ on behalf of City.

10. Notices issues pursuant to this Agreement shall be sent via U.S. Mail to the following:

To County:	To City:
Emergency Management Department	City of Indian Wells
4210 Riverwalk Parkway, Suite 300	44-950 Eldorado Drive
Riverside, CA 92505	Indian Wells, CA 92210-7497
Attn: CR Manager	Attn: City Manager

11. This Agreement represents the full and final agreement between the parties related to this subject matter; and no prior oral or written agreements shall apply. This Agreement may be modified or altered only by a written amendment signed by authorized representatives of both parties.

AGREED:

County of Riverside	City of Indian Wells
By: _____	By: _____
John J. Benoit, Chairman	Name:
Board of Supervisors	Title:
Dated: _____	Dated: _____

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE 5/20/16

EXHIBIT A

SCOPE OF EMERGENCY SERVICES

1. Level of Service: County shall provide emergency services utilizing the designated personnel of 0.5 FTE Emergency Services Coordinator (ESC), to be provided by County for City. The ESC will be shared between the cities of Indian Wells and Palm Desert according to the Memorandum of Understanding in effect between the two cities. Services to be provided shall include but not be limited to the following:

   1.1 Comprehensive emergency management program: The ESC will coordinate a comprehensive program with the overall mission of serving the public in order to effectively support and recover from a major emergency or disaster, utilizing all standards and applicable laws and regulations within the discipline of emergency management.

   1.2 Point of contact: The ESC is the City emergency management point of contact and will be responsible for the coordination with all City personnel and departments and represent the City at all meetings, events, functions, etc., as required.

   1.3 Collaboration: The ESC will partner with all local, county, state and federal government agencies, special districts, the private sector, community entities, volunteer and non-profit organizations as necessary in all phases of emergency management.

   1.4 Service to Public: The ESC will provide service to the public on matters covered in this Agreement consistent with established policies and procedures that promote courteous, efficient service and good public relations.

2. Primary Responsibilities: The ESC will coordinate all activities to address the four phases of emergency management.

   2.1 Mitigation Phase: Identification and assessment of hazards, risks, threats using proven mitigation methodologies

   2.2 Preparedness Phase:
      - 2.2.1 Plan Development/Maintenance
      - 2.2.2 Grants Management
      - 2.2.3 Community Outreach/Education
      - 2.2.4 Training

2.2.5 Exercise Development/Execution

2.2.6 Emergency Operations Center (EOC) Readiness

2.2.7 Volunteer Management

2.3 Response Phase:

2.3.1 Emergency Response

2.3.2 Incident Level Based Response Protocols as delineated in section 7

2.4 Recovery Phase

2.4.1 Short Term Recovery

2.4.2 Long Term Recovery

3. Provision of Supervision: Supervision over the rendition of services, the standards of performance, the discipline of personnel, and other matters incidental to the performance of such services and the control of personnel so employed shall remain with County. However, City reserves the right to request, in writing, the replacement of any personnel for cause.

4. Provision of Equipment: For the purpose of performing said services, and to ensure standardization of required equipment, County shall furnish and supply all equipment and supplies as detailed herein, and shall proportionally allocate the initial and/or ongoing cost of identified items to City at a prorated rate based on actual usage.

4.1 Equipment to be supplied by the County at no cost to the City:

A. County ID badge, ESC metal badge, formal name tag and desk name plate

B. Wildland gear, structure gear, reflective vest

C. Burn kit, EMS Bag w/O2, AED

D. Digital camera with case, SD Card USB thumb drive

4.2 Equipment to be supplied by County and cost charged to the City:

A. Uniform (annual allowance) and City ID badge

B. Response Vehicle code 3 package, mobile digital computer with mount, and fire radio package

C. Other communications equipment:

a. Disaster Net mobile radio

b. PSEC radio, handheld

c. Satellite phone with external antenna and protective case

d. Fire Handheld radio with clam shell, case and exterior microphone

e. Smart phone with protective case

f. Bluetooth device

g. Activated hotspot
h. LCD Projector

5. Response Vehicle:

5.1 City shall provide a vehicle to County according to County specifications, which County shall assign to City's ESC to provide contract services. In case of termination of this Agreement, County shall provide the vehicle back to City. City shall have the option to upgrade vehicle and equipment to meet the needs of the City at City's own cost.

5.2 County shall provide fuel and maintain said vehicle and shall charge the cost of those items to the City based on City's proportionally allocated costs. The vehicle will be utilized as a take home vehicle for response capabilities according to County policy.

6. Office Space and Furniture: City shall provide office space, office equipment and furniture necessary for the ESC to perform the job duties.

7. ESC Availability:

7.1 Day-to-Day: The assigned ESC will be available to the City 50% of the time, based on a pre-arranged schedule approved by both cities.

7.2 Local Incident – Affecting One City: If an incident occurs in one of the two cities, the assigned ESC will respond to that affected city and will notify both cities of the response.

7.3 Local Incident, Regional or Catastrophic Event – Affecting Both Cities: If a local incident, regional or catastrophic event occurs during which both cities are affected, the ESC will contact both city liaisons and the Community Readiness manager to make the determination to which city the ESC should respond, based on the following criteria:

- The severity of the incident or event;
- Which city has the greater threat;
- The current location of the assigned ESC;
- The availability of additional EMD staff to respond.

EXHIBIT B
PAYMENT PROVISIONS

City shall pay to County on a quarterly basis in arrears for actual hours worked and expenses as stated below.

1. Summary of Compensation for Emergency Services Coordinator: The following chart summarizes the "not to exceed" costs to be charged by County for services pursuant to this Agreement.

Item Description	FY16/17	FY17/18	FY18/19	Total
Personnel (Salary & Benefits for 0.50 FTE ESC)*	$53,851	$56,781	$59,891	$170,523
Communications/IT Services (recurring)**	$3,398	$3,398	$3,398	$10,194
Vehicle Operation & Maintenance***	$4,843	$4,843	$4,843	$14,529
Total	**$62,092**	**$65,022**	**$68,132**	**$195,246**

*Personnel cost includes regular hours and 75 projected overtime hours and may fluctuate based on actuals.

**Communications/IT Services/Recurring costs include, but are not limited to: RCIT core service, PSEC, cell phone, hotspot, MDC vehicle modem, tablet, satellite phone and uniform allowance.

***Vehicle Operation & Maintenance is based on estimated mileage and fuel costs.

The "not to exceed" compensation payable to County for all services, as set forth in this Agreement, is one hundred ninety five thousand, two hundred forty six dollars ($195,246) for the period commencing July 1, 2016 through June 30, 2019. The budget will be reviewed each fiscal year and must have City Council approval for increases in compensation or service level beyond what is stated above.

2. Duty officer rotation: City agrees to pay for up to 4 weeks of duty officer rotation, but not more than 36% of total time dedicated to duty officer rotation.

3. Vacation/Sick Leave: County duty officer will be on call and available to respond when the dedicated ESC is on scheduled or unscheduled leave.

6/16/2016

File #: 1430-16 **Item #:** D.

Indian Wells City Council
Staff Report - Human Resources

Annual Update to Employee's Salary Range Schedule

RECOMMENDED ACTIONS:

Council **ADOPTS** annual update to employee's salary range schedule as required by the California Public Employees' Pension Reform Act of 2013, and in compliance with the Fiscal Year 2015-17 Memorandum of Understanding with the Indian Wells City Employees Association; and

DIRECTS staff to publish the employee salary range schedule on the City's website.

DISCUSSION:

Effective January 1, 2013, the Public Employees' Pension Reform Act ("PEPRA") added Section 7522 to the Government Code. PEPRA changed the law to make compensation more transparent, specifically as it relates to eligible income for the calculation of retiree benefits. Under PEPRA, the calculation of employees' retirement benefits must be for a salary within a publicly approved salary range schedule and published on the City's website.

Pursuant to the City's Personnel Rules and Regulations (as amended by City Council July 16, 2015), Section IV Salary Administration, Subsection 2, the City's salary ranges adjust automatically on an annual basis, based on changes to the LA/Riverside/Orange County Consumer Price Index ("CPI") ending the prior calendar year. For calendar year ending 2015, CPI increased 0.9%.

In addition to the annual CPI adjustment, in Fiscal Year 2016/17 all salary ranges will increase an additional 1%, pursuant to the Memorandum of Understanding ("MOU") negotiated with the Indian Wells City Employees Association ("Association"). The MOU details terms of wages, hours, and terms and conditions of employment, as negotiated under the Meyers-Millias-Brown-Act (Government Code Section 3500, et seq.). The MOU was adopted by City Council on September 17, 2015, and is in effect until June 30, 2017.

Attachment 1 provides the updated salary range schedule to be published on the City's website upon Council approval. Additionally, **Attachment 2** provides an updated Exhibit A to the MOU calling out approved positions with salary ranges, and **Attachment 3** provides backup for the CPI adjustment as provided for by the U.S. Department of Labor.

FISCAL IMPACT:

Employee salaries are not being increased as a result of this action. Employees are only eligible for pay increases based on performance under the City's Merit Based Pay program. This is only an adjustment to the base and maximum salary an employee can make, subject to annual performance reviews.

The new salary range max is $65,702 higher than the prior Fiscal Year. In total, all Staff are $296,000 from the top of total maximum salary range of $3,198,241. On average, employees are 9.25% from top of range.

ATTACHMENTS:

1. FY2016-17 Salary Range schedule
2. FY2016-17 Approved Positions and Salary Ranges
3. U.S. Department of Labor CPI Report

2016-17 Salary Ranges

Range	Beginning of Range	End of Range
1	$ 27,868	$ 33,874
2	$ 28,565	$ 34,721
3	$ 29,279	$ 35,589
4	$ 30,011	$ 36,479
5	$ 30,761	$ 37,391
6	$ 31,530	$ 38,326
7	$ 32,318	$ 39,284
8	$ 33,126	$ 40,266
9	$ 33,954	$ 41,273
10	$ 34,803	$ 42,305
11	$ 35,673	$ 43,362
12	$ 36,565	$ 44,446
13	$ 37,479	$ 45,557
14	$ 38,416	$ 46,696
15	$ 39,377	$ 47,864
16	$ 40,361	$ 49,060
17	$ 41,370	$ 50,287
18	$ 42,404	$ 51,544
19	$ 43,464	$ 52,833
20	$ 44,551	$ 54,153
21	$ 45,665	$ 55,507
22	$ 46,806	$ 56,895
23	$ 47,977	$ 58,317
24	$ 49,176	$ 59,775
25	$ 50,405	$ 61,270
26	$ 51,666	$ 62,801
27	$ 52,957	$ 64,371
28	$ 54,281	$ 65,981
29	$ 55,638	$ 67,630
30	$ 57,029	$ 69,321
31	$ 58,455	$ 71,054
32	$ 59,916	$ 72,830
33	$ 61,414	$ 74,651
34	$ 62,949	$ 76,517
35	$ 64,523	$ 78,430
36	$ 66,136	$ 80,391
37	$ 67,790	$ 82,401
38	$ 69,484	$ 84,461
39	$ 71,222	$ 86,572
40	$ 73,002	$ 88,737
41	$ 74,827	$ 90,955
42	$ 76,698	$ 93,229
43	$ 78,615	$ 95,560
44	$ 80,581	$ 97,949
45	$ 82,595	$ 100,397
46	$ 84,660	$ 102,907
47	$ 86,776	$ 105,480
48	$ 88,946	$ 108,117
49	$ 91,170	$ 110,820
50	$ 93,449	$ 113,590
51	$ 95,785	$ 116,430
52	$ 98,180	$ 119,341
53	$ 100,634	$ 122,324
54	$ 103,150	$ 125,382
55	$ 105,729	$ 128,517
56	$ 108,372	$ 131,730
57	$ 111,081	$ 135,023
58	$ 113,858	$ 138,399
59	$ 116,705	$ 141,859
60	$ 119,622	$ 145,405
61	$ 122,613	$ 149,040
62	$ 125,678	$ 152,766
63	$ 128,820	$ 156,585
64	$ 132,041	$ 160,500
65	$ 135,342	$ 164,513
66	$ 138,725	$ 168,625
67	$ 142,193	$ 172,841
68	$ 145,748	$ 177,162
69	$ 149,392	$ 181,591
70	$ 153,127	$ 186,131
71	$ 156,955	$ 190,784
72	$ 160,879	$ 195,554
73	$ 164,901	$ 200,443
74	$ 169,023	$ 205,454
75	$ 173,249	$ 210,590
76	$ 177,580	$ 215,855
77	$ 182,020	$ 221,251
78	$ 186,570	$ 226,782
79	$ 191,234	$ 232,452
80	$ 196,015	$ 238,263
81	$ 200,916	$ 244,220
82	$ 205,938	$ 250,325
83	$ 211,087	$ 256,584
84	$ 216,364	$ 262,998

NOTES:

Each beginning of range represents a 2.5% increase over over preceeding range. Top of range represents a 21.55% increase from bottom of range. FY16/17 CPI adjustment over FY15/16 was 0.90% for Los Angeles/Riverside Year End Consumer Price Index increase, plus additional 1% as negotiated in MOU

Attachment 1

City of Indian Wells
Approved Positions List w/Salaries and Ranges
Salaries for Fiscal Year '2016/17

	POSITION	RANGE	BEGIN RANGE	TOP RANGE
1	City Manager	82	$205,938	$250,325
2	Finance Director	75	$173,249	$210,590
3	Community Development Director	74	$169,023	$205,454
4	Public Works Director	72	$160,879	$195,554
5	Director of Marketing & Community Relations	66	$138,725	$168,625
6	Information Technology Manager	64	$132,041	$160,500
7	Public Works Superintendent	56	$108,372	$131,730
8	Assistant to City Manager	52	$98,180	$119,341
9	Chief Deputy City Clerk	48	$98,180	$119,341
10	Senior Accountant	48	$88,946	$108,117
11	Assistant Engineer II	46	$84,660	$102,907
12	Assistant Planner	44	$80,581	$97,949
13	Accounting Technician III/Payroll	42	$76,698	$93,229
14	Marketing Associate	41	$74,827	$90,955
15	Landscape Specialist	40	$73,002	$88,737
16	Code Enforcement/Deputy Fire Marshal	40	$73,002	$88,737
17	Building Inspector II	40	$73,002	$88,737
18	Senior Executive Assistant	39	$71,222	$86,572
19	Senior Electrical Maintenance Technician	39	$71,222	$86,572
20	Senior Executive Assistant	39	$71,222	$86,572
21	Building Technician II	38	$69,484	$84,461
22	Accounting Technician II	32	$59,916	$72,830
23	Administrative Assistant	31	$58,455	$71,054
24	Administrative Assistant	31	$58,455	$71,054
25	Administrative Assistant	31	$58,455	$71,054
26	Accounting Technician 1	28	$54,281	$65,981
27	Public Works Maint. Worker II	28	$54,281	$65,981
28	Public Works Maint. Worker I	24	$49,176	$59,775
29	Receptionist	21	$45,665	$55,507
			2,631,139	**3,198,241**

Attachment 2

Consumer Price Index - All Urban Consumers
12-Month Percent Change

Series Id: CUURA421SA0
Not Seasonally Adjusted
Area: Los Angeles-Riverside-Orange County, CA
Item: All items
Base Period: 1982-84=100
Years: 2010 to 2016

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2010	1.8	1.4	1.9	1.9	1.8	0.9	0.9	0.8	0.4	0.7	0.7	1.3	1.2	1.6	0.8
2011	1.8	2.3	3.0	3.3	3.1	2.9	2.4	2.4	3.1	2.8	3.0	2.2	2.7	2.7	2.6
2012	2.1	2.1	2.0	1.5	1.6	1.6	1.9	2.3	2.2	3.0	2.1	1.9	2.0	1.8	2.3
2013	2.0	2.2	1.3	0.9	1.0	1.4	1.3	0.8	0.6	-0.1	0.4	1.1	1.1	1.5	0.7
2014	0.8	0.5	1.0	1.4	1.7	1.8	2.0	1.8	1.7	1.4	1.3	0.7	1.3	1.2	1.5
2015	-0.1	0.1	0.5	0.5	1.1	0.8	1.4	1.1	0.7	1.0	1.6	2.0	0.9	0.5	1.3
2016	3.1	2.4	1.7	2.0											

Attachment 3

6/16/2016

File #: 1442-16 **Item #:** E.

March 17, 2016 Special Council Meeting Minutes

RECOMMENDED ACTION:

Council **APPROVES** the March 17, 2016 Special Council Meeting Minutes.

Special Council

Unofficial

Meeting Minutes

Thursday, March 17, 2016
8:00 AM

Indian Wells Golf Resort, Celebrity Ballroom

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 Special Meeting of the City Council of the City of Indian Wells at 8:03 a.m. on March 17, 2016 in the Indian Wells Golf Resort.

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 Mertens, seconded by Mayor Pro Tem Balocco, that this be 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. GENERAL BUSINESS

A. Indian Wells Golf Resort Strategic Plan Clarification of Issues and Priorities

It was the determined to **DIRECT** Troon Golf to effectively demonstrate each profit center and make each profit center more profitable.

A motion was made by Council Member Hanson, 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

5. ADJOURNMENT

At 9:55 a.m. Mayor Reed ADJOURNED the special meeting of the City Council to a special joint meeting of the City Council and Housing Authority to be held at 11:00 a.m. on April 21, 2016; and thereafter to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on in the City Hall Council Chamber.

6/16/2016

File #: 1443-16 **Item #:** F.

May 11, 2016 Special Council Meeting Minutes

RECOMMENDED ACTION:

Council **APPROVES** the May 11, 2016 Special Council Meeting Minutes.

Special Council

Unofficial

Meeting Minutes

Wednesday, May 11, 2016
1:00 PM

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 Special Meeting of the City Council of the City of Indian Wells at 1:01 p.m. on May 11, 2016 in the City Hall 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

It was the **CONSENSUS** of the City Council to Approve the Agenda as Submitted. The motion carried unanimously.

3. PUBLIC COMMENTS

None.

4. GENERAL BUSINESS

A. Discussion Relating to Resident Committee Term Limits - Peabody

Council Member Peabody requested discussion of this matter be held in abeyance until the Council completes the interview process today.

After the interviews of applicants for City Commissions, Committees, and Boards was completed, Council Member Peabody stated there was no need for discussion on committee term limits as there were significant number of candidates for all vacancies.

B. Interview of and Discussion About Applicants for Annual Committee Appointments

Mayor Dana Reed stated he must participate on a 4:00 p.m. conference call, and Mayor Pro Tem Richard Balocco stated he has a schedule conflict at 3:30 p.m.

The City Council interviewed the following candidates for the 2016 annual City commissions, committees and boards appointments: Shari Brown, Jeff Burke, Sharon Burns, Steven DeLateur, Carina De Los Reyes, Linda Goddard, Donna Griffith, Gordon Harris, Harry Kaladjian, Gary Morlock, Debbie Narz, Dennis Pindiak, Eileen Pinkerton, Rocky Randall, Karen Wendt.

The following candidates were not interviewed due to scheduling conflicts: Kimberlee Chiarelli, John Emerson, Roger Hiddleston, Ralph Laks, Sid McClue, jennifer Merkel, Jon Romer, Sandoval Alfredo. Mr. Allen Panasuk requested his name be withdrawn from consideration.

Annual appointments to the various City commissions, committees and boards are agendized for the regular City Council meeting on May 19, 2016 at 1:30 p.m. in the Council Chambers.

Unofficial

5. ADJOURNMENT

At 3:15 p.m., Mayor Reed ADJOURNED the Special City Council meeting to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on May 19, 2016 in the City Hall Council Chambers.

6/16/2016

File #: 1435-16 **Item #:** G.

Indian Wells City Council
Staff Report - Finance

City Treasurer's Report for April 2016

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer's Report for April 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 April 30, 2016:

- The City's cash and investments totaled $49,892,084.95
- The City's portfolio earned a 1.289% rate of return.

ATTACHMENT:

1. City Treasurer's Report for April 2016.

NET CASH & INVESTMENT SUMMARY APRIL, 2016

UNRESTRICTED FUNDS	April 2016	April 2015
GENERAL FUND		
101- GENERAL	$ 9,829,199.98	$ 8,342,737.61
TOTAL GENERAL FUND	**9,829,199.98**	**8,342,737.61**

RESTRICTED FUNDS		
SPECIAL REVENUE FUNDS		
202 - TRAFFIC SAFETY	0.23	0.34
203 - PUBLIC SAFETY 1/2 CENT SALES TAX	12,266.38	11,723.57
204 - MEASURE "A"	0.48	35,057.99
209 - F.A.M.D. #1	2,168,345.12	2,257,080.15
210 - SCAQMD (VEHICLE REG.)	3,035.65	550.83
211 - AB 3229 COPS FUNDING	4,181.79	0.14
214 - GAS TAX 2103 MAINTENANCE	14,433.34	30,260.76
215 - GAS TAX 2105 MAINTENANCE	9,703.16	9,877.81
216 - GAS TAX 2106 CONSTRUCT/MAINT	4,835.65	2,597.30
217 - GAS TAX 2107 MAINTENANCE	0.14	0.51
218 - GAS TAX 2107.5 ENG./ADMIN	3,930.16	3,868.16
228 - EMERG. UPGRADE SERVICES	3,581,551.04	3,281,629.64
247 - AB 939 RECYCLING FUND	311,219.66	249,241.36
248 - SOLID WASTE	222,195.44	211,650.26
251 - STREET LIGHTING DISTRICT 2000-1	5,891.44	4,675.34
253- INDIAN WELLS VILLAS OPERATIONS	988,888.50	976,685.31
254- MOUNTAIN VIEW VILLAS OPERATIONS	1,196,848.10	951,241.12
256- HOUSING AUTHORITY	2,916,852.92	2,747,082.06
260 - IWGR OPERATIONS	0.00	1,466,069.54
271 - ELDORADO DRIVE LLMD	85,841.13	85,858.74
272 - MONTECITO/STARDUST LLMD	(4,761.23)	(1,455.43)
273 - CASA DORADO LLMD	1,024.35	1,018.00
274 - THE COVE LLMD	1,019.75	1,015.00
275 - SH 111/IWGR (ENTRANCE) LLMD	234,467.41	263,022.45
276 - CLUB/IW LANE LLMD	51,227.21	50,876.52
277 - COLONY LLMD	27,814.44	24,688.97
278 - COLONY COV ESTATES LLMD	58,505.27	57,377.17
279 - DESERT HORIZONS LLMD	5,333.14	5,234.00
280 - MOUNTAIN GATE LLMD	76,229.20	69,583.46
281 - MOUNTAIN GATE ESTATES LLMD	41,809.23	39,069.46
282 - VILLAGIO LLMD	236,641.78	210,208.20
283 - VAIDYA LLMD	30,531.55	29,385.18
284 - CLUB, SOUTH OF 111 LLMD	11,841.09	9,514.41
285 - MONTELENA LLMD	11,952.61	4,039.10
286 - SUNDANCE LLMD	5,060.74	5,049.00
287 - PROVINCE LLMD	5,231.99	5,191.00
288 - PROVINCE DBAD	509,508.78	453,388.22
TOTAL SPECIAL REVENUE FUNDS	**12,833,457.64**	**13,552,355.64**
CAPITAL PROJECT FUNDS		
314 - PARK-IN-LIEU FEES	0.20	0.20
315 - CITYWIDE PUBLIC IMPROVEMENT FEE	0.26	0.26
316 - CAPITAL IMPROVEMENT	3,428,513.30	3,849,848.47
319 - ART IN PUBLIC PLACES	332,673.41	405,254.25
321 - HIGHWAY 111 CIRCULATION IMP FEE	0.70	0.70
TOTAL CAPITAL PROJECT FUNDS	**3,761,187.87**	**4,255,103.88**

T:\Common\bank\Treasurer's Report\Cash10Apr 16 11:32 AM6/2/2016

Attachment 1

RESTRICTED FUNDS (Cont.)	**April 2016**	**April 2015**
REPLACEMENT FUNDS		
326 - INFRASTRUCTURE CAPITAL	8,559,483.00	7,095,414.00
327 - FF&E ROLLING STOCK CAPITAL	2,354,785.00	2,322,617.00
328 - GOLF RESORT CAPITAL	3,288,528.40	4,025,322.00
329 - HOUSING VILLAS CAPITAL	3,400,522.00	3,354,063.00
330 - FACILITIES CAPITAL	2,354,853.00	2,322,683.00
TOTAL REPLACEMENT FUNDS	**19,958,171.40**	**19,120,099.00**
SUCCESSOR AGENCY FUNDS		
453 - RDA (WHITEWATER)	4,805,595.17	4,399,609.98
456 - RDA OBLIGATION RETIREMENT	0.00	0.00
TOTAL SUCCESSOR AGENCY FUNDS	**4,805,595.17**	**4,399,609.98**
ENTERPRISE FUNDS		
560 - INDIAN WELLS GOLF RESORT	(2,743,962.12)	0.00
561 - CLUB DRIVE PROPERTY	297,277.95	0.00
TOTAL ENTERPRISE FUNDS	**(2,446,684.17)**	**0.00**
INTERNAL SERVICE FUNDS		
601 - OPEB BENEFIT FUND	378,279.85	1,224,572.50
TOTAL INTERNAL SERVICE FUNDS	**378,279.85**	**1,224,572.50**
RESERVE FUNDS		
602 - COMPENSATED ABSENCES	556,969.00	549,358.00
TOTAL RESERVE FUNDS	**556,969.00**	**549,358.00**
TRUST & AGENCY FUNDS		
732 - SPECIAL DEPOSITS	215,908.21	619,357.75
760 - VISITOR COMMITTEE	0.00	75,951.51
TOTAL TRUST & AGENCY FUNDS	**215,908.21**	**695,309.26**
TOTAL ALL FUNDS	**49,892,084.95**	**52,139,145.87**
FISCAL AGENTS		
253 - INDIAN WELLS VILLAS	88,113.35	63,709.69
254 - MOUNTAIN VIEW VILLAS	168,872.95	293,989.41
560 - INDIAN WELLS GOLF RESORT	2,647,945.15	1,040,899.36
453 - UNION BANK OF CALIFORNIA TRUSTEE	796,679.00	780,768.88
TOTAL FISCAL AGENTS	**3,701,610.45**	**2,179,367.34**
TOTAL ALL FUNDS & FISCAL AGENTS	**$ 53,593,695.40**	**$ 54,318,513.21**
UNRESTRICTED FUNDS	**9,829,199.98**	**8,342,737.61**
RESTRICTED FUNDS	**43,764,495.42**	**45,975,775.60**
	$ 53,593,695.40	**$ 54,318,513.21**

City of Indian Wells
Bank Reconciliation Report - City Held Cash
Finance Department

MONTH: **April 30, 2016**

Investment #	Investment Type	Investment Description	Book Value	
	Bank Checking & Sweep			
1		Pacific Western Bank - Sweep 45-301117	$ 2,797,816.15	
2		Pacific Western Bank - Accts. Payable 45-523411	0.00	
3		Pacific Western Bank - Payroll 45-501752	60.00	
4		Union Bank of CA - Sweep Investment 217-0000121	27,683.21	
19		Petty Cash	1,400.00	
				2,826,959.36
	Managed Pool Accounts			
21		Local Agency Investment Fund - City 98-33-385	12,845,483.92	
				12,845,483.92
	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	1,001,038.54	
331		JP Morgan 46625HJG6	1,001,041.74	
346		General Electric Cap Corp 36962G6W9	1,003,238.45	
369		GE Capital Financial 36163FP64	245,000.00	
373		Caterpillar Financial Services Corp 14912L6F3	1,014,710.53	
375		Berkshire Hathaway 084664BW0	1,001,459.66	
				6,266,488.92
	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	999,499.11	
342		Federal Farm Credit Bank 3133ECDX9	999,091.73	
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	1,005,532.31	
356		Fannie Mae 3136G26U6	2,000,000.00	
357		Fannie Mae 3136G26N2	1,000,000.00	
374		Federal Home Loan Bank 3130A5GC7	999,591.59	
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	1,999,292.84	
394		Fed. Home Loan Mtg corp	2,000,000.00	
				23,003,007.58
		Total Pooled Cash and Investments		**$ 49,941,939.78**
		Fair Value Increase (over cost)		(8,207.00)
Outstanding items				
		Outstanding Warrants/Wire Transfers	(23,037.25)	
		Deposit in Transit	(23,029.22)	
		Credit Card in Transit	4,418.64	
Total Outstanding Items				(41,647.83)
		Reconciled Bank Balance		**$ 49,892,084.95**
		General Ledger Balance		**$ 49,892,084.95**
				0.00

City of Indian Wells

Trustee Reconciliation Report - Cash and Investments with City Agents

Finance Department

MONTH: **April 30, 2016**

Investment #	Investment Description				
	RDA Series 2006 A Bonds	$	23.32	$	23.32
	RDA Series 2010 A Bonds	$	781,022.99	$	781,022.99
	RDA Series 2014 A Bonds	$	15,632.69	$	15,632.69
	RDA Series 2015 A Bonds	$	-	$	-
	Other Trustees				
6	Indian Wells Golf Resort		2,647,945.15		
7	Indian Wells Villas		88,113.35		
10	Mountain View Villas	$	168,872.95	$	2,904,931.45
	Total Cash and Investments with City Agents			**$**	**3,701,610.45**
	Fair Value Increase (over cost)				-
	Reconciled Bank Balance			**$**	**3,701,610.45**
	General Ledger Balance			**$**	**3,701,610.45**
					0.00

INDIAN WELLS
CALIFORNIA

The City of Indian Wells
Portfolio Management
Portfolio Summary
April 30, 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	4,543,257.50	4,500,000.00	9.01	1,575	718	1.568	1.590
Certificates of Deposit	245,000.00	248,924.90	245,000.00	0.49	1,830	1,443	1.775	1.800
Managed Pool Accounts - LAIF	12,845,483.92	12,845,483.92	12,845,483.92	25.72	1	1	0.518	0.525
Money Market Sweep/Checking Account	2,826,959.36	2,826,959.36	2,826,959.36	5.66	1	1	0.246	0.250
Negotiable CD's	500,000.00	501,247.25	500,000.00	1.00	1,827	1,172	1.212	1.229
Medium Term Corporate Notes	6,000,000.00	6,060,770.00	6,021,488.92	12.06	1,667	662	1.846	1.872
Federal Agency Issues - Callables	23,000,000.00	23,017,940.00	23,003,007.58	46.06	1,928	1,356	1.605	1.627
Investments	**49,917,443.28**	**50,044,582.93**	**49,941,939.78**	**100.00%**	**1,259**	**788**	**1.271**	**1.289**

Total Earnings	April 30 Month Ending
Current Year	50,028.10
Average Daily Balance	**48,128,829.32**
Effective Rate of Return	**1.26%**

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.

6/1/2016

Kevin McCarthy, Finance Director

Reporting period 04/01/2016-04/30/2016

Run Date: 05/27/2016 - 15:52

No fiscal year history available

The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
April 30, 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												
SYS317	317	Ally Bank		05/23/2012	250,000.00	250,110.00	250,000.00	1.250		1.233	22	05/23/2016
795450NW1	329	Sallie Mae		08/15/2012	250,000.00	250,515.00	250,000.00	1.250		1.233	106	08/15/2016
38143A5L5	338	Goldman Sachs Bank		02/06/2013	250,000.00	250,685.00	250,000.00	1.050		1.036	281	02/06/2017
SYS364	364	Pacific Western Bank		03/10/2015	250,000.00	250,000.00	250,000.00	1.000		1.000	374	05/10/2017
SYS316	316	GE Capital Retail Bank		05/25/2012	250,000.00	252,685.00	250,000.00	1.800		1.800	389	05/25/2017
17284CJG0	348	CIT BANK		07/24/2013	250,000.00	252,142.50	250,000.00	1.400		1.381	449	07/24/2017
02587DKR8	337	American Express Centurion		02/06/2013	250,000.00	252,087.50	250,000.00	1.700		1.677	458	08/02/2017
319141CQ8	361	FIRST BANK OF HIGHLAND		10/15/2014	250,000.00	250,985.00	250,000.00	1.250		1.233	533	10/16/2017
81423LBN1	360	SECURITY FEDERAL		10/15/2014	250,000.00	251,022.50	250,000.00	1.250		1.233	533	10/16/2017
48124JSY5	339	JP Morgan Chase		02/27/2013	250,000.00	250,080.00	250,000.00	1.125		1.110	659	02/19/2018
20451PBG0	349	Compass Bank		07/24/2013	250,000.00	254,572.50	250,000.00	1.700		1.677	814	07/24/2018
254672HV3	362	Discover Bank		02/25/2015	250,000.00	253,047.50	250,000.00	1.600		1.578	1,030	02/25/2019
06740KHK6	351	Barclays Bank PLC		07/23/2014	250,000.00	254,250.00	250,000.00	2.100		2.071	1,178	07/23/2019
02587CAJ9	350	American Express Bank FSB		07/24/2014	250,000.00	254,340.00	250,000.00	2.000		1.973	1,179	07/24/2019
140420NX4	354	Capital One Bank CD		09/10/2014	250,000.00	254,137.50	250,000.00	1.900		1.874	1,227	09/10/2019
71270QGS9	353	People's United Bank CD		09/10/2014	250,000.00	254,132.50	250,000.00	1.950	AAA	1.923	1,227	09/10/2019
856284Z98	355	State Bank of India NY, NY CD		09/11/2014	250,000.00	254,280.00	250,000.00	2.150		2.121	1,228	09/11/2019
05580AAW4	358	BMW BANK NORTH AMERICA		09/26/2014	250,000.00	254,185.00	250,000.00	2.100		2.071	1,243	09/26/2019
		Subtotal and Average	**4,500,000.00**		**4,500,000.00**	**4,543,257.50**	**4,500,000.00**			**1.568**	**718**	
Certificates of Deposit												
36163FP64	369	GE Capital Financial inc		04/10/2015	245,000.00	248,924.90	245,000.00	1.800		1.775	1,443	04/13/2020
		Subtotal and Average	**245,000.00**		**245,000.00**	**248,924.90**	**245,000.00**			**1.775**	**1,443**	
Managed Pool Accounts - LAIF												
SYS21	21	LAIF - City			12,845,483.92	12,845,483.92	12,845,483.92	0.525		0.518	1	
SYS23	23	LAIF - Redevelopment			0.00	0.00	0.00	0.233		0.230	1	
		Subtotal and Average	**12,544,648.86**		**12,845,483.92**	**12,845,483.92**	**12,845,483.92**			**0.518**	**1**	
Money Market Sweep/Checking Account												
SYS1	1	Pacific Western Bank			2,797,876.15	2,797,876.15	2,797,876.15	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			27,683.21	27,683.21	27,683.21	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
April 30, 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	**1,314,331.46**		**2,826,959.36**	**2,826,959.36**	**2,826,959.36**			**0.246**	**1**	
Negotiable CD's												
94986TLX3KK	385	Wells Fargo CD		01/30/2013	250,000.00	250,083.50	250,000.00	1.000		0.946	640	01/31/2018
40434AH51	390	HSBC BANK USA		12/30/2015	250,000.00	251,163.75	250,000.00	1.500		1.479	1,704	12/30/2020
		Subtotal and Average	**500,000.00**		**500,000.00**	**501,247.25**	**500,000.00**			**1.212**	**1,172**	
Medium Term Corporate Notes												
06738JVS0	296	Barclays Bank PLC		10/27/2011	1,000,000.00	1,004,720.00	1,000,000.00	3.500	AA	3.452	179	10/27/2016
00206RBF8	322	AT&T INC		06/21/2012	1,000,000.00	1,004,840.00	1,001,038.54	1.600		1.479	396	06/01/2017
46625HJG6	331	J P Morgan		01/28/2013	1,000,000.00	1,006,300.00	1,001,041.74	1.800		1.713	634	01/25/2018
36962G6W9	346	General Elec. Cap Crp		05/01/2013	1,000,000.00	1,011,730.00	1,003,238.45	1.625		1.430	701	04/02/2018
084664BW0	375	Berkshire Hathaway		06/09/2015	1,000,000.00	1,003,580.00	1,001,459.66	1.300	AA	1.210	744	05/15/2018
14912L6F3	373	Catapillar Financial Services		04/28/2015	1,000,000.00	1,029,600.00	1,014,710.53	2.250		1.795	1,309	12/01/2019
		Subtotal and Average	**6,021,813.88**		**6,000,000.00**	**6,060,770.00**	**6,021,488.92**			**1.846**	**662**	
Federal Agency Issues - Callables												
3134G43H9	344	Fed. Home Loan Mtg Corp		04/30/2013	2,000,000.00	2,000,100.00	2,000,000.00	1.060		1.045	729	04/30/2018
3135G0WN9	345	Fed. Nat'l Mortgage Assoc		04/30/2013	2,000,000.00	1,999,600.00	2,000,000.00	1.000		0.986	729	04/30/2018
3134G33S7	334	Fed. Home Loan Mtg Corp		01/24/2013	1,000,000.00	1,001,610.00	1,000,000.00	1.000		0.986	806	07/16/2018
3136G1CF4	335	Fed. Nat'l Mortgage Assoc		01/30/2013	1,000,000.00	1,001,240.00	1,000,000.00	1.000	AAA	0.986	820	07/30/2018
3136G26N2	357	Fed. Nat'l Mortgage Assoc		09/26/2014	1,000,000.00	1,004,110.00	1,000,000.00	1.600		1.578	878	09/26/2018
3133EC7L2	341	Fed. Farm Credit Bank		03/22/2013	1,000,000.00	1,000,000.00	999,499.11	1.290		1.289	1,139	06/14/2019
3136G26U6	356	Fed. Nat'l Mortgage Assn (c)		10/07/2014	2,000,000.00	2,014,760.00	2,000,000.00	2.000	AAA	1.973	1,264	10/17/2019
3130A5GC7	374	Fed. Home Loan Bank		06/02/2015	1,000,000.00	997,700.00	999,591.59	1.000		2.005	1,488	05/28/2020
3130A5L98	378	Fed. Home Loan Bank		06/30/2015	1,000,000.00	1,001,890.00	1,000,000.00	2.000		1.973	1,521	06/30/2020
3136G2L47	380	Fed. Nat'l Mortgage Assoc		06/30/2015	1,000,000.00	1,006,780.00	1,000,000.00	1.800		1.775	1,521	06/30/2020
3136G1FL8	347	Fed. Nat'l Mortgage Assoc		04/26/2013	1,000,000.00	1,000,550.00	1,005,532.31	1.820		1.660	1,579	08/27/2020
3133ECDX9	342	Fed. Farm Credit Bank		03/25/2013	1,000,000.00	996,780.00	999,091.73	1.840		1.835	1,740	02/04/2021
3130A7BT1	391	Fed. Home Loan Bank		02/26/2016	2,000,000.00	1,994,980.00	2,000,000.00	1.730		1.706	1,762	02/26/2021
3136G3CN3	392	Fed. Nat'l Mortgage Assoc		03/23/2016	2,000,000.00	1,999,960.00	2,000,000.00	1.000		2.142	1,787	03/23/2021
3133EFS65	393	Fed. Farm Credit Bank		03/29/2016	2,000,000.00	1,997,840.00	1,999,292.84	1.800		1.783	1,788	03/24/2021
3134G8UQ0	394	Fed. Home Loan Mtg Corp		03/30/2016	2,000,000.00	2,000,040.00	2,000,000.00	1.800		1.775	1,794	03/30/2021
		Subtotal and Average	**23,003,035.12**		**23,000,000.00**	**23,017,940.00**	**23,003,007.58**			**1.605**	**1,356**	

The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
April 30, 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	48,128,829.32		49,917,443.28	50,044,582.93	49,941,939.78			1.271	788

INDIAN WELLS
CALIFORNIA

2006 A Bonds
Portfolio Management
Portfolio Summary
April 30, 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	April 30 Month Ending
Current Year	0.01
Average Daily Balance	**23.32**
Effective Rate of Return	**0.52%**

6/1/2016

Kevin McCarthy, Agency Treasurer

Reporting period 04/01/2016-04/30/2016

Run Date: 05/27/2016 - 16:38

No fiscal year history available

2006 A Bonds
Portfolio Management
Portfolio Details - Investments
April 30, 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	**23.32**		**23.32**	**23.32**	**23.32**			**0.392**	**1**	
		Total and Average	**23.32**		**23.32**	**23.32**	**23.32**			**0.392**	**1**	

INDIAN WELLS
CALIFORNIA

RDA Series 2010 A Bonds
Portfolio Management
Portfolio Summary
April 30, 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	781,022.99	781,022.99	781,022.99	100.00	1	1	0.000	0.000
Investments	**781,022.99**	**781,022.99**	**781,022.99**	**100.00%**	**1**	**1**	**0.000**	**0.000**

Total Earnings	April 30 Month Ending
Current Year	0.00
Average Daily Balance	**780,906.84**
Effective Rate of Return	**0.00%**

6/1/2016

Kevin McCarthy, Agency Treasuer

Reporting period 04/01/2016-04/30/2016

Run Date: 05/27/2016 - 16:41

No fiscal year history available

RDA Series 2010 A Bonds
Portfolio Management
Portfolio Details - Investments
April 30, 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	780,941.57	780,941.57	780,941.57			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	**780,906.84**		**781,022.99**	**781,022.99**	**781,022.99**			**0.000**	**1**	
		Total and Average	**780,906.84**		**781,022.99**	**781,022.99**	**781,022.99**			**0.000**	**1**	

INDIAN WELLS
CALIFORNIA

Series 2014 A Bonds
Portfolio Management
Portfolio Summary
April 30, 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	15,632.69	15,632.69	15,632.69	100.00	1	1	0.000	0.000
Investments	**15,632.69**	**15,632.69**	**15,632.69**	**100.00%**	**1**	**1**	**0.000**	**0.000**

Total Earnings	April 30 Month Ending
Current Year	0.00
Average Daily Balance	**553.51**
Effective Rate of Return	**0.00%**

6/1/2016

Kevin McCarthy, Agency Treasurer

Reporting period 04/01/2016-04/30/2016

Run Date: 05/27/2016 - 16:48

No fiscal year history available

Series 2014 A Bonds
Portfolio Management
Portfolio Details - Investments
April 30, 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	15,602.63	15,602.63	15,602.63			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	**553.51**		**15,632.69**	**15,632.69**	**15,632.69**			**0.000**	**1**	
		Total and Average	**553.51**		**15,632.69**	**15,632.69**	**15,632.69**			**0.000**	**1**	

INDIAN WELLS
CALIFORNIA

2015 A Bonds
Portfolio Management
Portfolio Summary
April 30, 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.
No Active Investments	0.00	0.00	0.00	0.00	0	0	0.000	0.000
Investments	**0.00**	**0.00**	**0.00**	**100.00%**	**0**	**0**	**0.000**	**0.000**

Total Earnings	April 30 Month Ending
Current Year	0.00
Average Daily Balance	**15,076.84**
Effective Rate of Return	**0.00%**

6/1/2016

Kevin McCarthy, Agency Treasurer

Reporting period 04/01/2016-04/30/2016

Run Date: 05/27/2016 - 16:51

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
April 30, 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	0.00	0.00	0.00			0.000	1	
		Subtotal and Average	**15,076.84**		**0.00**	**0.00**	**0.00**			**0.000**	**0**	
		Total and Average	**15,076.84**		**0.00**	**0.00**	**0.00**			**0.000**	**0**	

6/16/2016

File #: 1437-16 **Item #:** H.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the June 2, 2016 FAMD Warrants and Demands**.**

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
06/02/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49559	6/2/2016		DESERT RESORT MANAGEMENT INC.		
		DRM025637	5/16 FAMD MANAGEMENT SERVICES	5,942.00	**5,942.00**
49560	6/2/2016		M & M SWEEPING, INC.		
		40805	5/16 FAMD DRAIN CLEANING SERVICES	2,550.00	**2,550.00**
49557	6/2/2016		CONSERVE LANDCARE		
		13221	5/16 FAMD LANDSCAPE MAINTENANCE	1,840.00	
		13380	5/10/16 FAMD EXTRA LANDSCAPE MAINTENANCE	135.00	**1,975.00**
49564	6/2/2016		UNIVERSAL PROTECTION SERVICE		
		2046558	4/16 FAMD SECURITY SERVICES FUEL REIMBURSEMENT	766.20	**766.20**
49562	6/2/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-04-020-2624	5/16 FAMD UTILITIES	471.77	
		2-01-570-2145	5/16 FAMD UTILITIES	218.22	**689.99**
49565	6/2/2016		VERIZON CALIFORNIA		
		345-1307	5/16 FAMD MANITOU GATE PHONE SERVICE	568.80	**568.80**
49556	6/2/2016		BEST, BEST & KRIEGER, L.L.P.		
		771375	4/16 FAMD LEGAL SERVICES	369.60	**369.60**
49563	6/2/2016		TIME WARNER CABLE		
		844841076002410	5/16 FAMD CLUB DR INTERNET SERVICE	124.95	
		844841076002411	5/16 FAMD MANITOU INTERNET SERVICES	124.95	**249.90**
49558	6/2/2016		DESERT FIRE EXTINGUISHER CO.,		
		237792	3/16 FAMD FIRE EXTINGUISHER CERT FIT & SUPPLIES	125.73	**125.73**
49561	6/2/2016		POWERFUL PEST		
		100425	5/16 FAMD PEST CONTROL SERVICES	61.80	**61.80**

10 checks in this report

TOTAL FAMD WARRANTS: 49556-49565 **13,299.02**

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6/16/2016

File #: 1444-16 **Item #:** I.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the June 16, 2016 FAMD Warrants and Demands**.**

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
06/16/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49616	6/16/2016		UNIVERSAL PROTECTION SERVICE		
		2068633	4/29-5/26/16 FAMD SECURITY SERVICES	55,176.51	
	6/16/2016		UNIVERSAL PROTECTION SERVICE		
		1989425	3/16 FAMD SECURITY SERVICES FUEL REIMBURSEMENT	708.08	**55,884.59**
49612	6/16/2016		ASSOCIA ONCALL CALFORNIA, INC.		
		66538	5/12/16 FAMD MAINTENANCE SERVICES	2,222.65	
		66537	5/11/16 FAMD MAINTENANCE SERVICES	767.10	
		66539	5/20/16 FAMD MAINTENANCE SERVICES	709.32	
		65016	5/16/16 FAMD MAINTENANCE SERVICES	150.00	
		65015	5/13/16 FAMD MAINTENANCE SERVICES	75.00	
		62115	5/3/16 FAMD MAINTENANCE SERVICES	65.00	**3,989.07**
49617	6/16/2016		WILLDAN ASSOCIATES		
		002-16456	2/16 FAMD ENGINEERING SERVICES	750.00	
		002-16555	3/16 FAMD ENGINEERING SERVICES	750.00	
		002-16681	4/16 FAMD ENGINEERING SERVICES	437.50	**1,937.50**
49613	6/16/2016		COACHELLA VALLEY WATER DIST.		
		313223-844958	5/16 FAMD UTILITIES	691.79	
		152597-419098	5/16 FAMD UTILITIES	224.77	
		155649-422592	5/16 FAMD UTILITIES	46.86	**963.42**
49614	6/16/2016		SHARK POOLS, INC.		
		16240502	5/16 FAMD MANITOU DRIVE FOUNTAIN MAINTENANCE	225.00	
		16240402	4/16 FAMD MANITOU DRIVE FOUNTAIN MAINTENANCE	225.00	
		16240501	5/16 FAMD CLUB DRIVE FOUNTAIN MAINTENANCE	185.00	
		16240401	4/16 FAMD CLUB DRIVE FOUNTAIN MAINTENANCE	185.00	**820.00**
49615	6/16/2016		STAPLES		
		1565353071	5/16 FAMD MISC OFFICE SUPPLIES	320.95	
		1565353271	5/16 FAMD MISC OFFICE SUPPLIES	119.49	
		1565727711	5/16 FAMD MISC OFFICE SUPPLIES	11.94	**452.38**

6 checks in this report

TOTAL FAMD WARRANTS: 49612-49617 **64,046.96**

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6/16/2016

File #: 1436-16 **Item #:** J.

City Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the June 2, 2016 City Warrants and Demands**.**

CITY OF INDIAN WELLS
06/02/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49490	6/2/2016		BEST, BEST & KRIEGER, L.L.P.		
		771374	4/16 GENERAL RETAINER LEGAL SERVICES	20,611.00	
	6/2/2016		BEST, BEST & KRIEGER, L.L.P.		
		771382	4/16 LEGAL SERVICES	7,358.40	
		771377	4/16 CODE ENFORCEMENT LEGAL SERVICES	2,487.59	
		771386	4/16 CODE ENFORCEMENT LEGAL SERVICES	2,362.10	
		771385	4/16 CODE ENFORCEMENT LEGAL SERVICES	2,051.78	
		771384	4/16 RECIPROCAL EASEMENT LEGAL SERVICES	537.60	
		771383	4/16 CODE ENFORCEMENT LEGAL SERVICES	331.50	
		771376	4/16 TENNIS GARDEN PROJECT LEGAL SERVICES	168.00	
		771389	4/16 CODE ENFORCEMENT LEGAL SERVICES	88.40	
		771388	4/16 CODE ENFORCEMENT LEGAL SERVICES	88.40	
		771387	4/16 CODE ENFORCEMENT LEGAL SERVICES	88.40	**36,173.17**
49515	6/2/2016		INDIAN WELLS GOLF RESORT		
		0316RD	3/16 GOLF RESORT RESIDENT DISCOUNTS	17,979.40	
		0416RD	4/16 GOLF RESORT RESIDENT DISCOUNTS	13,520.96	**31,500.36**
49549	6/2/2016		TENNIS CHANNEL, THE		
		316-1351-1	3/16 2016 BNP PARIBAS OPEN TENNIS CHANNEL PARTNERSHIP	22,600.00	
		216-1206-1	2/16 2016 BNP PARIBAS OPEN TENNIS CHANNEL PARTNERSHIP	2,000.00	
		316-1350-1	2/16 2016 BNP PARIBAS OPEN TENNIS CHANNEL PARTNERSHIP	400.00	**25,000.00**
49568	5/2/2016		PLATINUM PLUS FOR BUSINESS		
		3913 NS	3/17-3/18/16 BNP PARIPAS OPEN HOTEL FAM (FAMILIARIZATION) COST	5,360.82	
		3913 NS	3/17-3/18/16 BNP PARIPAS OPEN HOTEL FAM (FAMILIARIZATION) COST	4,429.86	
		3913 NS	3/16 TENNIS TOURNAMENT EVENT BRANDING SERVICES	3,343.00	
		3913 NS	3/17-3/18/16 BNP PARIPAS OPEN HOTEL FAM (FAMILIARIZATION) COST	1,435.65	
		0292 NW	4/16 EMPLOYEE COMPUTER PURCHASE-A.AVILA	919.92	
		7384 KS	3/8-3/11/16 LCC PW OFFICERS INSTITUTE HOTEL EXPENSE-K.SEUMALO	681.33	
		6324 KM	4/6-4/8/16 GFOA DATA ANALYSIS TRAINING AIRFARE-A.DALLOSTA	635.20	
		6324 KM	4/6-4/8/16 GFOA DATA ANALYSIS TRAINING AIRFARE-S.LEONG	635.20	
		0292 NW	4/16 COMPUTER HARDWARE PURCHASE	619.16	
		0292 NW	3/16 AMAZON WEB OFFSITE BACKUP SERVICES	558.30	
		7142 CT	4/26-4/27/16 LEGISLATIVE ACTION DAY AIRFARE-D.HANSON	519.46	
		7142 CT	4/26-4/28/16 LEAGUE LEGISLATIVE ACTION AIRFARE-A.GRANDYS	519.46	
		7384 KS	4/26-4/28/16 LEAGUE LEGISLATIVE ACTION DAY AIRFARE-K.SEUMALO	519.46	
		0292 NW	3/16 COMPUTER HARDWARE PURCHASE	448.19	
		3913 NS	3/17-3/18/16 BNP PARIPAS OPEN HOTEL FAM (FAMILIARIZATION) COST	434.38	
		7142 CT	4/8/16 ALL CHAMBER LEGISLATIVE LUNCHEON	400.00	
		0292 NW	3/16 COMPUTER HARDWARE PURCHASE	397.99	
		0292 NW	3/10/16-3/9/17 ONLINE TRAINING SERVICES	375.00	
		6324 KM	3/16 OFFICE SUPPLY	323.97	
		7384 KS	3/9-3/11/16 LCC PW OFFICERS INSTITUTE AIRFARE-K.SEUMALO	302.50	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		7384 KS	3/31-4/1/16 NEW SUPERVISORS WORKSHOP-M.DAN	299.00	
		7384 KS	3/16 MAINTENANCE SUPPLIES	210.70	
		7142 CT	4/20/16 COMMITTEE/COMMISSIONERS DINNER INVITATIONS	205.20	
		6324 KM	3/16 CMTA INVESTMENT POLICY APPLICATION FEE	175.00	
		6324 KM	3/10/16 FINANCE STRATEGIC PLANNING LUNCH	162.16	
		7384 KS	3/16 TOOL SUPPLY	148.89	
		5061 DG	3/11/16 LUNCH MEETING	146.36	
		7142 CT	3/23/16 CALIFORNIA JPIA TRAINING LUNCH	100.00	
		6324 KM	2/16 SATELLITE PHONE SERVICE	92.55	
		7384 KS	3/16 TRAINING BOOK-C.WIGGINS	85.98	
		6324 KM	4/16 GFOA DATA ANALYSIS TRAINING SHUTTLE SERVICES	63.96	
		7384 KS	3/9/16 LCC PW OFFICERS INSTITUTE TRAVEL EXP-K.SEUMALO	61.25	
		7142 CT	3/4/16 CITY ROUNDTABLE MEETING SUPPLIES	46.96	
		7142 CT	3/16 1-YEAR JOBS AVAILABLE SUBSCRIPTION	45.00	
		0292 NW	3/21/16 1-YEAR COMMUNICATION SERVICE	30.50	
		6324 KM	3/16 ONLINE PAYMENT ACCOUNT MANAGEMENT SERVICES	27.30	
		7142 CT	2/16 TRAINING BOOK-K.NELSON	21.89	
		7384 KS	3/9/16 LCC PW OFFICERS INSTITUTE MEAL EXPENSE-K.SEUMALO	20.00	
		5061 DG	3/16 THE DESERT SUN DIGITAL SUBSCRIPTION	10.00	
		7142 CT	3/16 PDF EXPERT-5 IPAD APP-T.MERTENS	9.99	
		7142 CT	3/16 PDF EXPERT-5 IPAD APP-R.BALOCCO	9.99	
		7142 CT	3/16 PDF EXPERT-5 IPAD APP-D.REED	9.99	
		7142 CT	3/16 PDF EXPERT-5 IPAD APP-D.HANSON	9.99	
		0292 NW	3/16 COMMUNICATION SERVICES	6.58	
		7142 CT	3/16 CREDIT SCAG 2016 REGIONAL CONFERENCE-D.REED	-250.00	**24,608.09**
49495	6/2/2016		CNS ENGINEERS, INC.		
		14016-1	3/7-4/29/16 ENGINEERING DESIGN SERVICES	19,417.93	**19,417.93**
49512	6/2/2016		GREATER PALM SPRINGS		
		0013261-IN	4/16 CVB ADVERTISING TV CO-OP	10,000.00	
		0013263-IN	3/16 CVB ADVERTISING CO-OP SUMMER DEPOSIT	5,000.00	**15,000.00**
49521	6/2/2016		KEKYKA ENGINEERING, INC.		
		16-29	4/16 STRUCTURAL ENGINEERING SERVICES	7,500.00	
		16-39	4/16 STRUCTURAL ENGINEERING SERVICES	7,500.00	**15,000.00**
49519	6/2/2016		JNS ADVERTISING		
		4870	3/16 INDIAN WELLS ARTS FESTIVAL MEDIA BUYS	14,548.00	**14,548.00**
49569	6/2/2016		LEVY RESTAURANTS		
		CIW2016	3/7-3/20/16 2016 BNP PARIBAS OPEN F&B FEES	12,591.53	**12,591.53**
49509	6/2/2016		GRANICUS		
		75820	4/16 WEBSITE REDESIGN & DEVELOPMENT SERVICES	11,375.80	**11,375.80**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49545	6/2/2016		SOUTHWEST NETWORKS		
		16-4543	4/16 COMPUTER HARDWARE PURCHASE	10,425.12	**10,425.12**
49535	6/2/2016		RA STRUCTURAL ENGINEERING		
		B00-013-029-1	2/16-3/16 PLAN CHECK SERVICES	3,315.00	
		B00-012-341-1	5/15-9/15 PLAN CHECK SERVICES	2,145.00	
		B00-013-123-1	3/16-4/16 PLAN CHECK SERVICES	1,235.00	
		B00-013-236-1	5/16 PLAN CHECK SERVICES	1,040.00	
		B00-012-367-1	6/15-8/15 PLAN CHECK SERVICES	845.00	
		B00-013-142-1	4/16 PLAN CHECK SERVICES	585.00	
		B00-013-238-1	5/16 PLAN CHECK SERVICES	520.00	**9,685.00**
49543	6/2/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-10-345-9178	5/16 UTILITIES	6,430.69	
		2-01-570-2186	5/16 UTILITIES	1,061.12	
		2-32-228-7590	5/16 UTILITIES	301.44	
		2-26-379-6526	5/16 UTILITIES	185.44	
		2-26-446-8521	5/16 UTILITIES	112.78	
		2-30-405-2939	5/16 UTILITIES	112.30	
		2-28-811-8029	5/16 UTILITIES	72.41	
		2-33-975-8682	5/16 UTILITIES	70.09	
		2-02-275-6597	5/16 UTILITIES	69.07	
		2-28-811-8524	5/16 UTILITIES	67.59	
		2-28-811-9811	5/16 UTILITIES	58.82	
		2-04-013-0916	5/16 UTILITIES	58.56	
		2-28-811-8276	5/16 UTILITIES	55.13	
		2-26-702-6078	5/16 UTILITIES	53.53	
		2-28-811-8466	5/16 UTILITIES	47.89	
		2-19-255-7163	5/16 UTILITIES	47.00	
		2-28-811-8425	5/16 UTILITIES	46.43	
		2-30-405-3051	5/16 UTILITIES	44.63	
		2-28-811-8367	5/16 UTILITIES	41.11	
		2-31-473-5101	5/16 UTILITIES	39.68	
		2-19-200-4638	5/16 UTILITIES	37.22	
		2-35-253-2683	5/16 UTILITIES	30.18	
		2-01-570-2202	5/16 UTILITIES	20.37	**9,063.48**
49518	6/2/2016		J.H. THOMPSON & SONS, INC.		
		8234	3/16 HWY 111 CONCRETE SERVICES	6,435.00	**6,435.00**
49526	6/2/2016		MVT PUBLIC RELATIONS, LLC		
		50416	5/16 SOCIAL MEDIA/PR/BRAND INTERGRATION SERVICES	6,000.00	**6,000.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49503	6/2/2016		FACILITYDUDE.COM		
		S-003494	1/16-6/16 FACILITY DUDE GIS QUICK START EQUIPMENT	5,650.00	**5,650.00**
49567	5/2/2016		LEVY RESTAURANTS		
		3913 NS	3/17-3/18/16 BNP PARIPAS OPEN HOTEL FAM (FAMILIARIZATION) COST	4,923.83	**4,923.83**
49482	5/24/2016		DELTA DENTAL		
		BE001669682	6/16 DENTAL INSURANCE PREMIUMS	3,505.44	**3,505.44**
49529	6/2/2016		PERFECT IMAGES JANITORIAL		
		92045	4/16 JANITORIAL MAINTENANCE	3,495.00	**3,495.00**
49488	6/2/2016		B.G. STRUCTURAL ENGINEERING		
		917.641	4/16 PLAN CHECK SERVICES	862.50	
		917.655	4/16 PLAN CHECK SERVICES	375.00	
		917.651	4/16 PLAN CHECK SERVICES	337.50	
		917.654	4/16 PLAN CHECK SERVICES	300.00	
		917.656	4/16 PLAN CHECK SERVICES	262.50	
		917.652	5/16 PLAN CHECK SERVICES	262.50	**2,400.00**
49531	6/2/2016		PRINTING PLACE		
		160895	5/16 NEWSLETTER PRINTING SERVICES	2,360.00	**2,360.00**
49513	6/2/2016		HIGH TECH MAILING SERVICES		
		32537	5/16-6/16 NEWSLETTER MAILING SERVICES	2,324.04	**2,324.04**
49524	6/2/2016		LIGATURE, THE		
		2039431	5/16 (5,000) BUSINESS CARD STOCK	2,289.00	**2,289.00**
49548	6/2/2016		SUSTAINABLE CIVIL ENGINEERING		
		2016-003	4/16 ON-CALL ENGINEERING PLAN CHECK SERVICES	2,169.00	**2,169.00**
49484	5/24/2016		UNION SECURITY INSURANCE CO.		
		4015595	6/16 SHORT/LONG TERM DISABILITY INSURANCE	1,932.73	**1,932.73**
49540	6/2/2016		SAM THATTE VISUAL		
		11574	4/16 COMMUNICATION PRESENTATION SERVICES	1,900.00	**1,900.00**
49501	6/2/2016		DESERT REPROGRAPHICS, LLC		
		52602	4/16 DIGITAL SCANNING SERVICES	1,650.40	**1,650.40**
49555	6/2/2016		YAMADA, DIANA		
		1514001-1 0008/5204	5/16 2013 CITATION FEES REFUND	1,611.00	**1,611.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49491	6/2/2016		BMW MOTORCYCLES OF RIVERSIDE		
		6012910/2	3/16 TRAFFIC MOTORCYCLE MAINTENANCE	1,326.87	**1,326.87**
49553	6/2/2016		WEX BANK		
		44957759	4/16 CITY FLEET VEHICLES FUEL SUPPLY	1,308.85	**1,308.85**
49554	6/2/2016		WILLDAN ASSOCIATES		
		002-16680	4/16 ON-CALL BUILDING INSPECTION & PLAN CHECK SERVICES	1,140.00	**1,140.00**
49534	6/2/2016		R.U. WELDING, INC.		
		2832	5/16 INFRASTRUCTURE SUPPLIES	1,085.00	**1,085.00**
49516	6/2/2016		INNOVATIVE DOCUMENT SOLUTIONS		
		167986	4/16 COPIERS MAINTENANCE-IRA6265 & IRC7270	742.50	
		167985	4/16 CANON COPIER MAINTENANCE-IR7105 & IR4045	295.45	**1,037.95**
49511	6/2/2016		GREAT AMERICA FINANCIAL SVCS		
		18771602	6/16 CANON EQUIPMENT RENTAL LEASE	999.00	**999.00**
49525	6/2/2016		MARTIN SWEEPING		
		9402	4/16 CITYWIDE STORM DRAIN FACILITIES MAINTENANCE	962.70	**962.70**
49532	6/2/2016		PROPER SOLUTIONS		
		4605	5/12-5/13/16 CITY STAFF TEMP SERVICES	319.68	
		4544	4/28-4/29/16 CITY STAFF TEMP SERVICES	319.68	
		4575	5/5-5/6/16 CITY STAFF TEMP SERVICES	319.68	**959.04**
49510	6/2/2016		GRAPHTEK INTERACTIVE		
		10619-1	5/16 MEMORIAL DAY PROGRAM DESIGN	795.00	
		10604-1	4/16 CITY MAP REVISION SERVICES	150.00	**945.00**
49541	6/2/2016		SEUMALO, KEN		
		SACRAMENTO	4/26-4/28/16 LEGISLATIVE ACTION DAY	686.32	**686.32**
49533	6/2/2016		PRUDENTIAL OVERALL SUPPLY		
		22235088	4/27/16 FACILITY SERVICES	144.31	
		22228089	4/13/16 FACILITY SERVICES	144.30	
		22242171	5/11/16 FACILITY SERVICES	144.30	
		22231585	4/20/16 FACILITY SERVICES	115.55	
		22238720	5/4/16 FACILITY SERVICES	115.55	**664.01**
49520	6/2/2016		JOHNSTONE SUPPLY		
		S2410152.001	5/16 MAINTENANCE SUPPLIES	573.05	**573.05**
49502	6/2/2016		DESERT SUN PUBLISHING CO.		
		0005588337	4/16 LEGAL NOTICES-CITY CLERKS DEPT	484.00	**484.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49494	6/2/2016		CANON FINANCIAL SERVICES, INC		
		16038086	5/16 PRINTER/SCANNER LEASE	447.13	**447.13**
49481	5/24/2016		ASSURANT EMPLOYEE BENEFITS		
		5478680	6/16 AD&D INSURANCE PREMIUMS	426.30	**426.30**
49497	6/2/2016		COUNTY OF RIVERSIDE		
		AN0000000750	4/16 ANIMAL SHELTER MAINTENANCE SERVICES	423.01	**423.01**
49536	6/2/2016		RASA		
		4975	5/16 CITY MAP/PLAN CHECKING SERVICES	380.00	**380.00**
49547	6/2/2016		STAPLES		
		3302041702	5/16 OFFICE SUPPLIES	251.09	
		3301422604	4/16 OFFICE SUPPLIES	82.46	**333.55**
49542	6/2/2016		SITEONE LANDSCAPE SUPPLY, LLC		
		75629264	5/16 LANDSCAPE IRRIGATION SUPPLIES	137.99	
		75668479	5/16 LANDSCAPE IRRIGATION SUPPLIES	130.27	
		75540361	5/16 LANDSCAPE IRRIGATION SUPPLIES	46.56	
		75396952	4/16 LANDSCAPE IRRIGATION SUPPLIES	9.67	**324.49**
49500	6/2/2016		DESERT PIPE & SUPPLY		
		0015051750	5/16 MAINTENANCE SUPPLIES	319.26	**319.26**
49508	6/2/2016		GOLD COAST METALS & SUPPLIES		
		652648	5/16 MAINTENANCE SUPPLIES	293.82	**293.82**
49506	6/2/2016		FULTON DISTRIBUTING		
		381587	5/16 KITCHEN/MEETING SUPPLIES	290.14	
		377001	3/16 JANITORIAL SUPPLIES BALANCE DUE	0.80	**290.94**
49507	6/2/2016		GASSAWAY, DAVID		
		NEWPORT BEACH	5/5-5/6/16 ICMA WEST COAST SUMMIT TRAVEL REIMB	231.01	**231.01**
49551	6/2/2016		VERIZON CALIFORNIA		
		346-0407	5/16 CITY HALL FAX LINE SERVICE	106.72	
		200-1815	4/16 TRAFFIC SIGNAL CONTROL PHONE	54.90	
		200-1815	5/16 TRAFFIC SIGNAL PHONE LINE SERVICE	54.90	**216.52**
49539	6/2/2016		ROMER, CAROLYN		
		REIMB	7/31/15 (2) SHORT-TERM BUSINESS LICENSE REFUNDS	172.00	**172.00**
49538	6/2/2016		RIVERSIDE COUNTY SHERIFF DEPT.		
		SH0000028089	1/16 VEHICLE TOW SERVICE REIMB.	170.00	**170.00**
49505	6/2/2016		FERNANDO'S BUST-A-BUG		
		99596	5/16 PEST CONTROL SERVICE FOR CIVIC CENTER	96.00	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		99597	5/16 PEST CONTROL SERVICES-FIRE STATION	50.00	
		99598	5/16 PEST CONTROL SERVICES-WALK OF HONOR	20.00	**166.00**
49483	5/24/2016		NATIONAL INSURANCE MARKETING		
		JUNE 2016	5/6/16 PAYROLL LIFE INSURANCE POLICY PAYMENT	77.49	
		JUNE 2016	5/20/16 PAYROLL LIFE INSURANCE POLICY PAYMENT	77.49	**154.98**
49544	6/2/2016		SOUTHERN CALIFORNIA GAS CO.		
		04162524872	2/16-4/16 UTILITIES	154.04	**154.04**
49546	6/2/2016		SOUTHWEST PLUMBING, INC.		
		6423	5/16 CITY HALL PLUMBING REPAIR SERVICE	146.25	**146.25**
49496	6/2/2016		COACHELLA VALLEY WATER DIST.		
		317055-849582	4/16 UTILITIES	130.48	**130.48**
49552	6/2/2016		VERIZON WIRELESS		
		9764403048	4/16 CELLULAR PHONE SERVICE	105.39	
		9765158783	4/16 MOTOR OFFICER TICKET WRITER CELLULAR SERVICE	22.47	**127.86**
49489	6/2/2016		BAKER, BONDIE		
		IRWINDALE	5/18/16 SCE CHARGE READY PROGRAM MILEAGE REIMB.	115.56	**115.56**
49493	6/2/2016		CALIFORNIA DEPT OF JUSTICE		
		167026	4/16 BLOOD ALCOHOL ANALYSIS SERVICES	105.00	**105.00**
49517	6/2/2016		INTERNATIONAL INSTITUTE OF		
		30647	5/16 2016/17 ASSOCIATE MEMBERSHIP RENEWAL-A.AVILA	95.00	**95.00**
49498	6/2/2016		DESERT AIR CONDITIONING, INC.		
		161402	4/16 45200 CLUB DR A/C MAINTENANCE	92.00	**92.00**
49550	6/2/2016		TIME WARNER CABLE		
		8448410760152292	5/16 CITY HALL INTERNET SERVICES	85.82	**85.82**
49492	6/2/2016		BURRTEC WASTE & RECYCLING		
		44-BS 405166	5/16 ONSITE STORAGE BOX RENTAL	80.00	**80.00**
49486	6/2/2016		AMERICAN FORENSIC NURSES		
		67780	4/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES	40.00	
		67846	4/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES	40.00	**80.00**
49522	6/2/2016		LASR-INK		
		12853	5/16 (2) PRINTER CARTRIDGES	76.30	**76.30**
49530	6/2/2016		POWERS AWARDS		
		132553	5/16 TROPHY ENGRAVING SERVICES	24.03	
		132502	5/16 BRASS PLATE ENGRAVING SERVICES	23.38	**47.41**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49504	6/2/2016		FEDERAL EXPRESS CORP.		
		5-415-43475	4/16 EXPRESS MAIL SERVICES	46.67	**46.67**
49514	6/2/2016		IMPERIAL IRRIGATION DISTRICT		
		50579115	5/16 UTILITIES	43.72	**43.72**
49537	6/2/2016		RIVERSIDE CO. CLERK-RECORDER		
		16-84702	3/16 RIVERSIDE COUNTY RECORDING FEES	28.50	**28.50**
49485	5/24/2016		UNITED WAY OF THE DESERT		
		352000006506	5/20/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	**25.00**
49499	6/2/2016		DESERT ELECTRIC SUPPLY		
		S2300962.001	4/16 CITY PARKWAYS MAINTENANCE SUPPLIES	24.49	**24.49**
49527	6/2/2016		NAPA AUTO PARTS		
		368352	4/16 MAINTENANCE SUPPLIES	20.89	**20.89**
49528	6/2/2016		NEXTEL COMMUNICATIONS		
		627757319-174	4/16 CELLULAR COMMUNICATION SERVICES	20.79	**20.79**
49487	6/2/2016		AT&T MOBILITY		
		287243904839	4/12-5/11/16 SIM CARD DATA SERVICES	20.79	**20.79**

77 checks in this report

TOTAL CITY WARRANTS 49481-49555 and 49567-49569: 301,121.29

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CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
Wires :					
1681	5/24/2016		CALIFORNIA PUBLIC EMPLOYEES	71,004.22	**71,004.22**
		100000014758092	6/16 MEDICAL INSURANCE PREMIUMS		
1680	5/20/2016		INTERNAL REVENUE SERVICE	36,058.71	**36,058.71**
		95-2489139	5/20/16 PAYROLL-FWT, FICA & MEDICARE		
1682	5/24/2016		CALPERS RETIREMENT SYSTEM	21,656.17	**21,656.17**
		6392517834	5/20/16 PAYROLL CONTRIBUTIONS		
1679	5/18/2016		ICMA	8,742.18	**8,742.18**
		CONTRIBUTIONS	5/20/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS		
1683	5/20/2016		CALIFORNIA, STATE OF	6,984.70	**6,984.70**
		925-0060-2	5/20/16 PAYROLL-SDI & SWT DEPOSIT		
1684	5/25/2016		VISION SERVICE PLAN - (CA)	877.71	**877.71**
		121858900001	6/16 VISION INSURANCE PREMIUMS		
2942	6/2/2016		INDIAN WELLS EMPLOYEE ASSOC.	210.00	**210.00**
		2379795	6/3/16 PAYROLL IW EMPLOYEE ASSOCIATION		
2941	5/19/2016		INDIAN WELLS EMPLOYEE ASSOC.	210.00	**210.00**
		2379795	5/20/16 PAYROLL IW EMPLOYEE ASSOCIATION		

TOTAL WIRE DISBURSEMENTS 1679-1684 & 2941-2942: 145,748.69

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CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 14794-14823	78,053.46	
			Total Net Payroll 05/20/16		**78,053.46**
			TOTAL CITY DISBURSEMENTS:		**524,918.44**

Note: Warrant 48160 was voided on 5/17/16, Warrant 49134 was voided on 5/26/16 & 49523 was voided on 6/3/2016.

Note: All warrants were issued prior to the regular scheduled City Council meeting.

6/16/2016

File #: 1445-16 **Item #:** K.

City Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the June 16, 2016 City Warrants and Demands**.**

CITY OF INDIAN WELLS
06/16/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49604	6/16/2016		RIVERSIDE COUNTY SHERIFF DEPT		
		SH0000028097	2/4-3/2/16 SHERIFF CONTRACT SERVICES	245,784.06	
	6/16/2016		RIVERSIDE COUNTY SHERIFF DEPT		
		SH0000028246	3/3-3/30/16 SHERIFF CONTRACT SERVICES	237,164.79	**482,948.85**
49585	6/16/2016		DESERT HORIZONS OWNERS ASSOC.		
		2015/16-2	6/16 2015/16 LLMD PASS THROUGH-DESERT HORIZONS	113,017.00	**113,017.00**
49611	6/16/2016		VINTAGE ASSOCIATES		
		SI-175131	6/16 CITYWIDE LANDSCAPE MAINTENANCE SERVICES	47,909.17	
		SI-174250	4/16 EXTRA LANDSCAPE SERVICES	600.00	**48,509.17**
49587	6/16/2016		FAIRBANK, MASLIN, MAULLIN,		
		237306	5/16 SPECIAL FIRE TAX BALLOT MEASURE SURVEY BALANCE DUE	12,250.00	
		237262	4/16 SPECIAL FIRE TAX BALLOT MEASURE SURVEY SERVICES	12,250.00	**24,500.00**
49600	6/16/2016		PROVINCE HOMEOWNERS ASSOC.		
		2015/16-2	6/16 2015/16 LLMD PASS-THROUGH-PROVINCE	16,582.00	**16,582.00**
49607	6/16/2016		SUNDANCE AT INDIAN WELLS HOA		
		2015/16-2	6/16 2015/16 LLMD PASS THROUGH-SUNDANCE	12,982.00	**12,982.00**
49605	6/16/2016		SHARK POOLS, INC.		
		16200406	3/16 IW LANE FOUNTAINS SHOCK/SAND TREATMENT	1,917.97	
		16200504	5/16 IW LANE WEST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16200505	5/16 IW LANE EAST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16200604	6/16 IW LANE WEST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16200605	6/16 IW LANE EAST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16200503	5/16 WALK OF HONOR FOUNTAIN MAINTENANCE	720.00	
		16200603	6/16 WALK OF HONOR FOUNTAIN MAINTENANCE	720.00	
		16200501	5/16 CITY HALL ENTRY FOUNTAIN MAINTENANCE	360.00	
		16200502	5/16 CITY FLAGPOLE FOUNTAIN MAINTENANCE	360.00	
		16200601	6/16 CITY HALL ENTRY FOUNTAIN MAINTENANCE	360.00	
		16200602	6/16 CITY FLAGPOLE FOUNTAIN MAINTENANCE	360.00	**9,277.97**
49578	6/16/2016		CASA DORADO HOMEOWNERS ASSOC.		
		2015/16-2	6/16 2015/16 LLMD PASS THROUGH-CASA DORADO	7,034.00	**7,034.00**
49583	6/16/2016		COVE AT INDIAN WELLS HOA		
		2015/16-2	6/16 2015/16 LLMD PASS THROUGH-COOK ST SOUTH	6,769.00	**6,769.00**
49584	6/16/2016		DESERT AIR CONDITIONING, INC.		
		161742	5/16 CLUB DR A/C MAINTENANCE SERVICES	4,916.00	**4,916.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49580	6/16/2016		COACHELLA VALLEY ASSOC OF GOVT		
		MAY16	5/16 TUMF DISTRIBUTION	3,674.88	
		5	6/27/16 CVAG GENERAL ASSEMBLY MEETING	250.00	**3,924.88**
49602	6/16/2016		RA STRUCTURAL ENGINEERING		
		B00-012-900-1	2/16 PLAN CHECK SERVICES	2,210.00	
		B00-012-564-1	1/16 PLAN CHECK SERVICES	585.00	
		B00-013-252-1	5/16 PLAN CHECK SERVICES	390.00	
		B00-012-431-1	6/15 PLAN CHECK SERVICES	390.00	**3,575.00**
49594	6/16/2016		JOE A. GONSALVES & SON		
		26163	6/16 LEGISLATIVE ADVOCACY SERVICES	3,000.00	**3,000.00**
49576	6/16/2016		BEST, BEST & KRIEGER, L.L.P.		
		771381	4/16 LEGAL SERVICES	1,545.60	
		766644	2/16 CODE ENFORCEMENT LEGAL SERVICES	1,329.02	**2,874.62**
49575	6/16/2016		BAY CITY ELECTRIC WORKS		
		W157653	4/25/16 CITY GENERATORS MAINTENANCE SERVICES	1,205.85	
		W156779	4/8/16 CITY GENERATORS MAINTENANCE SERVICES	1,040.10	
		W156855	4/7/16 CITY GENERATORS MAINTENANCE SERVICES	459.25	**2,705.20**
49581	6/16/2016		COACHELLA VALLEY WATER DIST.		
		155641-422578	5/16 UTILITIES	465.18	
		542759-418520	5/16 UTILITIES	202.81	
		155805-422752	5/16 UTILITIES	195.72	
		313547-845300	5/16 UTILITIES	175.66	
		153215-419808	5/16 UTILITIES	170.06	
		324083-740422	5/16 UTILITIES	138.22	
		152599-419102	5/16 UTILITIES	125.58	
		627893-867338	5/16 UTILITIES	112.15	
		281269-740542	5/16 UTILITIES	106.22	
		281271-740546	5/16 UTILITIES	73.88	
		155581-422504	5/16 UTILITIES	70.52	
		152067-418436	5/16 UTILITIES	58.08	
		152073-418442	5/16 UTILITIES	52.32	
		152071-418440	4/16 UTILITIES	47.98	
		314511-846428	5/16 UTILITIES	47.98	
		152071-418440	5/16 UTILITIES	47.58	
		152069-418438	5/16 UTILITIES	47.13	
		152175-418598	5/16 UTILITIES	43.64	
		134443-394192	5/16 UTILITIES	41.72	
		314309-846198	5/16 UTILITIES	33.42	
		314503-846420	5/16 UTILITIES	31.32	
		155761-422706	5/16 UTILITIES	30.20	
		152173-418596	5/16 UTILITIES	30.20	

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		152575-419066	5/16 UTILITIES	27.82	
		314329-846220	5/16 UTILITIES	25.72	
		314499-846416	5/16 UTILITIES	24.60	
		152991-419528	5/16 UTILITIES	23.50	
		156361-423526	5/16 UTILITIES	23.50	
		281233-740500	5/16 UTILITIES	23.50	
		308623-839674	5/16 UTILITIES	19.00	
		281261-740534	5/16 UTILITIES	15.00	
		281263-740536	5/16 UTILITIES	10.00	**2,540.21**
49609	6/16/2016		VACATION RENTAL COMPLIANCE,LLC		
		371	5/16 VACATION RENTAL COMPLIANCE SERVICES	2,460.00	**2,460.00**
49586	6/16/2016		DESERT REPROGRAPHICS, LLC		
		53109	5/16 DIGITAL SCANNING SERVICES	2,417.05	**2,417.05**
49571	6/6/2016		GUTIERREZ, EVERARDO		
		DTD 6/6/2016	6/3/2016 PAYROLL RETURNED	1,756.29	**1,756.29**
49608	6/16/2016		TIME WARNER CABLE		
		8448410760148720	6/16 CITY HALL INTERNET SERVICES	1,235.00	**1,235.00**
49603	6/16/2016		RBI TRAFFIC, INC.		
		1576	2/16 TRAFFIC IMPACT STUDY SERVICES	1,200.00	**1,200.00**
49595	6/16/2016		LEONG, SUSAN		
		TORONTO	5/22-5/25/16 GFOA ANNUAL CONFERENCE	1,184.36	**1,184.36**
49597	6/16/2016		MCCARTHY, KEVIN		
		TORONTO	5/21-5/26/16 GFOA CONFERENCE TRAVEL EXP REIMB	1,125.83	**1,125.83**
49598	6/16/2016		MCKINNEY, WADE G.		
		REIMB	5/12-5/15/16 ANNUAL MUNICIPAL SEMINAR REGISTRATION	575.00	
		LONG BEACH	10/5-10/7/16 LEAGUE ANNUAL CONFERENCE REGISTRATION	525.00	**1,100.00**
49577	6/16/2016		CAM STONE'S AUTOMOTIVE		
		72567	5/16 CITY FLEET VEHICLE MAINTENANCE	899.04	**899.04**
49592	6/16/2016		ID WHOLESALER		
		1230210	5/16 ID CARD PRINTER SUPPLIES	854.95	**854.95**
49593	6/16/2016		JACOBS, MARVIN		
		1506401-1 0010	3/15 DEPOSIT REFUND-DUST CONTROL	840.00	**840.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49582	6/16/2016		CORELOGIC INFORMATION		
		81698633	5/16 REALQUEST ONLINE REAL ESTATE DATA	825.00	**825.00**
49591	6/16/2016		HOSPITALITY EBUSINESS		
		28247	6/16 ADVERTISING & PROMOTION WEB SERVICES	800.00	**800.00**
49579	6/16/2016		CDW GOVERNMENT, INC.		
		DCS8952	5/16 COMPUTER HARDWARE PURCHASE	657.71	**657.71**
49590	6/16/2016		GREAT AMERICA FINANCIAL SVCS		
		18803993	6/16 CANON EQUIPMENT LEASE	626.84	**626.84**
49589	6/16/2016		GRANDYS, ANNA		
		SACRAMENTO	4/26-4/28/16 LEGISLATIVE ACTION DAY HOTEL EXPENSE REIMB	573.09	**573.09**
49599	6/16/2016		N-ABLE TECHNOLOGIES INC.		
		INV00111389	5/16 SERVER MONITORING LICENSES	567.60	**567.60**
49601	6/16/2016		PRUDENTIAL OVERALL SUPPLY		
		22249818	5/2516 FACILITY SERVICES	144.31	
		22252749	6/1/16 FACILITY SERVICES	115.55	
		22245675	5/18/16 FACILITY SERVICES	115.55	**375.41**
49606	6/16/2016		SITEONE LANDSCAPE SUPPLY, LLC		
		75905584	5/16 LANDSCAPE IRRIGATION SUPPLIES	144.99	
		75939867	5/16 LANDSCAPE IRRIGATION SUPPLIES	129.46	
		75799970	5/16 LANDSCAPE IRRIGATION SUPPLIES	49.98	
		75928561	5/16 LANDSCAPE IRRIGATION SUPPLIES	27.35	
		75911700	5/16 LANDSCAPE IRRIGATION SUPPLIES	23.35	**375.13**
49596	6/16/2016		MARK CIESLIKOWSKI PHOTOGRAPHY		
		5772	5/31/16 PHOTOGRAPHY SERVICES	372.60	**372.60**
49573	6/16/2016		AC ELECTRIC VEHICLES		
		ACE15199	5/16 SHUTTLE CART REPAIR	315.69	**315.69**
49570	6/6/2016		EMPLOYMENT DEVELOPMENT DEPT		
		00370351-360	6/3/16 PAYROLL GARNISHMENT	235.28	**235.28**
49588	6/16/2016		FIRST CHOICE SERVICES		
		586807	5/16 CITY HALL COFFEE SUPPLY	234.60	**234.60**
49574	6/16/2016		B.G. STRUCTURAL ENGINEERING		
		917.664	5/16 PLAN CHECK SERVICES	225.00	**225.00**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
49610	6/16/2016		VERIZON CALIFORNIA		
		341-3179	5/16 CITY HALL FIRE/ALARM PHONE LINE SERVICES	164.70	**164.70**
49572	6/6/2016		UNITED WAY OF THE DESERT		
		352000006506	6/3/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	**25.00**

42 checks in this report

TOTAL CITY WARRANTS 49570-49611: 766,602.07

Wires :

1686	6/6/2016		INTERNAL REVENUE SERVICE		
		95-2489139	6/3/16 PAYROLL-FWT, FICA & MEDICARE	36,522.32	**36,522.32**
1687	6/7/2016		CALPERS RETIREMENT SYSTEM		
		6392517834	6/3/16 PAYROLL CONTRIBUTIONS	21,923.75	**21,923.75**
1685	6/7/2016		ICMA		
		CONTRIBUTIONS	6/3/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	8,759.13	**8,759.13**
1688	6/6/2016		CALIFORNIA, STATE OF		
		925-0060-2	6/3/16 PAYROLL-SDI & SWT DEPOSIT	7,011.47	**7,011.47**

TOTAL WIRE DISBURSEMENTS 1685-1688: 74,216.67

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 14824-14857	82,843.26	
			2943-2944	2,214.09	
			Total Net Payroll 06/03/16		**85,057.35**
			TOTAL CITY DISBURSEMENTS:		**925,876.09**

Note: Warrants 49570-49572 were issued prior to the regular scheduled City Council meeting.

6/16/2016

File #: RES-172-16 **Item #:** A.

Indian Wells City Council

Staff Report - Finance

Annual Levy for Residential and Commercial Rates for Refuse Collection and Recycling Services

RECOMMENDED ACTIONS:

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

APPROVES the annual levy of residential parcels for refuse collection and recycling services; and

ADOPTS Resolution ordering the levy and collection of fees for refuse collection and recycling services from residential and commercial properties within the City pursuant to Indian Wells Municipal Code section 8.04.190.

DISCUSSION:

Annually the City Council holds a public hearing to establish residential and commercial collection fees for refuse collection and recycling services from residential and commercial properties within the City. The franchise agreement governs service and recycling costs. Under the terms of the agreement, rates adjust annually by the change in the Producer Price Index (PPI) for Finished Goods. The agreement limits or caps annual adjustments to a maximum of 5%. The County of Riverside establishes the annual tipping fee for landfill disposal and is a direct pass-through to customers. The County Waste Management Department approved an increase of 1.9% to the tipping fee from $44.25 per ton to $45.11 per ton.

FISCAL IMPACT:

Residential Rates

Residential rates consist of five components: the service rate, tipping fees, AB 939 recycling fees, and home hazardous waste fees. Fees are adjusted in accordance with the franchise agreement. The annual levy of residential parcels for refuse collection and recycling services will be $236.64 per parcel. The annual levy has decreased $5.16 (-2.13%) from last fiscal year. Burrtec's residential rate

schedule is attached to this staff report.

Commercial Rates

Commercial rates consist of four components: the service rate, tipping fees, and AB 939 recycling fees. Similar to residential rates, commercial service rates, tipping fees, and AB 939 recycling fees are adjusted in accordance with the franchise agreement.

ATTACHEMENT:

1. Resolution
2. Burrtec's Schedule of fees

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF FEES FOR REFUSE COLLECTION AND RECYCLING SERVICES FROM RESIDENTIAL AND COMMERICAL PROPERTIES WITHIN THE CITY PURSUANT TO INDIAN WELLS MUNICIPAL CODE SECTION 8.04.190

WHEREAS, the City Council has heretofore adopted Chapter 8.04 of the Indian Wells Municipal Code establishing standards for the collection and disposal of refuse, trash, rubbish and other forms of solid waste; and

WHEREAS, the City Council has determined that the disposal and/or collection of refuse, trash, rubbish or other solid waste is a service to be performed in the City in accordance with the provisions of the Municipal Code; and

WHEREAS, pursuant to Municipal Code Section 8.04.210 and California Public Resources Code Section 40059(a)(1) an exclusive franchise has been granted to Burrtec Waste and Recycling Services (the "Contractor") for the collection, transportation, recycling, composting and disposal of solid waste from residential, commercial, construction and industrial (roll-off) establishments within the City; and

WHEREAS, Municipal Code Section 8.04.190 provides that the City Council shall establish by Resolution the schedule of residential and commercial fees that can be charged by the Contractor for solid waste collection, disposal and recycling services; and

WHEREAS, California Public Resources Code Section 41901 authorizes the City to impose fees in amounts sufficient to pay the costs of preparing, adopting, implementing and administering local recycling and source reduction programs; and

WHEREAS, the City has heretofore adopted and imposed an AB 939 Administrative Fee as part of the fees for refuse collection and recycling services paid annually by eligible parcels within the City; and

WHEREAS, the City Council desires to levy and collect residential and commercial fees to pay for Refuse Collection and Recycling Services rendered to eligible parcels within the City for the period commencing July 1, 2016 and ending June 30, 2017; and

WHEREAS, the City Council has conducted a duly noticed public hearing on June 30, 2016 concerning the adoption of fees for refuse collection and recycling services, at the conclusion of which there was not a majority protest against the adoption of the proposed fees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. In all respects, the Recitals of this Resolution are true and correct.

SECTION 2. The annual fees for residential refuse collection and recycling services shall be $236.64 per parcel for those parcels which will be billed on the property tax roll, and otherwise for all other parcels of the rates set forth in Exhibit "A" attached hereto. The City Clerk and Finance Director are authorized and directed to request that the County place on residential property tax roles in the amount of $236.64 per parcel. The annual fees set forth above shall be effective from and after the first day of July 1, 2016 through June 30, 2017 unless amended by City Council resolution prior to that date.

SECTION 3. The annual rates for commercial refuse collection and recycling services shall be as set forth in Exhibit "A" attached hereto. Commercial rates shall be paid by all applicable commercial customers within the City. The annual fees set forth above shall be effective from and after the first day of July 1, 2016 through June 30, 2017 unless amended by City Council resolution prior to that date.

SECTION 4. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June, 2016.

_____

DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2015-__

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at an adjourned regular meeting of the City Council of the City of Indian Wells the 16th day of June 2016, by the following vote:

AYES:
NOES:

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

City of Indian Wells
Rate Increase
Effective July 1, 2016
RESIDENTIAL SERVICE

Disposal	MSW/Ton	Totals
Old Disposal Rate 7/1/15	$ 44.25	
New Disposal Rate 7/1/16	$ 45.11	
$ Change	$ 0.86	
Disposal Change %	**1.944%**	
2015 Tons	-	-
% of Total Tons	**100%**	**100%**
Disposal Change * % of Tons	**1.944%**	**1.944%**

Current
Rates 2015-16

DESCRIPTION	SERVICE RATE	DUMP FEE	AB939 FUND	RECYCLING SERVICE	HHW Fee	MONTHLY CHARGE
TAX ROLL	$10.30	$3.03	$0.53	$4.54	$1.75	$20.15
DIRECT BILL	$11.23	$3.03	$0.53	$4.54	$1.75	$21.08

NEW START FEE	$14.00
RE-START FEE	$21.01
NSF / RETURNED CHECK FEE	$28.00

HHW Cost

Date	Amount		
2015/2016	$ 7,506 /MO	Total HHW Cost 2015-6	$ 90,069
		# of Homes	4,289
		HHW Proposed Fee/ Month	**$ 1.75**

Bulky item collection	per occurrence/negotiable	$ 60.60
Replacement recycling containers (2nd in 12-month period)	per occurrence	$ 29.43
Wheeled cart (purchase)	per occurrence	$ 81.20

Proposed
Rates 2016-17

DESCRIPTION	SERVICE RATE	DUMP FEE	AB939 FUND	RECYCLING SERVICE	HHW Fee	MONTHLY CHARGE
TAX ROLL	$10.30	$ 3.10	$0.53	$4.54	$ 1.25	$19.72
DIRECT BILL	$11.23	$ 3.10	$0.53	$4.54	$ 1.25	$20.65

NEW START FEE	$14.00
RE-START FEE	$21.01
NSF / RETURNED CHECK FEE	$28.00

HHW Cost

Date	Amount		
2016/2017	$ 5,665 /MO	Total HHW Cost 2016-7	$ 67,980
		# of Homes	4,532
		HHW Proposed Fee/ Month	**$ 1.25**

Bulky item collection	*per occurrence/negotiable*	$60.60
Replacement recycling containers (2nd in 12-month period)	*per occurrence*	$29.43
Wheeled cart (purchase)	*per occurrence*	$81.20

EXHIBIT "A"

City of Indian Wells
Rate Increase
Effective July 1, 2016

COMMERCIAL SERVICE

Disposal		MSW/Ton	Totals
Old Disposal Rate 7/1/15		$ 44.25	
New Disposal Rate 7/1/16		$ 45.11	
	$ Change	$ 0.86	
Disposal Change %		**1.944%**	
2015 Tons		-	-
% of Total Tons		**100%**	**100%**
Disposal Change * % of Tons		**1.944%**	**1.944%**

Current
Rates 2015-16

COMMERCIAL RATES

2 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$69.58	$ 22.07	$5.63	$ 97.28
2	$119.45	$ 44.15	$11.26	$ 174.86
3	$169.26	$ 66.21	$16.89	$ 252.36
4	$219.83	$ 88.28	$21.92	$ 330.03
5	$268.79	$ 111.00	$28.15	$ 407.94
6	$353.09	$ 130.32	$33.77	$ 517.18
EXTRA EMPTY PICK-UP	$46.89	+	Pull Out Fee	$ 8.64

3 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$87.39	$ 33.08	$8.44	$ 128.91
2	$149.18	$ 66.21	$16.89	$ 232.28
3	$212.91	$ 99.35	$25.33	$ 337.59
4	$271.39	$ 132.41	$33.77	$ 437.57
5	$335.16	$ 165.30	$42.22	$ 542.68
6	$396.36	$ 198.64	$50.66	$ 645.66
EXTRA EMPTY PICK-UP	$64.36	+	Pull Out Fee	$ 8.64

4 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$114.71	$ 44.15	$11.26	$ 170.12
2	$184.98	$ 88.28	$22.52	$ 295.78
3	$258.92	$ 132.41	$33.77	$ 425.10
4	$332.55	$ 176.21	$45.03	$ 553.79
5	$406.26	$ 220.46	$56.29	$ 683.01
6	$472.96	$ 264.61	$67.55	$ 805.12
EXTRA EMPTY PICK-UP	$84.11	+	Pull Out Fee	$ 8.64

6 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$157.26	$ 63.44	$29.05	$ 249.75
2	$270.49	$ 126.87	$58.10	$ 455.46
3	$387.37	$ 190.33	$87.15	$ 664.85
4	$494.24	$ 253.76	$116.20	$ 864.20
5	$611.20	$ 422.51	$165.44	$ 1,199.15
EXTRA EMPTY PICK-UP	$112.18	+	Pull Out Fee	$ 8.64

Proposed
Rates 2016-17

COMMERCIAL RATES

2 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$69.58	$ 22.57	$5.63	$ 97.78
2	$119.45	$ 45.16	$11.26	$ 175.87
3	$169.26	$ 67.72	$16.89	$ 253.87
4	$219.83	$ 90.30	$21.92	$ 332.05
5	$268.79	$ 113.54	$28.15	$ 410.48
6	$353.09	$ 133.30	$33.77	$ 520.16
EXTRA EMPTY PICK-UP	$46.89	+	Pull Out Fee	$ 8.64

3 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$87.39	$ 33.84	$8.44	$ 129.67
2	$149.18	$ 67.72	$16.89	$ 233.79
3	$212.91	$ 101.62	$25.33	$ 339.86
4	$271.39	$ 135.44	$33.77	$ 440.60
5	$335.16	$ 169.08	$42.22	$ 546.46
6	$396.36	$ 203.18	$50.66	$ 650.20
EXTRA EMPTY PICK-UP	$64.36	+	Pull Out Fee	$ 8.64

4 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$114.71	$ 45.16	$11.26	$ 171.13
2	$184.98	$ 90.30	$22.52	$ 297.80
3	$258.92	$ 135.44	$33.77	$ 428.13
4	$332.55	$ 180.24	$45.03	$ 557.82
5	$406.26	$ 225.50	$56.29	$ 688.05
6	$472.96	$ 270.66	$67.55	$ 811.17
EXTRA EMPTY PICK-UP	$84.11	+	Pull Out Fee	$ 8.64

6 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$157.26	$ 64.89	$29.05	$ 251.20
2	$270.49	$ 129.77	$58.10	$ 458.36
3	$387.37	$ 194.68	$87.15	$ 669.20
4	$494.24	$ 259.56	$116.20	$ 870.00
5	$611.20	$ 432.17	$165.44	$ 1,208.81
EXTRA EMPTY PICK-UP	$112.18	+	Pull Out Fee	$ 8.64

OTHER CHARGES	AMOUNT
RE-START FEE	$ 21.02
NEW START FEE	$ 14.00
PULL-OUT CHARGE	$ 36.83
LOCKING CONTAINER CHARGE (CUSTOMER PROVIDES LOCK & KEY)	$ 63.01
REPLACEMENT LOCKING BAR CHARGE	$ 42.04
TEMP/CONSTRUCTION 3yd, per lift	$ 135.04
TEMP/CONSTRUCTION 4yd, per lift	$ 172.89
NSF / RETURNED CHECK	$ 25.79
96 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	$ 12.98
35 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	$ 9.26
SATURDAY CHARGE PER BIN (SERVICE LESS THAN 4 DAYS PER WEEK) MONTH	$ 34.81

OTHER CHARGES	AMOUNT
RE-START FEE	$ 21.02
NEW START FEE	$ 14.00
PULL-OUT CHARGE	$ 36.83
LOCKING CONTAINER CHARGE (CUSTOMER PROVIDES LOCK & KEY)	$ 63.01
REPLACEMENT LOCKING BAR CHARGE	$ 42.04
TEMP/CONSTRUCTION 3yd, per lift	$ 136.35
TEMP/CONSTRUCTION 4yd, per lift	$ 174.57
NSF / RETURNED CHECK	$ 25.79
96 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	$ 12.98
35 GALLON RECYCLING CONTAINER MONTHLY CHARGE, COMMERCIAL	$ 9.26
SATURDAY CHARGE PER BIN (SERVICE LESS THAN 4 DAYS PER WEEK) MONTHLY BILL	$ 34.81

Proposed
Rates 2016-17

COMPACTOR RATES (X3)

2 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$208.74	$67.71	$16.89	$293.34
2	$358.35	$135.48	$33.78	$527.61
3	$507.78	$203.16	$50.67	$761.61
4	$659.49	$270.90	$65.76	$996.15
5	$806.37	$340.62	$84.45	$1,231.44
6	$1,059.27	$399.90	$101.31	$1,560.48
EXTRA EMPTY PICK-UP	$140.67	+	Pull Out Fee	$ 25.91

3 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$262.17	$101.52	$25.32	$389.01
2	$447.54	$203.16	$50.67	$701.37
3	$638.73	$304.86	$75.99	$1,019.58
4	$814.17	$406.32	$101.31	$1,321.80
5	$1,005.48	$507.24	$126.66	$1,639.38
6	$1,189.08	$609.54	$151.98	$1,950.60
EXTRA EMPTY PICK-UP	$193.08	+	Pull Out Fee	$ 25.92

4 YARD BIN SERVICE PICK-UP PER WEEK	SERVICE RATE	DUMP FEE	AB939 FUND	MONTHLY CHARGE
1	$344.13	$135.48	$33.78	$513.39
2	$554.94	$270.90	$67.56	$893.40
3	$776.76	$406.32	$101.31	$1,284.39
4	$997.65	$540.72	$135.09	$1,673.46
5	$1,218.78	$676.50	$168.87	$2,064.15
6	$1,418.88	$811.98	$202.65	$2,433.51
EXTRA EMPTY PICK-UP	$252.33	+	Pull Out Fee	$ 25.92

City of Indian Wells
Rate Increase
Effective July 1, 2016

ROLL OFF SERVICE

Disposal Increase	Excl FF		Incl FF	
Old Disposal Rate	$ 44.25	/ton	$ 52.06	/ton
New Disposal Rate	$ 45.11	/ton	$ 53.07	/ton
$ Change	$ 0.86	/ton	$ 1.01	/ton
Disposal Change %	**1.944%**		**1.944%**	

Current
Rates 2015-16

PERMANENT ROLL OFF RATES (1 MONTH MIN. SERVICE-INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER	$153.47	$ 52.05	$ 31.06
30 YARD CONTAINER	$153.47	$ 52.05	$ 46.59
40 YARD CONTAINER	$177.31	$ 52.05	$ 62.12

Landfill fees at cost plus franchise fee

COMPACTOR RATES (ONE MONTH MINIMUM SERVICE. INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER W/ COMPACTOR	$373.01	$ 51.52	$ 62.12
30 YARD CONTAINER W/ COMPACTOR	$373.01	$ 51.52	$ 93.18
40 YARD CONTAINER W/ COMPACTOR	$439.39	$ 51.52	$ 124.24

OTHER CHARGES

OTHER CHARGES	AMOUNT
LANDFILL FEE (PER TON)	$ 52.05
EXTRA TRIP CHARGE	$ 82.80
RELOCATION CHARGE	$ 41.40
NEW START FEE	$ 13.80
RE-START FEE	$ 20.70
NSF / RETURNED CHECK FEE	$ 27.59
RENTAL FEE	$ 20.24
Concrete Washout - Pump	$ 108.75

Proposed
Rates 2016-17

PERMANENT ROLL OFF RATES (1 MONTH MIN. SERVICE-INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER	$153.47	$ 53.07	$31.06
30 YARD CONTAINER	$153.47	$ 53.07	$46.59
40 YARD CONTAINER	$177.31	$ 53.07	$62.12

Landfill fees at cost plus franchise fee

COMPACTOR RATES (ONE MONTH MINIMUM SERVICE. INCLUDES 3 EXCHANGES & LAST REMOVAL)

DESCRIPTION	SERVICE RATE	LANDFILL FEE (PER TON)	AB939 FUND (PER LOAD)
20 YARD CONTAINER W/ COMPACTOR	$373.01	$ 53.07	$62.12
30 YARD CONTAINER W/ COMPACTOR	$373.01	$ 53.07	$93.18
40 YARD CONTAINER W/ COMPACTOR	$439.39	$ 53.07	$124.24

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NSF / RETURNED CHECK FEE	$ 27.59
RENTAL FEE	$ 20.24
Concrete Washout - Pump	$ 108.75

CITY OF Indian Wells

Commercial Foodwaste Rates

Effective July 1, 2016

1-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$29.01	$19.49	$8.56	$3.49	$60.55
2	$58.02	$38.97	$17.12	$6.98	$121.09
3	$87.03	$58.46	$25.67	$10.47	$181.63
4	$116.04	$77.94	$34.23	$13.96	$242.17
5	$145.06	$97.43	$42.79	$17.45	$302.72

2-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$46.42	$38.97	$15.07	$6.14	$106.60
2	$92.83	$77.94	$30.14	$12.28	$213.19
3	$139.26	$116.91	$45.21	$18.42	$319.80
4	$185.67	$155.88	$60.27	$24.56	$426.38
5	$232.09	$194.85	$75.34	$30.70	$532.98

3-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$60.92	$58.46	$21.07	$8.58	$149.03
2	$130.55	$116.91	$43.67	$17.16	$308.29
3	$182.77	$175.37	$63.20	$25.74	$447.07
4	$243.69	$233.82	$84.27	$34.32	$596.10
5	$304.62	$292.28	$105.33	$42.90	$745.12

4-64 Gallon Cart

# Pick-Ups Per week	Recycling Collection Component	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$69.62	$77.94	$26.04	$10.61	$184.21
2	$139.25	$155.88	$52.08	$21.22	$368.43
3	$208.88	$233.82	$78.12	$31.83	$552.65
4	$278.51	$311.76	$104.16	$42.44	$736.87
5	$348.13	$389.70	$130.21	$53.05	$921.09

Extra Pickup

# of Carts Per Pick up	rate Per Pick up	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$14.50	$ -	$2.56	$1.04	$18.10
2	$27.00	$ -	$4.76	$1.94	$33.70
3	$36.00	$ -	$6.35	$2.59	$44.94
4	$48.00	$ -	$8.47	$3.45	$59.92
5	$60.00	$ -	$10.59	$4.31	$74.90

Additional Cart after 4 Carts Per Week

# of Carts Per Pick-Up	rate Per Pick up	Material Processing	Franchise Fee	AB-939 Fee	Total Monthly Rate
1	$35.58	$ -	$6.28	$2.56	$44.42
2	$71.11	$ -	$12.55	$5.11	$88.77
3	$106.74	$ -	$18.84	$7.67	$133.25
4	$142.32	$ -	$25.12	$10.23	$177.67
5	$177.90	$ -	$31.39	$12.79	$222.08

6/16/2016

File #: RES-169-16 **Item #:** B.

Indian Wells City Council

Staff Report - Finance

Annual Levy of Indian Wells Street Lighting District No. 2000-1

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the annual levy of the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2016/17; and

ORDERS the Indian Wells Street Lighting District No. 2000-1 levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

DISCUSSION:

The City is responsible for levying the annual lighting and maintenance assessment for the Villages at Indian Wells development 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; then 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.

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.

File #: RES-169-16 **Item #:** B.

ATTACHMENT:

1. Resolution

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ANNUAL LEVY REPORT FOR STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2016-17 AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO

WHEREAS, the City Council of the City of Indian Wells, California (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 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"); and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 3, Section 22623* of said Act and as previously directed by resolution; and

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

WHEREAS, this City Council has carefully examined and reviewed the Report as presented (or amended) and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed as set forth in said Report; and

WHEREAS, the City Council has by previous resolutions initiated proceedings, approved the Report that describes the assessments against parcels of land within the District, and declared its intention to levy assessments for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 pursuant to the provisions of the Act to pay the costs and expenses of operating, maintaining and servicing street lighting and appurtenant facilities located within the District; and

WHEREAS, Willdan Financial (the "Engineer") selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within District, and the City Council has approved such Report; 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 the costs and expenses of operating, maintaining and servicing street lighting and appurtenant facilities located within public places in the City; and

WHEREAS, the City and its legal counsel have found that these assessments comply with applicable provisions of Section XIIID of the California State Constitution.

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 or amended is hereby approved and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the report and any amendments directed by the City Council and final approval of the Report as presented or amended.

SECTION 4. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

SECTION 5. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been ordered to be filed with the City Clerk, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of street lighting and appurtenant facilities located in public places within the boundaries of the District; and

ii) the District includes all of the lands so benefited; and

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 is apportioned by a formula and method which fairly distributes

the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services.

SECTION 6. The City Council hereby orders the proposed improvements to made, which improvements are briefly describes as follows: The maintenance, servicing and operation of the street lighting and appurtenant facilities located in public places within the boundary of the District. Maintenance means the furnishing of services and material for the ordinary and usual maintenance, operation and servicing of the street lighting and appurtenant facilities, including repair, removal or replacement of all or part of any of the streetlights or appurtenant facilities. Servicing means the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities. The Report describes all new improvements or substantial changes in existing improvements.

SECTION 7. 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 so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

SECTION 8. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as "City of Indian Wells Street Lighting District No. 2000-1," and such money shall be expended only for the maintenance, operation and servicing of the street lighting and appurtenant facilities as described in Section 6.

SECTION 9. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

SECTION 10. The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June 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 16th day of June 2016, by the following vote:

AYES:
NOES:

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
ANNA GRANDYS **CITY CLERK**	**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

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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

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I. OVERVIEW

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

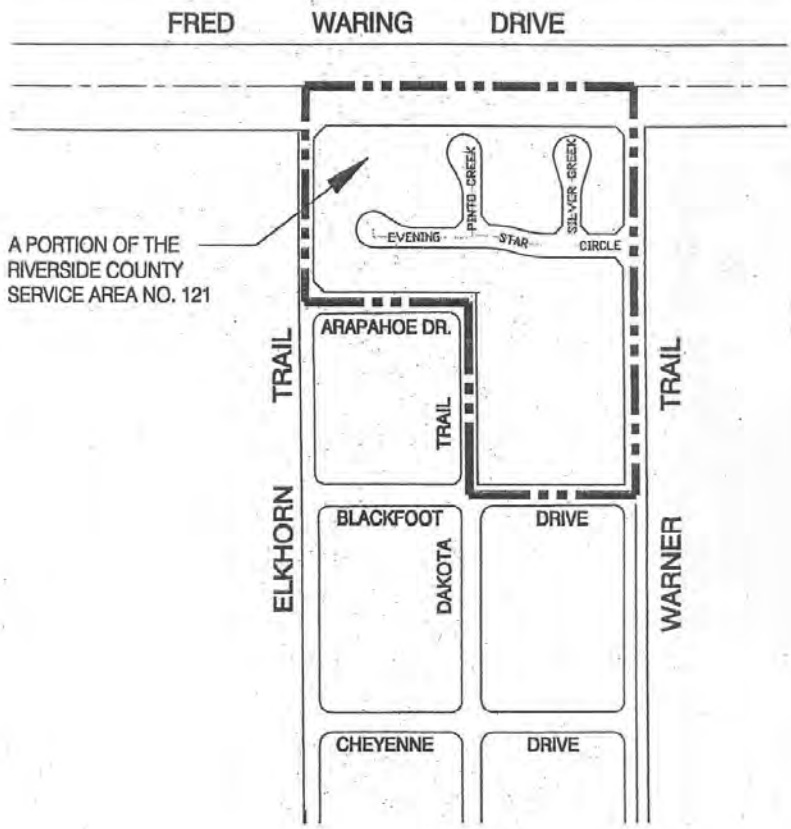
APPENDIX A – DISTRICT BOUNDARY MAPS

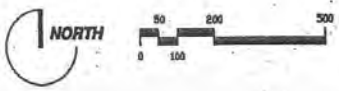
The Boundary Diagrams for the original districts have previously been submitted to the Clerk of the City in the format required under the Act and are made part of this Report by reference.

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





PROPOSED DISTRICT BOUNDARY

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.

6/16/2016

File #: RES-170-16 **Item #:** C.

Indian Wells City Council

Staff Report - Finance

Annual Levy of Landscape and Lighting District No. 91-1

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving collection of assessments for Fiscal Year 2016-17 for Landscape and Lighting District No. 91-1 except for Zone A1 (Eldorado) and Zone A23 (Montelena); and

ADOPTS Resolution approving collection of assessments for fiscal year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1, Zone A1 (Eldorado); and

ADOPTS Resolution approving collection of assessments for fiscal year 2016-17 for the Landscape and Lighting District No. 91-1 No. 1, Zone A23 (Montelena); and

ORDERS the Landscape and Lighting District No. 91-1 levy to be placed on the Fiscal Year 2016-17 Riverside County tax roll.

DISCUSSION:

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.

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
2. Resolution - Zone A1
3. Resolution - Zone A23

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ANNUAL LEVY REPORT SETTING FORTH LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2016-17 AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO

WHEREAS, the City Council of the City of Indian Wells, California (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 *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"); and

WHEREAS, the Indian Wells Landscape and Lighting District No. 91-1 contains the following Zones: A2 Montecito, A3 Casa Dorado, A5B The Cove, A8 Indian Wells Golf Resort, A11A Hwy 111 & Club Drive, A11C Club Drive, C The Colony, D Colony Cove Estates, E Desert Horizons, A19 Mountain Gate, A20 Mountain Gate Estates, A21 Villagio, A22 Vaidya, A25 Sundance, A26 Province; and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 3, Section 22623* of said Act and as previously directed by resolution; and

WHEREAS, the proposed District assessments to be levied for Fiscal Year 2016-17, do not exceed the amount approved by the property owners and adopted by the City Council and are therefore in compliance with the provisions of California Constitution Article and XIIID; and

WHEREAS, this City Council has examined and reviewed the Report as presented (or amended) and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed as set forth in said Report; and

WHEREAS, the City Council has by previous resolutions initiated proceedings, approved the Report that describes the assessments against parcels of land within the District, and declared its intention to levy assessments for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 pursuant to the provisions of the Act to pay the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within the District and its Zones; and

WHEREAS, Willdan Financial (the "Engineer") selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within District, and the City Council has approved such Report; 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 the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within public places in the City; and

WHEREAS, the City and its legal counsel have found that these assessments comply with applicable provisions of Section XIIID of the California State Constitution.

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 or amended is hereby **APPROVED** and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the report and any amendments directed by the City Council and final approval of the Report as presented or amended.

SECTION 4. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

SECTION 5. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been ordered to be filed with the City Clerk, the City Council hereby **FINDS** and **DETERMINES** that:

i) the land within the District will receive special benefit by the operation, maintenance and servicing of improvements located in public places within the boundaries of the District; and

ii) the District includes all of the lands so benefited; and

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services.

SECTION 6. The City Council hereby **ORDERS** the proposed improvements to be made, which improvements are briefly describes as follows: The maintenance, servicing, and operation of the landscape improvements that include planting materials such as turf, ground cover, trees and shrubs, automatic sprinkler systems, lighting and drainage systems, and all appurtenant materials for the ordinary and usual maintenance, operation, and servicing of the landscaping, lighting, and appurtenant facilities, including repair, providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; and the removal of trimmings, rubbish, debris, and other solid waste. Servicing means the furnishing of water for the irrigation of the landscaping and electricity for both the landscaping and lighting and the maintenance of any of the appurtenant facilities.

SECTION 7. 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 so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

SECTION 8. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as "City of Indian Wells Landscape and Lighting District No. 91-1," and such money shall be expended only for the maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities as described in Section 6.

SECTION 9. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

SECTION 10. The City Clerk or the designate of the City Council is hereby **AUTHORIZED** and **DIRECTED** to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June 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 16th day of June 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

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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

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I. OVERVIEW

A. INTRODUCTION

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

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

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

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

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.

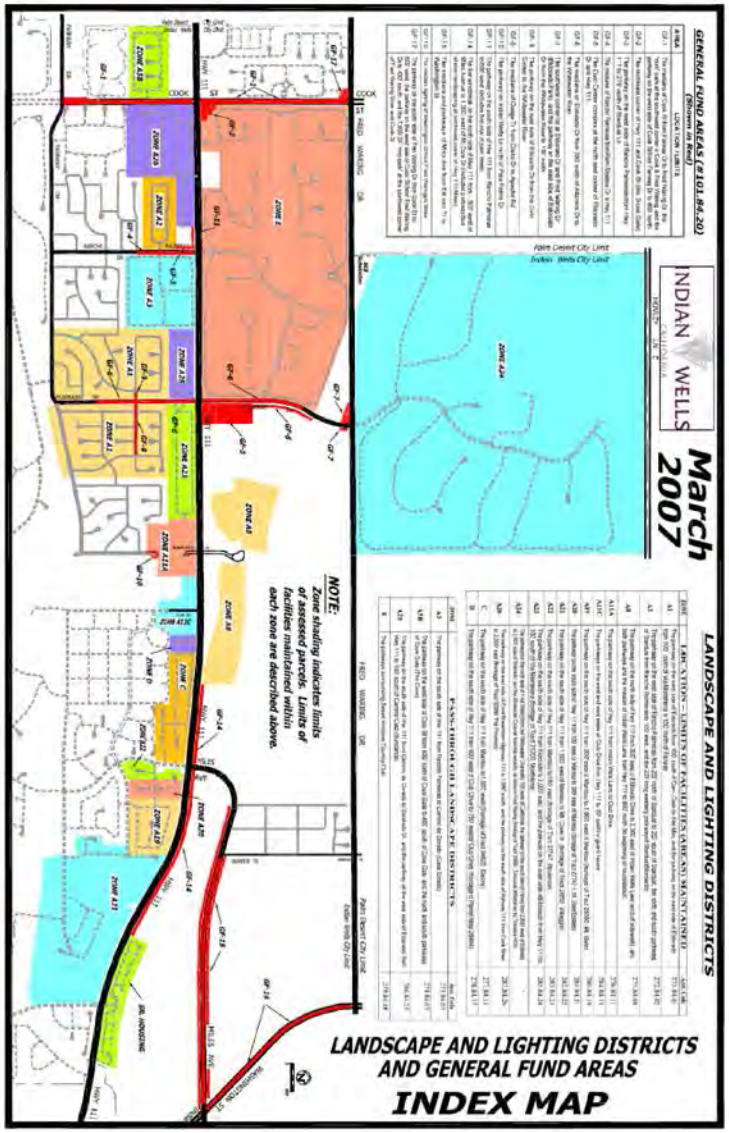
Note: Projected Applied Levy Rate and Maximum Levy Rate in this budget are rounded up to the nearest pennies. Actual Applied Levy Rate and Assessment amount are rounded down to the nearest even pennies.

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.

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ANNUAL LEVY REPORT SETTING FORTH LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2016-17 AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO

WHEREAS, the City Council of the City of Indian Wells, California (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 *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"); and

WHEREAS, the Indian Wells Landscape and Lighting District No. 91-1 contains the following Zones: A1 Eldorado; and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 3, Section 22623* of said Act and as previously directed by resolution; and

WHEREAS, the proposed District assessments to be levied for Fiscal Year 2016-17, do not exceed the amount approved by the property owners and adopted by the City Council and are therefore in compliance with the provisions of California Constitution Article and XIIID; and

WHEREAS, this City Council has examined and reviewed the Report as presented (or amended) and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed as set forth in said Report; and

WHEREAS, the City Council has by previous resolutions initiated proceedings, approved the Report that describes the assessments against parcels of land within the District, and declared its intention to levy assessments for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 pursuant to the provisions of the Act to pay the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within the District and its Zones; and

WHEREAS, Willdan Financial (the "Engineer") selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the Council,

the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within District, and the City Council has approved such Report; 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 the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within public places in the City; and

WHEREAS, the City and its legal counsel have found that these assessments comply with applicable provisions of Section XIIID of the California State Constitution.

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 or amended is hereby **APPROVED** and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the report and any amendments directed by the City Council and final approval of the Report as presented or amended.

SECTION 4. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

SECTION 5. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been ordered to be filed with the City Clerk, the City Council hereby **FINDS** and **DETERMINES** that:

i) the land within the District will receive special benefit by the operation, maintenance and servicing of improvements located in public places within the boundaries of the District; and

ii) the District includes all of the lands so benefited; and

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services.

SECTION 6. The City Council hereby **ORDERS** the proposed improvements to be made, which improvements are briefly describes as follows: The maintenance, servicing, and operation of the landscape improvements that include planting materials such as turf, ground cover, trees and shrubs, automatic sprinkler systems, lighting and drainage systems, and all appurtenant materials for the ordinary and usual maintenance, operation, and servicing of the landscaping, lighting, and appurtenant facilities, including repair, providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; and the removal of trimmings, rubbish, debris, and other solid waste. Servicing means the furnishing of water for the irrigation of the landscaping and electricity for both the landscaping and lighting and the maintenance of any of the appurtenant facilities.

SECTION 7. 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 so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

SECTION 8. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as "City of Indian Wells Landscape and Lighting District No. 91-1," and such money shall be expended only for the maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities as described in Section 6.

SECTION 9. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

SECTION 10. The City Clerk or the designate of the City Council is hereby **AUTHORIZED** and **DIRECTED** to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June 2016.

_____
DANA W. REED
MAYOR

CERTIFICATION FOR RESOLUTION BILL 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 16th day of June 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"

2016/17 Engineer's Report
for
City of Indian Wells
Landscape and Lighting District
No. 91-1

Please go to the first resolution to view engineer's report, attached as Exhibit "A".

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ANNUAL LEVY REPORT SETTING FORTH LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2016-17 AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO

WHEREAS, the City Council of the City of Indian Wells, California (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 *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"); and

WHEREAS, the Indian Wells Landscape and Lighting District No. 91-1 contains the following Zones: A23 Montelena; and

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 3, Section 22623* of said Act and as previously directed by resolution; and

WHEREAS, the proposed District assessments to be levied for Fiscal Year 2016-17, do not exceed the amount approved by the property owners and adopted by the City Council and are therefore in compliance with the provisions of California Constitution Article and XIIID; and

WHEREAS, this City Council has examined and reviewed the Report as presented (or amended) and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed as set forth in said Report; and

WHEREAS, the City Council has by previous resolutions initiated proceedings, approved the Report that describes the assessments against parcels of land within the District, and declared its intention to levy assessments for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 pursuant to the provisions of the Act to pay the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within the District and its Zones; and

WHEREAS, Willdan Financial (the "Engineer") selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the Council,

the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within District, and the City Council has approved such Report; 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 the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within public places in the City; and

WHEREAS, the City and its legal counsel have found that these assessments comply with applicable provisions of Section XIIID of the California State Constitution.

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 or amended is hereby **APPROVED** and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the report and any amendments directed by the City Council and final approval of the Report as presented or amended.

SECTION 4. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

SECTION 5. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been ordered to be filed with the City Clerk, the City Council hereby **FINDS** and **DETERMINES** that:

i) the land within the District will receive special benefit by the operation, maintenance and servicing of improvements located in public places within the boundaries of the District; and

ii) the District includes all of the lands so benefited; and

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services.

SECTION 6. The City Council hereby **ORDERS** the proposed improvements to be made, which improvements are briefly describes as follows: The maintenance, servicing, and operation of the landscape improvements that include planting materials such as turf, ground cover, trees and shrubs, automatic sprinkler systems, lighting and drainage systems, and all appurtenant materials for the ordinary and usual maintenance, operation, and servicing of the landscaping, lighting, and appurtenant facilities, including repair, providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; and the removal of trimmings, rubbish, debris, and other solid waste. Servicing means the furnishing of water for the irrigation of the landscaping and electricity for both the landscaping and lighting and the maintenance of any of the appurtenant facilities.

SECTION 7. 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 so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

SECTION 8. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as "City of Indian Wells Landscape and Lighting District No. 91-1," and such money shall be expended only for the maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities as described in Section 6.

SECTION 9. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

SECTION 10. The City Clerk or the designate of the City Council is hereby **AUTHORIZED** and **DIRECTED** to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June 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 16th day of June 2016, by the following vote:

AYES:
NOES:

ATTEST:

_____
ANNA GRANDYS
CITY CLERK

APPROVED AS TO FORM:

_____
STEPHEN P. DEITSCH
CITY ATTORNEY

EXHIBIT "A"

2016/17 Engineer's Report
for
City of Indian Wells
Landscape and Lighting District
No. 91-1

Please go to the first resolution to view engineer's report, attached as Exhibit "A".

6/16/2016

File #: RES-171-16 **Item #:** D.

Indian Wells City Council

Staff Report - Finance

Annual Levy of Drainage Maintenance Benefit Assessment District No. 1

RECOMMENDED ACTIONS:

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

ADOPTS Resolution approving the Engineer's Report for the Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016/17; and

ADOPTS Resolution approving the annual levy of the Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2016/17; and

ORDERS the Drainage Maintenance Benefit Assessment District No. 1 levy to be placed on the fiscal year 2016/17 Riverside County tax roll.

DISCUSSION:

The City is responsible for levying the annual drainage maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218. As a condition of approval for the Province development in 2006, the City required the developer to install and guarantee the maintenance of storm water control structures. The structures consist of two drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

These drywells serve to remove surface nuisance water and storm water coming from the Province development into neighboring developments. The City preforms monthly inspections and schedules semi-annual "clean outs" of the drywells to ensure their effective operation. In addition to the inspection and maintenance program, the City has 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 - Engineer's Report
2. Resolution - Levy

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE ENGINEER'S REPORT FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1

WHEREAS, the City Council of the City of Indian Wells, California (the "City Council") has by resolution ordered the preparation of 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, 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 as previously directed by Resolution; and

WHEREAS, this City Council has carefully examined and reviewed the Report as presented, and, subject to the corrections and modifications made at the Public Hearing, is satisfied with each of the items and documents as set forth therein; and

WHEREAS, this City Council is satisfied that the levy of assessments within the Assessment District has been spread in accordance with the particular and distinct benefit over and above general benefits conferred on each parcel of real property located in the Assessment District or to the public at large, 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. The above recitals are true and correct.

SECTION 2. 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).

(c) a Description and Diagram of the Assessment District.

(d) the Method of Apportionment and the proposed amount to be levied and collected against each property within the Assessment District for Fiscal Year 2016/17.

SECTION 3. The Report, as presented or modified, is hereby **APPROVED** and is 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 and final approval 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 16th day of June 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 16th day of June 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

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I. INTRODUCTION

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

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

Pursuant to the 1982 Act, the City Council conducted the required public hearings necessary to accept property owner protests, public comments and testimony regarding the formation of the District and the proposed annual levy of assessments. In conjunction with the required 1982 Act formation proceedings (public hearing), the City conducted property owner protest ballot proceedings for the annual assessments and assessment range formula described in the Original Report in compliance with the substantive and procedural requirements of the California Constitution Article 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.

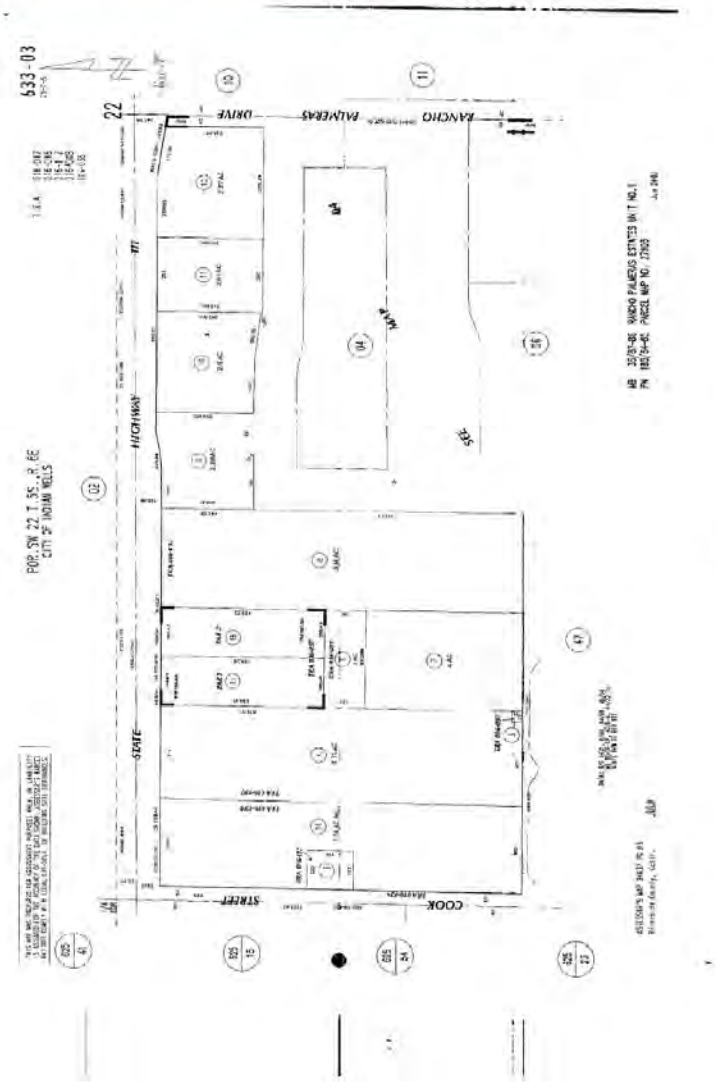
Carryover (Deficit) Prior Years

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

WHEREAS, the City Council has, by previous Resolutions, initiated proceedings and declared its intention to levy assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"); and

WHEREAS, the Assessment District Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council, the Engineer's Report (the "Report") that describes the assessments against parcels of land within the Assessment District for the Fiscal Year commencing July 1, 2016, and ending June 30, 2017, 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"), to pay for the maintenance, operation and servicing of improvements and facilities related thereto; and

WHEREAS, the City Council did by Resolution approve such Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within the Assessment District, and is satisfied that the assessments are levied without regard to property valuation and are apportioned by a formula and method which fairly distributes the net amount among eligible parcels in proportion to the estimated special benefit to be received by each parcel from the improvements, operation, maintenance and services to be performed; and

WHEREAS, the City Council and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Article XIIID of the California State Constitution; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within Assessment District for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017, to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities located within 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. The City Council following notice duly given, has held a full and fair Public Hearing regarding the Assessment District, the levy and collection of assessments, the Report prepared in connection therewith, and considered oral and

written statements, protests and communications made or filed by interested persons regarding these matters.

SECTION 2. The City Council finds the record owners of property within the Assessment District previously approved the continued levy and collection of assessments through property owner balloting proceedings, and that the proposed assessment for Fiscal Year 2016/17 is consistent with the assessment so approved.

SECTION 3. Based upon the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, and such other evidence presented to the City Council, the City Council hereby finds and determines that:

a) The land and eligible parcels within the boundaries of the Assessment District will each receive a particular and distinct benefit over and above general benefits conferred on real property located in the Assessment District or to the public at large from the operation, maintenance and servicing of the improvements and appurtenant facilities identified in the Report (the "Special Benefit"); and

b) The Assessment District includes the lands and parcels receiving such Special Benefit; and

c) The net amount to be assessed upon the lands within the Assessment District for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017, is apportioned by a formula and method which fairly and proportionately distributes the total net amount of assessments within the Assessment District among eligible parcels within the boundaries of the Assessment District in proportion to the estimated Special Benefit to be received by each such parcel from the operation, maintenance and servicing of the improvements and appurtenant facilities identified in the Report.

SECTION 4. The Report and assessments presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed.

SECTION 5. The maintenance, operation and servicing of the improvements shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements 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. A more detailed description of the improvements is contained within the Report, but the improvements and facilities can be classified within the following general categories:

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 6. The Auditor of the County of Riverside shall enter on the County Assessment Roll opposite each parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to the provisions provided in the Act. After collection by the County, the net amount of the levy shall be paid to the Treasurer of the City of Indian Wells.

SECTION 7. The Treasurer shall deposit money representing assessments collected by the County for the Assessment District to the credit of a fund for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1, and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in Section 5.

SECTION 8. The adoption of this Resolution constitutes the Assessment District levy for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

SECTION 9. The City Clerk, or the designate of the City Council, is hereby **AUTHORIZED** and **DIRECTED** to file the levy with the County Auditor upon adoption of this Resolution, pursuant to the provisions provided in the Act.

SECTION 10. A copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of June 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 16th day of June 2016, by the following vote:

AYES:
NOES:

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

6/16/2016

File #: 1433-16 **Item #:** A.

Indian Wells City Council

Staff Report - Community Development

Funding Request from Coachella Valley Economic Partnership

RECOMMENDED ACTION:

Council provides **DIRECTION** to staff as to funding for the Coachella Valley Economic Partnership and directs Staff to **APPROPRIATE** any awarded funds.

DISCUSSION:

The Coachella Valley Economic Partnership (CVEP) is requesting the City Council consider funding CVEP for Fiscal Year (FY) 2016-17. The City provided funding to CVEP from FY 2002-03 to FY 2012-13. The most recent amounts include $100,000 in FY 2010-11, $50,000 in FY 2011-12, and $100,000 in FY 2012-13. Following FY 2012-13, the City did not budget for CVEP funding.

At the April 21, 2016 City Council meeting, Council Member Peabody requested the Council discuss CVEP funding at a future Council meeting in an amount not to exceed $7,500. The Council requested Staff provide additional information, specifically how the City will benefit from CVEP and requested to review CVEP's financial information prior to the Council making a decision on the CVEP request.

A summary of CVEP's benefits to the City provided by the organization are as follows:

2015 Benefits

- $10,000 in scholarships to City based students
- Accepted and mentored one City based business in iHub ($11, 627 value based on prorated cost)
- Assisted in the startup of one City based business in Business Development Group
- 305 City residents attended CVEP hosting training sessions, and
- Provided 10 direct consulting hours to City businesses ($500 cost).

Other Benefits Available

- Business attraction efforts
- Support of general commerce
- Event participation and support in City hotels
- Investment opportunities, and
- Currently working with grocery store with expansion plans.

Attached is a letter submitted by CVEP outlining in more detail the benefits, and a copy the organization's year to date financial statements. Representatives from CVEP will attend the June 19, 2016 Council meeting to discuss the need for the funding and answer Council's questions.

ATTACHMENTS:

1. CVEP Letter
2. YTD Financials

June 3, 2016

To: Mayor Dana Reed and the City Council of the City of Indian Wells
From: Joe J. Wallace, CEO and Chief Innovation Officer, CVEP
Re: Funding Request for FY 2016-2017

Dear Mayor Reed and Council Members:

Let me first formally congratulate you on a job well done during the last several years in guiding the City of Indian Wells through the post RDA challenges. Believe me, having gone through a similar experience with CVEP, I understand and appreciate the work associated with righting a challenging situation.

CVEP and the City of Indian Wells have enjoyed a long and mutually beneficial relationship. The CViHub that brought me to this beautiful region and I am now honored to have been chosen to lead CVEP. I am thankful every day for that opportunity.

The City of Indian Wells has invested in CVEP over a number of years. The support during the past two fiscal years has been suspended and we fully understand that there are some reasons for that. I reiterate my apology on behalf of CVEP for whatever strained our relationship with the City of Indian Wells.

The purpose of this letter is to ask the City of Indian Wells to rejoin the CVEP Board of Directors with a minimum investment of $10,000 as set forth in our bylaws Of course we hope that the financial circumstances will merit eventually increasing the City's investment to historical levels but it is important to CVEP's business attraction efforts to have as many of the cities of the Coachella Valley on our Board of Directors as possible to show a unified regional commitment to economic development.

Being on the CVEP Board of Directors will provide a forum through which we can openly communicate about what we can do to best serve your interests. By attending your City Council meeting, I learned of your desire for a grocery store and have made an introduction that may just lead to one. That is a perfect example of how open communication can work.

I thank you for the opportunity to make this request and look forward to a long and prosperous relationship.

Best Regards,

Joe J. Wallace

Joe J. Wallace, CEO and Chief Innovation Officer
Coachella Valley Economic Partnership

Benefit Summary for City of Indian Wells
From
CVEP Activities during FY 2015-2016

During FY 2015-2016 Measurable Benefits:

- **$10,000 in scholarships to Indian Wells based students**
- **Accepted and Mentored 1 Indian Wells based business in iHub ($11,627 value based on pro-rated cost)**
- **Assisted in the startup of 1 Indian Wells based business in Business Development Group (value $3,000)**
- **305 Indian Wells residents attended CVEP hosting training sessions (value $6,100)**
- **Provided 10 direct consulting hours to IW businesses (cost was $550)**

Total Measurable Financial Benefit to City of Indian Wells in FY 2015-2016
$31,277

Intangible Benefits from CVEP Operations

- **Business Attraction Efforts**
    - **American Airlines SkyVision Ads: Summer 2016**
    - **Business 360 Interview: Fox Business News**
    - **Attendance at various specialized trade meetings**
    - **Newsletter**
    - **Economic Summit**
- **Support of General Commerce**
- **Event Participation and Support in Indian Wells Hotels**
    - **Industrial Asset Management Council: Sponsor @ Indian Wells Hyatt**
    - **Clinton Health Initiative: Participant**
    - **CVEP Economic Summit: Esmerelda Resort (2012 and earlier)**
- **Investment Opportunities**
    - **PS Talent royalty agreements returned 37% in one year**
    - **EV Enterprises short term notes returned from 10% to 160% (various transactions)**
    - **Solaris went public via a reverse merger**
    - **Indy Power Systems ROI based on most recent private trades: 404% (company private with investment options available to accredited investors**
- **BIZDEV Group Currently Working with Grocery Store with Expansion Plans**
    - **Introductions in Process for Grocery Store Expansion in Indian Wells**

COACHELLA VALLEY ECONOMIC PARTNERSHIP

FINANCIAL STATEMENTS

For the Month and Ten Months Ended April 30, 2016

OSBORNE RINCON CPAS
79245 CORPORATE CENTRE DRIVE, SUITE 101
LA QUINTA, CA 92253

Attachment 2

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COACHELLA VALLEY ECONOMIC PARTNERSHIP
STATEMENT OF FINANCIAL POSITION
APRIL 30, 2016

ASSETS

	Unrestricted	Temporarily Restricted	Total
CURRENT ASSETS			
Cash	$ 282,915	1,034,005	$ 1,316,920
Grants, pledges and other receivable	125,033	1,729,124	1,854,157
Total current assets	407,948	2,763,129	3,171,077
PROPERTY AND EQUIPMENT - Net	566,083	-	566,083
TOTAL ASSETS	$ 974,031	$ 2,763,129	$ 3,737,160

LIABILITIES AND NET ASSETS

LIABILITIES			
Accounts payable	$ 80,037	$ -	$ 80,037
Accrued payroll, consultants, and vacation	115,860	-	115,860
Deferred revenue	20,000	-	20,000
TOTAL LIABILITIES	215,897	-	215,897
NET ASSETS			
Unrestricted	758,134	-	758,134
Temporarily restricted	-	2,763,129	2,763,129
TOTAL NET ASSETS	758,134	2,763,129	3,521,263
TOTAL LIABILITIES AND NET ASSETS	$ 974,031	$ 2,763,129	$ 3,737,160

See accountant's compilation report.

COACHELLA VALLEY ECONOMIC PARTNERSHIP
STATEMENT OF ACTIVITIES
FOR THE MONTH AND TEN MONTHS ENDED APRIL 30, 2016

	Month			Year to Date		
	Total	Budget	Variation	Total	Budget	Variation
Revenue						
Public support	$ 49,125	$ 25,000	$ 24,125	$ 751,500	$ 821,820	$ (70,320)
Private support	20,000	35,000	(15,000)	1,011,384	924,500	86,884
Self generated	5,446	7,500	(2,054)	44,476	80,000	(35,524)
Event income	-	-	-	161,289	125,000	36,289
Foundation grants	-	-	-	2,220,205	2,151,700	68,505
Government grants	-	24,865	(24,865)	127,352	258,645	(131,293)
Reimbursements/Interest	78	-	78	1,454	-	1,454
Contracts	1,650	3,500	(1,850)	55,431	76,500	(21,069)
Total revenue:	$ 76,299	$ 95,865	$ (19,566)	$ 4,373,091	$ 4,438,165	$ (65,074)
Expenditures						
Adv. & mktg.						
Outreach/marketing	$ 3,590	$ 5,640	$ (2,050)	$ 121,405	$ 129,195	$ (7,790)
Conferences/events	-	850	(850)	9,653	9,900	(247)
Staffing resources						
Salaries & wages	93,938	93,722	216	978,938	1,048,884	(69,946)
Benefits	3,450	10,033	(6,583)	38,511	91,573	(53,062)
Workers comp	1,484	410	1,074	10,880	4,340	6,540
Payroll taxes	7,249	12,201	(4,952)	78,398	136,972	(58,574)
Health insurance	7,173	5,994	1,179	71,152	58,739	12,413
Professional & legal	16,025	14,115	1,910	188,376	151,153	37,224
Education & training	-	100	(100)	800	1,000	(200)
Admin & facilities						
Bank charges	75	145	(70)	2,544	1,450	1,094
Computers & IT	-	400	(400)	4,680	3,900	780
Events	905	1,483	(578)	1,129	13,033	(11,904)
Insurance	-	500	(500)	11,924	7,601	4,323
Janitorial	1,150	1,400	(250)	10,246	14,400	(4,154)
Mileage reimbursement	1,415	1,342	73	11,815	13,417	(1,602)
Meals lodging, etc.	-	1,600	(1,600)	3,742	9,125	(5,383)
Meetings	706	3,300	(2,594)	9,189	12,171	(2,982)
Office expense	7,208	1,722	5,486	44,532	17,221	27,311
Printing expense	145	900	(755)	4,760	8,600	(3,840)
Travel	293	3,317	(3,024)	17,568	27,667	(10,099)
Website	6,525	5,100	1,425	23,665	16,000	7,665
Repair & maint	514	800	(286)	14,164	8,000	6,164
Rent	3,052	4,500	(1,448)	50,055	57,000	(6,945)
Utilities	2,209	3,500	(1,291)	21,237	34,500	(13,263)
Security system	108	140	(32)	583	1,400	(817)
Phone & Internet	2,947	1,875	1,072	28,942	21,900	7,042
Scholarships & pass through	187,857	115,000	72,857	1,235,636	1,462,500	(226,864)
Stipends, honoraria	13,000	21,500	(8,500)	49,803	43,000	6,803
Total expenditures:	$ 361,018	$ 311,888	$ 49,130	$ 3,044,327	$ 3,407,539	$ (363,212)
Net revenue less expenditures	(284,719)	(216,024)	(68,695)	1,328,764	1,030,626	298,138
Interest	-	540	(540)	770	5,941	(5,171)
Depreciation	13,110			132,333		
Loss on abandonment of rental	-			19,122		
Other expenses	13,110			152,225		
Increase (decrease) in Net Assets	$ (297,829)	(216,564)	(81,265)	$ 1,176,539	1,024,685	151,854
Net assets, beginning of period	3,819,092			2,344,724		
Net assets, end of period	$ 3,521,263			$ 3,521,263		

See accountant's compilation report.

COACHELLA VALLEY ECONOMIC PARTNERSHIP
SUBSCHEDULE: STATEMENT OF ACTIVITIES BY DEPARTMENT
SHARED RESOURCES
FOR THE MONTH AND TEN MONTHS ENDED APRIL 30, 2016

	Month			Year to Date		
	Actual	Budget	Variation	Actual	Budget	Variation
Revenue						
Public support	$ -	$ -	$ -	$ 305,000	$ 350,000	$ (45,000)
Private support	20,000	35,000	(15,000)	370,111	350,000	20,111
Self generated	-	-	-	4,446	-	4,446
Event income	-	-	-	144,120	100,000	44,120
Reimbursements/Interest	78	-	78	1,454	-	1,454
Contracts	-	2,500	(2,500)	9,967	25,000	(15,033)
Total revenue:	$ 20,078	$ 37,500	$ (17,422)	$ 835,098	$ 825,000	$ 10,098
Operating expenditures:						
Adv. & mktg.						
Outreach/marketing	$ 3,527	$ 4,000	$ (473)	$ 111,620	$ 112,800	$ (1,180)
Staffing resources						
Salaries & wages	24,639	16,752	7,887	229,073	184,270	44,803
Benefits	697	1,675	(978)	13,312	18,427	(5,115)
Workers comp	469	67	402	2,068	737	1,331
Payroll taxes	1,860	2,354	(494)	16,080	25,890	(9,810)
Health insurance	1,485	1,101	384	10,923	11,010	(87)
Interns			-		-	-
Professional & legal	11,525	5,500	6,025	146,075	65,000	81,075
Education & training	-	100	(100)	800	1,000	(200)
Admin & facilities						
Bank charges	75	45	30	1,958	450	1,508
Computers & IT	-	300	(300)	4,680	3,000	1,680
Insurance	-	500	(500)	11,924	5,000	6,924
Janitorial	600	1,000	(400)	5,268	10,000	(4,732)
Mileage reimbursement	585	200	385	3,656	2,000	1,656
Meals lodging, etc.	-	100	(100)	800	1,000	(200)
Meetings	401	700	(299)	2,911	7,000	(4,089)
Misc expense	-	200	(200)	-	2,000	(2,000)
Office expense	2,638	700	1,938	28,405	7,000	21,405
Printing expense	145	300	(155)	2,868	3,000	(132)
Travel	215	650	(435)	1,000	6,500	(5,500)
Repair & maint	514	300	214	2,138	3,000	(862)
Rent	550	700	(150)	18,197	7,000	11,197
Utilities	-	500	(500)	1,697	5,000	(3,303)
Security system	108	140	(32)	583	1,400	(817)
Phone & Internet	2,347	1,000	1,347	21,305	10,000	11,305
Total operating expenditures	$ 52,380	$ 39,384	$ 12,996	$ 637,341	$ 494,684	$ 142,657
Other expenses:						
Depreciation	8,201			82,175		
Interest	-			770		
Total other expense	8,201			82,945		
Net revenue less expenditures	(40,503)	(1,884)	(38,619)	114,812	330,316	(215,504)
Shared resource allocations	(40,503)			114,812		
Net after allocations	$ -			$ -		

See the accountant's compilation report.

COACHELLA VALLEY ECONOMIC PARTNERSHIP
SUBSCHEDULE: STATEMENT OF ACTIVITIES BY DEPARTMENT
IHUB/ACCELERATOR
FOR THE MONTH AND TEN MONTHS ENDED APRIL 30, 2016

	Month			Year to Date		
	Actual	Budget	Variation	Actual	Budget	Variation
Revenue						
Public support	$ 49,125	$ 25,000	$ 24,125	$ 446,500	$ 471,820	$ (25,320)
Private support	-	-	-	202,000	175,000	27,000
Self generated	5,446	7,500	(2,054)	40,030	80,000	(39,970)
Total revenue:	$ 54,571	$ 32,500	$ 22,071	$ 688,530	$ 726,820	$ (38,290)
Operating expenditures						
Adv. & mktg.						
Outreach/marketing	$ 63	$ 1,000	$ (937)	$ 9,641	$ 10,000	$ (359)
Staffing resources						-
Salaries & wages	9,190	11,598	(2,408)	132,610	157,566	(24,956)
Benefits	350	1,160	(810)	8,019	10,757	(2,738)
Workers comp	262	46	216	2,001	510	1,491
Payroll taxes	703	1,630	(927)	10,841	22,138	(11,297)
Health insurance	-	20	(20)	910	198	712
Professional & legal	4,500	2,300	2,200	23,250	23,000	250
Admin & facilities						
Events	905	-	905	905	1,000	(95)
Janitorial	550	400	150	4,978	4,400	578
Mileage reimbursement	-	400	(400)	484	4,000	(3,516)
Meetings	170	100	70	3,269	1,000	2,269
Office expense	4,363	500	3,863	13,011	5,000	8,011
Printing expense	-	100	(100)	120	1,000	(880)
Travel	-	-	-	1,895	2,000	(105)
Repair & maint	-	500	(500)	12,026	5,000	7,026
Rent	2,502	2,550	(48)	27,527	25,500	2,027
Utilities	2,209	3,000	(791)	18,862	29,500	(10,638)
Phone & Internet	600	750	(150)	6,250	7,500	(1,250)
Total operating expenditures	$ 26,367	$ 26,254	$ 113	$ 276,599	$ 312,369	$ (35,770)
Other expenses						
Depreciation	4,255			42,492		
Total other expenses	4,255			42,492		
Net revenue less expenditures	23,949	6,246	17,703	369,439	414,451	(45,012)
Shared resource allocations at 18.1%	(7,331)			20,781		
Net after allocations	$ 16,618			$ 390,220		

See the accountant's compilation report.

COACHELLA VALLEY ECONOMIC PARTNERSHIP
SUBSCHEDULE: STATEMENT OF ACTIVITIES BY DEPARTMENT
SBDC AND BUSINESS DEVELOPMENT
FOR THE MONTH AND TEN MONTHS ENDED APRIL 30, 2016

	Month			Year to Date		
	Actual	Budget	Variation	Actual	Budget	Variation
Revenue						
Private support	$ -	$ -	$ -	$ 20,000	$ -	$ 20,000
Government grants	-	24,865	(24,865)	104,852	248,645	(143,793)
Total revenue	$ -	$ 24,865	$ (24,865)	$ 124,852	$ 248,645	$ (123,793)
Operating expenditures						
Adv. & mktg.						
Outreach/marketing	$ -	$ 640	$ (640)	$ 144	$ 6,395	$ (6,251)
Conferences/events	-	50	(50)	253	500	(247)
Staffing resources						
Salaries & wages	5,015	12,047	(7,032)	87,751	120,470	(32,719)
Benefits	666	1,866	(1,200)	3,787	3,731	56
Workers comp	120	83	37	867	746	121
Payroll taxes	384	726	(342)	7,523	6,530	993
Health insurance	381	1,202	(821)	9,719	10,821	(1,102)
Professional & legal	-	6,315	(6,315)	19,051	63,153	(44,102)
Admin & facilities						
Events	-	1,083	(1,083)	224	10,833	(10,609)
Mileage reimbursement	-	342	(342)	1,137	3,417	(2,280)
Office expense	92	272	(180)	720	2,721	(2,001)
Printing expense	-	250	(250)	520	2,500	(1,980)
Travel	-	167	(167)	1,882	1,667	215
Rent	-	1,250	(1,250)	550	12,500	(11,950)
Utilities	-	-	-	678	-	678
Phone & Internet	-	125	(125)	1,387	1,250	137
Total operating expenditures	$ 6,658	$ 26,417	$ (19,759)	$ 136,193	$ 247,233	$ (111,040)
Other expenses						
Depreciation	7			63		
Total other expenses	7			63		
Net revenue less expenditures	(6,665)	(1,552)	(5,113)	(11,404)	1,412	(12,816)
Shared resource allocations at 12.3%	(4,982)			14,122		
Net after allocations	$ (11,647)			$ 2,718		

See the accountant's compilation report.

COACHELLA VALLEY ECONOMIC PARTNERSHIP
SUBSCHEDULE: STATEMENT OF ACTIVITIES BY DEPARTMENT
WORKFORCE EXCELLENCE
FOR THE MONTH AND TEN MONTHS ENDED APRIL 30, 2016

	Month			Year to Date		
	Actual	Budget	Variation	Actual	Budget	Variation
Revenue						
Private support	$ -	$ -	$ -	$ 419,273	$ 399,500	$ 19,773
Event income	-	-	-	17,169	25,000	(7,831)
Foundation grants	-	-	-	2,220,205	2,151,700	68,505
Government grants	-	-	-	22,500	10,000	12,500
Contracts	1,650	1,000	650	45,464	51,500	(6,036)
Total revenue	$ 1,650	$ 1,000	$ 650	$ 2,724,611	$ 2,637,700	$ 86,911
Operating expenditures						
Adv. & mktg.						
Conferences/events	$ -	$ 800	$ (800)	$ 10,380	$ 9,400	$ 980
Staffing resources						
Salaries & wages	$ 55,094	$ 53,325	$ 1,769	$ 529,504	$ 586,578	$ (57,074)
Benefits	1,737	5,333	(3,596)	13,393	58,658	(45,265)
Workers comp	633	213	420	5,944	2,346	3,598
Payroll taxes	4,302	7,492	(3,190)	43,954	82,414	(38,460)
Health insurance	5,307	3,671	1,636	49,600	36,710	12,890
Admin & facilities						
Bank charges	-	100	(100)	586	1,000	(414)
Mileage reimbursement	830	400	430	6,538	4,000	2,538
Meals lodging, etc.	-	1,500	(1,500)	2,942	7,625	(4,683)
Meetings	135	2,500	(2,365)	3,009	4,171	(1,162)
Office expense	115	250	(135)	2,396	2,500	(104)
Printing expense	-	250	(250)	1,252	2,100	(848)
Travel	78	2,500	(2,422)	12,791	17,500	(4,709)
Website	6,525	5,000	1,525	23,665	15,000	8,665
Rent	-	-	-	3,781	12,000	(8,219)
Utilities	-	-	-	17,687	-	17,687
Stipends, honoraria, prizes	13,000	21,500	(8,500)	49,803	43,000	6,803
Scholarships	187,857	115,000	72,857	1,235,636	1,462,500	(226,864)
Total operating expenditures	$ 275,613	$ 219,834	$ 55,779	$ 2,012,861	$ 2,353,253	$ (340,392)
Other expenses						
Depreciation	647			7,603		
Loss on abandonment of office	-			19,122		
Total other expenses	647			26,725		
Net revenue less expenditures	(274,610)	(218,834)	(55,776)	685,025	284,447	400,578
Shared resource allocations at 69.6%	(28,190)			79,909		
Net after allocations	$ (302,800)			$ 764,934		

See the accountant's compilation report.

6/16/2016

File #: 1440-16 **Item #:** B.

Indian Wells City Council
Staff Report - Public Safety

Freezing One Special Enforcement Officer Position Under Riverside County Sheriff's Contract

RECOMMENDED ACTION:

Public Safety Committee recommends the Council **APPROVES** freezing one Special Enforcement Officer position for fiscal year 2016-17 yielding a savings of approximately $287,434 under the Riverside County Sheriff's Department contract.

DISCUSSION:

Background:

Controlling rising police contract costs is a 2016 City Council priority. The Public Safety Committee met on May 23, 2016 to discuss Riverside County Sheriff's Departments cost saving proposal. After studying yearly crime trends and calls for service within the City, the Sheriff's Department recommended freezing one Burglary Suppression Officer position, otherwise referred to as a Special Enforcement Team (SET) Officer, for fiscal year 2016/17. The Committee discussed the Sheriff's recommendation and other options to control costs, while balancing the safety of Indian Wells residents. The Committee agreed with the Sheriff's Department recommendation as to freezing the SET officer, and for the Lieutenant to continually monitor and report the effectiveness to ensure proper staff levels are maintained.

Indian Wells Staffing Levels:

The Indian Wells police force is comprised of 1 dedicated Sheriff's Lieutenant, 1 patrol officer 24 hours a day, 1 traffic enforcement officer, 1 utility and special events deputy, 2 SET officers, and 5 non-sworn Community Service Officers (CSOs). These positions cover the day-to-day law enforcement operations of the City. By contracting with the Riverside Sheriff's Department, Indian Wells connects with a true regional police force, which benefits from drawing on a much larger cadre of assets should the need arise.

The City experiences approximately 1,500 calls for service per month. Approximately 1,000 of these

calls are routine property checks, primarily covered by CSOs. An additional 100 calls are a result of motor officer enforcement, and 100 are alarm calls, leaving approximately 300 calls per month of all other types (911 calls, traffic collisions, thefts, etc.).

In general, criminal calls requiring further investigation are primarily frauds, thefts and burglaries. Indian Wells has approximately 5 fraud and 2 burglaries calls per month. These cases become the focus of the City's 2 SET Officers, who function as the detectives for Indian Wells residents, the reactionary force for unique situations, additional staffing during festival weekends and general quality of life issues within the City.

Analysis:

The trend in police service costs over the last decade is an increase to the Riverside County Sheriff's contract of approximately 5% per fiscal year. In the last two years the increase jumped to approximately 7.5% per year, with next year projected at another 6%. Due to these unsustainable rising costs, the City is seeking solutions to curb contract cost increases, while still maintaining the effective police service model for the residents of Indian Wells, and public safety within the area.

In analyzing police staffing in Indian Wells, the following service levels are contracted:

Current - City of Indian Wells Police Services

Patrol	24	Hours**	$1,407,372.48
Overlap Hours	2	Hours**	$116,960.60
Special Enforcement	2	Officers	$574,869.36
Special Event/Traffic	1	Officer	$287,434.68
Lieutenant	1	Officer	$237,372.00
Motor	1	Officer	$287,445.44
CSO	5	Officers	$540,139.20
COVE Positions			
Forensic Tech	1	Officer	$10,896.00
Crime Analyst	0.2	Position	$22,553.22
Annual Costs:			**$3,485,042.98**

** Due to a lapse in patrol coverage, the city is billed at approximately 26 hours a day on average, with the 2 hour overlap covered by city of Palm Desert units.

FISCAL IMPACT:

In reviewing the annual cost of police services, coupled with yearly crime statistic trends and workloads for the City, the Sheriff recommends freezing a SET Officer for a potential savings of 8% to the current contract cost. The potential savings of approximately $287,434.68 dollars decreases the Riverside County Sheriff's contract increase from 6% to 1.7%. Additionally, freezing the position

would effectively realign the remaining Special Enforcement Officer with the Special Events Officer to continue investigative follow ups to meet community demands, as well as operationally pair them for officer and public safety.

The position would not be deleted from the current Riverside County Sheriff's contract, but left unfilled. This change would be monitored for effectiveness on a monthly basis, with routine crime metrics reviewed with the City Manager's Office weekly. If at any point the data suggests an increase in crime or clear determination that the position is necessary, Riverside County Sheriff will refill the position.

ADDITIONAL INFORMATION:

The Public Safety Committee requested additional information about the City's non-sworn Community Service Officers (CSO) and their functions. The City contracts for five officers, with the position serving in a support role for a wide variety of law enforcement duties. The cost is approximately $108,027.84, or $51.54 per hour, as compared to $160.22 per hour for a sworn deputy.

The CSO has substantial face-to-face contact with the public, and requires knowledge of crimes, ordinances, and regulations. Their primary role is supporting deputies with prisoner transports to free the deputy to stay in the field. In Indian Wells, CSOs are used for conducting property checks and enforcement tasks such as traffic collisions, and parking enforcement.

Based on yearly crime statistics for the City, property checks, and the resident amenity of "vacation checks" while residents are away, is the number one function of the CSO. This individual call type accounts for approximately 2/3 of all calls for service, and is handled overwhelmingly by a CSO. The cost for this service is approximately $12.86 per call (versus a Deputy Sheriff cost of about $40.00 for the same response based on an average property check call time of 15-minutes).

Calls for service in 2015 were approximately 19,000, with over 12,500 comprised of property and area checks, all handled by CSO's. The second and third most frequent call types in the City were false alarm calls (approximately 1000), and 911 calls (approximately 1000), both of which are required to be handled by a sworn officer.

The CSO position has remained a vital function for the City, with the five officers splitting the week between two on day shift, two on swing shift and one on graveyard. This model has further enhanced the patrol image to would be wrongdoers traveling through Indian Wells, by showing multiple police vehicles patrolling within the City at any given time. The Sheriff's Department does not recommend any changes to the CSO portion of the contract.

6/16/2016

File #: 1438-16 **Item #:** C.

Indian Wells City Council
Staff Report - Human Resources

Revisions to City Personnel Manual

RECOMMENDED ACTIONS:

Council **APPROVES** revisions to City Personnel Manual by incorporating sections from the City's Fiscal Procedures Manual and new Fair Employment and Housing Act regulations; and

DIRECTS staff to delete sections 12 - Computer Hardware/Software Purchases, 13 - Employee Computer Purchase Plan, and 14 - Cell Phone from the City's Fiscal Procedures Manual, as recommended by the Finance Committee.

DISCUSSION:

From time to time the City requires changes to the Personnel Manual, which includes all Personnel Policies and Procedures, and Personnel Rules and Regulations. The City is currently in need of three such changes, as described further in this report.

Electronic Communication and Technology Use Policy

Currently, policies relating to the use of City technology exist in both the City's Personnel Manual and the Fiscal Procedures manual. Both policy manuals have overlap in language and purpose as it relates to use of City technologies. In order to consolidate policies and provide one place for clear direction for use of City technologies, the following changes are proposed:

1. Computer Hardware/Software Purchases - this section of the Fiscal Procedures Manual details a number of rules and regulations for the use of City owned computer systems. The language overlaps greatly with the Personnel Manual's policies on the same topic. To prevent policy overlap, a new combined Electronic Communication and Technology Use Policy is in the Personnel Manual.

2. Computer Loan Program - the Fiscal Procedures Manual detail on a City benefit for employees related to interest free loans for the purchase of personal computer hardware and/or software. However, the benefit is not included in the employee benefits section of the

Personnel Manual. The change will remove the language on the Computer Loan Program from the Fiscal Procedures Manual and add it to the Personnel Manual in the Employee Benefit section.

3. Cell Phones - The Fiscal Procedures Manual details the issuance of City owned cell phones and describes guidelines for use. Moving the Cell Phone use policy to the Personnel Manual better aligns with new combined Electronic Communication and Technology Use Policy in the Personnel Manual.

As a result of these changes, Section 12. Computer Hardware/Software Purchases, Section 13. Employee Computer Purchase Plan, and 14. Cell Phone will be removed from the Fiscal Procedures Manual.

Harassment, Discrimination and Retaliation Policy

In March of 2016, the State of California Fair Employment and Housing Council adopted amended regulations requiring a discrimination, harassment, and retaliation policy under the Fair Employment and Housing Act ("FEHA"). The amended regulations required further clarification of protected categories under FEHA, creation of complaint procedures for employees subject to FEHA protections, creates supervisor duties for reporting violations of FEHA, and protects any employee reporting such violations from retaliation by the employer or coworkers.

The City previously had a Sexual Harassment policy in the Personnel Manual. The change to language and addition of discrimination and retaliation policies comply with the new FEHA regulations.

Ethics and Behavior

The City's existing Personnel Manual Code of Ethics included a code of ethics and behavior policy. However, the City also has a Conflict of Interest Code. Changes to the Personnel Manual match the Conflict of Interest Code and expand application to all employees as opposed to just specifically identified positions. The changes are in-line with public sector human resource best practices.

ATTACHMENT:

1. Personnel Manual revised sections

VI. EMPLOYEE BENEFITS

PURPOSE

To set forth a comprehensive plan of employee benefits.

POLICY

Employees in the City shall be entitled to certain benefits of economic value in addition to salaries, holidays and vacation. Employee benefits are enumerated and generally described below. Specific details pertaining to the administration of certain types of employee benefits are set forth in plans, policies and procedure manuals administered by the City Manager and/or his/her designee. Such documents shall be available for review by all employees.

PROCEDURES

TYPES OF BENEFITS

A. GROUP INSURANCE

The City shall make available single party and dependent's hospitalization, major medical, dental, optical, long term disability, State Disability and life insurance to all permanent full-time and permanent part-time employees in the City and to such other city officials as may be designated by the City Council. The specific coverage and/or options available are set forth in the Insurance Plan Summary.

The City shall pay that amount toward premiums for such insurance as may be determined by the City Council and the employees shall pay the remainder of the premium. Such premiums shall be paid only to the company or companies with whom the City has contracted for such insurance coverage.

Health benefits will be provided to permanent part-time status employees at sixty percent (60%) of the benefit received by full-time employees. All employees who have Permanent Part-time status will be billed monthly forty percent (40%) at the current group rate.

During periods of approved medical, vacation and other paid leave, the City shall continue to pay its normal contribution for the above insurance for all officers and employees.

B. LONG TERM DISABILITY MANAGEMENT INSURANCE

The City, will pay, on behalf of each permanent full-time and permanent part-time employee, the premium on a long term disability plan.[1] The plan shall provide coverage equal to sixty-six (66%) percent of total salary after a thirty (30) day waiting period and, in no case, shall require sick leave to be drawn beyond the initial sixty (60) day period.

C. RETIREMENT

Public Employees' Retirement System (PERS). The City is a participant in the State of California administered Public Employees' Retirement System (PERS). The City shall pay for permanent full-time and permanent part-time employees the appropriate employer's contribution toward retirement benefits and shall also pay the employee's eight (8%) percent PERS contribution. The City will also participate in 2.7% at age 55 retirement plan for Classic Employees and 2% at 62 for all others, or as applicable by the Public Employee's Pension Reform Act of 2013 (PEPRA).

D. UNIFORMS

Field personnel shall be furnished uniforms and safety equipment in accordance with policies established by their department head and approved by the City Manager. Employees working outside or in hazardous conditions will be given a safety shoe allowance.

E. EDUCATIONAL REIMBURSEMENT

All employees who are full-time and who have completed the initial probation period may be eligible for full reimbursement of their tuition fees. Your course of study must be approved by the City Manager and you must receive a "C" grade (see policy #8).

F. 401 A

All employees who are permanent full-time permanent part-time will receive 2 ½% of their salary in a 401A retirement program, fully funded by the City.

G. LIFE INSURANCE

All employees who are permanent full-time and permanent part-time will receive 1½ times their annual salary in a life insurance policy up to $100,000.

1 Approved by Council action on March 2, 2000.

~~H~~H. EMPLOYEE COMPUTER PURCHASE PLAN

Permanent, full-time employees who have completed the probation period are eligible for interest free loans for the purchase of approved computer equipment up to $3,000 in value. Repayment is handled through payroll deductions on a bi-weekly basis for up to 36 months, or 78 pay periods (approximate number of pay periods in 36 months). All computer purchases are to be handled by the Information Technology Department. Computer equipment purchased directly by the employee is not eligible.

I. OTHER BENEFITS

Employees shall be entitled to such other benefits as may be approved and provided by action of the City Council. For example, with the City Manager's approval, the City shall pay the fees for employees who wish to join and participate in any service organization.

Amended by: Resolution No. 91-141 [12/19/91] and Resolution No. 93-6 [1/7/93].

~~I~~J. STANDBY PAY

The Public Works/Maintenance staff may be designated as emergency standby employees by the City Manager or their designee. If a Public Works/Maintenance employee is designated as a standby employee for after-hours, weekend, and/or holiday response, the employee shall remain within a forty-five (45) minute drive of the City during standby hours, carry a cellular phone, and maintain a condition to work. The designated standby employee will receive standby duty pay of twenty five dollars ($25) per day on weekdays, thirty five dollars ($35) per day on weekends. If called back to duty while on standby, the employee will receive a minimum of two hours overtime pay, or the actual time worked at overtime pay, whichever is greater, or may elect to take compensatory time off at time and a half.

XII. ~~SEXUAL~~ HARASSMENT, DISCRIMINATION AND RETALIATION POLICY

PURPOSE

To establish a clear policy regarding ~~sexual~~ harassment, discrimination and ~~other workplace harassment~~retaliation in employment; to define those terms; and to ~~define procedures relating to same~~set forth a procedure for investigating and resolving internal complaints.

POLICY

The City has a strong commitment to prohibiting and preventing harassment, discrimination and retaliation in the workplace. The City has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of state or federal law to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. The City encourages all covered individuals to report any conduct they believe violates this Policy as soon as possible. Any retaliation against an employee because he/she has filed or supported a complaint or because he/she has participated in the complaint resolution process is prohibited.

COVERED INDIVIDUALS AND SCOPE OF POLICY

The individuals covered by this Policy are: applicants, employees regardless of rank or title, elected or appointed officials, interns, volunteers, and contractors. This Policy applies to all terms and conditions of employment, internships, and volunteer opportunities, including, but not limited to, selection, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.

DEFINITIONS

A. PROTECTED CLASSIFICATION

This Policy prohibits harassment, discrimination or retaliation because of an individual's protected classification. "Protected Classification" includes race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age (over 40), sexual orientation, or military and veteran status, or any other basis protected by law. (Gov. Code § 12940(a).) This Policy prohibits harassment, discrimination or retaliation because:

1) of an individual's protected classification;
2) the perception that an individual has a protected classification; or
3) the individual associates with a person who has or is perceived to have a protected classification.

B. Protected Activity

This Policy prohibits discrimination, harassment or retaliation because of an individual's protected activity. Protected activity includes: making a request for or receiving an accommodation for a disability; making a request for or receiving accommodation for religious beliefs or practices; making or supporting a complaint under this Policy; opposing violations of this Policy; or participating in an investigation pursuant to this Policy.

C. Discrimination

This Policy prohibits treating covered individuals differently because of the individual's protected classification, actual or perceived; because the individual associates with a person who is member of a protected classification, actual or perceived; or because the individual participates in a protected activity as defined in this Policy.

D. Harassment

Harassment includes, but is not limited to, the following types of behaviors that are taken because of a covered individual's actual or perceived protected classification:

1. Speech, such as epithets, derogatory comments or slurs, and propositioning on the basis of a protected classification. This includes inappropriate comments about appearance, dress, physical features, gender identification, or race, ethnic or sexually-oriented stories and jokes, name calling, intimidation, ridicule or mockery and insults or put downs.

2. Physical acts, such as assault, impeding or blocking movement, offensive touching, or physical interference with normal work or movement. This includes pinching, grabbing, patting, or making explicit or implied job threats or promises in return for submission to physical acts.

~~1.~~3. Visual acts, such as derogatory gestures, posters, cartoons, emails, pictures or drawings related to a protected classification.

4. Sexual advances, requests for sexual favors and other acts of a sexual nature,

where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment. (Gov. Code §12940(j); 2 Cal.Code Regs § 11091(b)(1).)

E. RETALIATION

Retaliation occurs when adverse conduct is taken against a covered individual because of the individual's protected activity as defined in this Policy. "Adverse conduct" may include but is not limited to: disciplinary action, counseling, taking sides because an individual has reported harassment or discrimination; spreading rumors about a complainant or about someone who supports or assists the complainant; shunning or avoiding an individual who reports harassment or discrimination; or making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

PROCEDURES

~~It is a violation of City Rules and Regulations for any City employee to sexually harass another employee, customer, member of the public or vendor; male or female. It is also a violation of City Rules and Regulations for any City employee to engage in other types of harassment of another employee, customer, member of the public or vendor. Prevention is the best approach to eliminate harassment in the workplace.~~

~~2.~~1. Department managers and supervisors will take all reasonable steps necessary to prevent ~~such~~ harassment, discrimination or retaliation from occurring and develop methods to sensitize employees on this issue. Department managers and supervisors, male or female, shall not use their authority to solicit sexual favors. The City takes a proactive approach to potential Policy violations and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination or retaliation may be occurring, regardless of whether the recipient or third party reports a potential violation.

2. In accordance with City policy that prevention is the best tool for the elimination of harassment, discrimination or retaliation, all persons to whom this Policy applies as set forth above shall receive a copy of this Policy and will be responsible for knowledge and understanding of its content.

~~*A. DEFINITION OF OTHER WORKPLACE HARASSMENT*~~

~~Other workplace harassment shall include any discriminatory employment action and unwelcome conduct that is based on an individual's race, color, religion, sex, national origin,~~

~~religious creed, ancestry, gender, age, sexual orientation, marital status, medical condition, disability, political opinion, affiliation or any other protected status of an individual. Offensive conduct may include but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults of threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.~~

Any employee who believes he or she has been subject to ~~sexual~~ harassment, discrimination or ~~any other kind of workplace harassment~~retaliation as defined by this Policy, should notify his/her immediate supervisor or the City's Personnel Director, who shall investigate the matter. The Personnel Director will notify the affected employee of the results of the investigation, and corrective remedies, if required.

3. Every effort will be made to assure the confidentiality of complaints made under this Policy to the greatest extent allowed by law. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action. An employee who is interviewed during the course of an investigation is prohibited from attempting to influence any potential witness while the investigation is ongoing. An employee may discuss his or her interview with a designated representative. The City will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

REMEDIES

1. Employees found to have engaged in any form of harassment, discrimination or retaliation, as defined by this Policy, will be subject to disciplinary action, according to the City's disciplinary procedures as identified in Section X of the Personnel Rules & Regulations. A statement of findings and disciplinary action taken will be included in the offending employee's permanent personnel file and in his/her performance evaluation in accordance with applicable provisions of any relevant Memorandum of Understanding.

2. Failure of a City official and/or supervisory employee to follow the procedures set forth above when that official or employee knows or suspects harassment, discrimination or retaliation in violation of the City's Policy shall be grounds for disciplinary action.

Retaliation against anyone who has complained of harassment or discrimination, or who has testified on behalf of one who made a complaint, or who has assisted or participated in any manner in an investigation, proceeding, or hearing conducted in the application of this Policy shall be grounds for disciplinary action.

XV. CONFLICT OF INTEREST CODE ~~OF~~AND ETHICS ~~AND ETHICAL BEHAVIOR~~TRAINING

~~PURPOSE~~

~~It is the purpose of this document to describe general standards for City employees regarding ethical action and behavior during performance of City business. The City Council expects ethical behavior of the workforce. Our customers, stakeholders and community expect it of us, too.~~

POLICY STATEMENT

~~All~~Public employees are ~~expected to conduct business according to ethical standards of conduct. As~~ stewards of the public trust~~, the~~. The City ~~also~~ expects its employees to ~~be honest. Ethical behavior is defined as: "The practice by which Indian Wells employees ensures that all its decisions, actions, and stakeholder interactions conform to our professional principles."~~ avoid situations or activities where personal interests are in conflict (or could be in conflict) with the interests

~~GENERAL PRINCIPLES OF CONDUCT~~

~~All employees can help maintain the integrity and reputation~~ of the City of Indian Wells~~ and shall strive to:~~

~~A. Uphold the Constitution, laws and ordinances of the United States, State of California and the City of Indian Wells.~~

~~B. Be dedicated to the ideals of honor and integrity in public and personal relationships and conduct themselves in a manner which maintains public confidence in their performance.~~

~~C. Address citizen concerns and needs, striving to provide the highest level of public service with equity while granting no special favors to nor discriminating against anyone.~~

~~D. Use City property, equipment, supplies, appropriately.~~

~~E. Be present for work and to use work time productively for City business.~~

~~F. Avoid conflict of interest situations which could jeopardize the manner in which work is performed.~~

~~G. Take personal responsibility for his or her own conduct.~~

~~City Policy Against Certain Gifts~~

~~No city official or employee shall directly or indirectly solicit, accept, or attempt to accept any money, fee, credit, gift, gratuity, thing of value, consideration or favors of any kind which the official or employee knows, or has reason to know, is being offered:~~

~~A. For the purpose of improperly obtaining or rewarding favorable treatment.~~

~~B. With the intent to influence the official or employee in the discharge of official duties.~~

~~C. In consideration of the performance of an act which the official or employee would be required or is expected to perform in the regular course of his or her duties.~~

~~Department heads and officials who manage public investments, may not accept gifts of more than the set Fair Political Practices Commission ("FPPC") gift limit from any single source per calendar year. The gift limit is adjusted for inflation every two years by FPPC Regulation 18940.2.~~

~~A city official or employee who receives a gift intended as a gift to the City shall forward any such gift to the City Manager's office for a determination as to whether this gift can be accepted by the City. Any such gift not accepted as a gift to the City and thereby not reported on Form 801 shall be returned or donated by the City in accordance with state law. Any gifts of tickets or passes received by city officials or employees subject to FPPC Regulation 18944.1 shall comply with the City's "Controlled Ticket Policy".~~ This policy ~~does not limit or reduce any obligation of a city official or employee to report any gifts as may be otherwise required under state law~~assists in identifying and avoiding any situation or activity that compromises, or may compromise, employee judgment or ability to act in the best interest of the City.

Purpose

~~Compliance and Disclosure~~

~~This policy is approved to be effective immediately. Individual department heads are responsible for implementing this policy and working with all employees and City officials to insure its success. All employees shall immediately disclose the nature and extent of any interest, direct or indirect, that may conflict with their responsibilities of duties, and may influence a decision which would benefit an organization or business in which the employee has an interest. Such disclosure shall be in writing to the employee's department head and City Manager.~~

~~Conflict of Interest~~

Indian Wells has a Conflict of Interest Code (the "Code") as required by the ~~The~~ Political Reform Act ~~requires the City of Indian Wells to adopt and maintain a~~ (Gov't Code Section 81000 et seq.). The positions covered by California Code are: City Council, Planning Commission, City Manager, City Attorney, and City Treasurer/Finance Director.

The City also designated the following positions as covered by the Code: Assistant to the

City Manager, Assistant Engineer, Assistant/Associate Planner, Building Inspector, Building Inspector/Code Enforcement, City Clerk, City Engineer/Public Works Director, Community Development Director, Information Technology Manager, Landscape Specialist, Marketing Associate, Marketing/Community Relations Director, Public Works Superintendent, and Senior Accountant.

In addition to this Code, Indian Wells adopted this policy which applies to all positions not designated in the City's Conflict of Interest Code.

GENERAL GUIDELINES

This policy is intended to eliminate apparent or actual conflicts that may ultimately compromise the employee and the City. Employees will not participate in activities that create the appearance of a conflict of interest to the public. In the event a gift or situation is not expressly covered in this policy, the employee should bring the matter to their Department Head's attention for review and determination.

For purposes of this policy, "employee" includes the spouse/significant other/immediate family of a City employee. The spouse is included to ensure that actual conflict of interest does not occur, or the appearance thereof.

Violation of this policy by any employee will be cause for discipline even if no actual illegal conduct occurs. The City may discipline any employee who violates this policy per Section X of the Personnel Rules & Regulations.

SPECIFIC RULES

Indian Wells prohibits all "non-designated positions" (employees) from engaging in the following activities without receiving advance (written) approval by their Department Head:

- No ~~City's Code designates positions that are required to annually file~~employee will use any City funds for private purpose or use their position as a City employee to promote an outside purpose.

- No employee may solicit a contractor, consultant or vendor doing business with the City to assist with personal outside employment or consulting services.

- No employee may purchase items from City vendors, consultants or contractors below fair market value unless the item is offered to the public at large for the same price.

- No employee may own assets in common with vendors, consultants or contractors doing business with the City.

- No employee will obtain a financial or other benefit from sales or consulting activities provided to the City.

- No employee will engage in outside employment or consulting work or otherwise receive financial benefit from any firm that does business with Indian Wells.

- No employee will engage in outside business activities during working hours, or while on City property, or while using City provided Leaves of Absence as defined in Section V. of the Personnel Policies and Procedures.

- No employee will act upon or use knowledge derived from City employment to engage in any real estate investment, business activity or any transaction for financial profit that was not known to the general public at the time such knowledge was acted upon or used for advantage.

- Except as specifically provided in this policy, no employee shall accept any gifts from any business, or agent of any business, that does work with or for the City, is preparing to bid on a City project, or has worked with or for the City within the last year. Examples of gifts include but are not limited to: money, liquor, meals, loans, equipment, hardware, trips, clothing, and jewelry. The following items are not a ~~Statement of Economic Interest, Form 700, and assigns disclosure categories specifying the types of interests to be reported.~~ violation of this policy:

    - An employee may accept promotional items such as t-shirts and caps, the value of which does not exceed $50.

    - An employee may accept food that is made available for all staff in the break room.

    - An employee may accept meals sponsored by vendors at City approved conferences where a meal is provided for a group.

    - An employee may accept meals from any business, or agent of any business, that does work with or for the City, so long as the meal is for a business purpose.

ETHICS TRAINING

As required by government Code Section 53234, all employees, appointed officials and elected officials covered in this policy shall receive a minimum of two hours Ethics Training at least once every two years.

The Fair Political Practices Commission and the Attorney General shall have been consulted as to the sufficiency and accuracy of the information to be taught in the Ethics Training course. Training may be offered through self-study materials with tests to be taken at home, in-person or online.

Areas to be covered in training shall include but not be limited to:

1. Laws relating to personal financial gain by public servants, including but not limited to laws prohibiting bribery and conflict–of-interest laws.

2. Laws relating to claiming prerequisites of office, including but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.

3. Government transparency laws, including but not limited to, financial interest disclosure requirements and open government laws.

4. Laws relating to fair processes, including but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

The City shall maintain records on those who have completed Ethics Training. Said records shall include the date, the name of the local official who completed the training, and the entity that provided the training. Such training records shall be maintained for at least five years and are subject to disclosure under the Public Records Act.

XVI. ELECTRONIC ~~MAIL~~COMMUNICATION AND ~~MANAGEMENT RETENTION~~TECHNOLOGY USE POLICY

PURPOSE

~~It is the intent of this policy to specifically address the message disposition responsibilities of those who use electronic mail (e-mail). All users will utilize their City-issued e-mail address for all City related communication. Users are encouraged to judicially limit their usage of "cc" (carbon copy) when e-mailing. Users should only "cc" individuals who require the information being sent.~~

~~POLICY STATEMENT~~

~~All records, whether on paper or electronic, may be subject to the mandatory public disclosure requirements of the Public Records Act. Remember, it is the content of the message that determines if the e-mail is a record and how long it must be retained. E-mail is simply the *method of transmission*. While not all e-mail communications are public records, all e-mail communications may be subject to discovery and may be used as electronic evidence in the event of litigation. Discovery is the legal process that permits parties involved in litigation to obtain records and information from each other.~~

~~Under the Public Records Act, a public record is defined as any "writing" containing information relating to the conduct of the public's business that is prepared, owned, used or retained by the City. The Public Records Act defines "writing" as "handwriting, typewriting, printing, photostating, photographing, photocopying, *transmitting by electronic mail* or facsimile, and every other means of recording upon any tangible thing any form of communication... regardless of the matter in which the record has been stored." Specific types of documents, including specific e-mail messages, may be exempt from disclosure, such as preliminary drafts that are not kept in the ordinary course of business, personnel file information, attorney-client communications, and many other types of records.~~

~~As stated above, e-mail communications are considered public records and the retention and disposition of public records is governed by the City's Records Retention Policy. In general, e-mail communications fall into three categories:~~

~~1) E-mails that document the business of the City – such as approvals to initiate a business transaction, changes to contracts, requests and replies to request for public information, direction to consultants, etc. These types of e-mails should be saved, filed and retained pursuant to the City's Records Retention Policy. E-mails may either be printed or be kept electronically in a separate e-mail folder related to the subject matter while the matter is active. Once the matter is concluded, all relevant e-mails must be printed and placed in the paper file for the subject matter and retained per the City's Records Retention Policy.~~

~~Sample retention periods:~~

~~**Email Communication Type**~~	~~**Retention Period**~~
~~Business Transaction~~	~~Minimum 2 Years~~
~~Changes to Contracts~~	~~Completion + 10 Years~~
~~Public Record Requests~~	~~Handled thru City Clerk/2 Years~~
~~Direction to Consultants~~	~~Completion + 10 Years~~

~~2) E-mails that provide general information – such as announcing the dates and times of meetings, responses to listerves, requests for general City information other than public records, etc. – need not be saved pursuant to the records retention policy. If these records provide useful information, they should be placed in the appropriate subject file, either electronically or in hard copy, and retained until no longer needed by the individual.~~

~~3) E-mails that are not considered public records – such as lunch arrangements between friends, personal messages, informal communication between staff that is not related to City business, etc. Such messages should not be left on the City computer system any longer than necessary. Employees are strongly encouraged to delete e-mails which are not otherwise required to be kept by law, or whose preservation is not necessary or convenient to the discharge of their duties or the conduct of City business.~~

- ~~The sender of the e-mail is responsible for ensuring proper retention of e-mails sent within the City. All other copies are duplicates and may be deleted. However, if an e-mail was sent by an outside agency, a member of the public or anyone outside the City, the recipient is responsible for retention.~~

~~POLICY~~

~~E-mail communications are subject to the City's Records Retention Policy. Any e-mail communication containing information that documents the business of the City (policy-making, decision-making, contract changes, etc.) must be moved to a subject file, either electronically or in hard copy, as soon as possible, and kept for the subject matter's retention period. Any attachment that meets the definition of a public record must also be stored for the length of its retention period. Personal messages should be deleted as soon as practical. The responsibility for compliance with this policy lies with each employee.~~

~~The e-mail system shall not be used as a permanent storage medium. Employees shall not retain e-mail messages in their electronic inboxes longer than **30 days**. Messages having value beyond 30 days must be stored in a subject folder or medium that lends itself to records retention (i.e., paper). Such e-mail messages will be subject to the City's Records Retention Policy. As stated above, e-mails that are public records may be disclosable, unless they are exempt from disclosure under one of the applicable provisions of the Public Records Act, e.g., personnel files, attorney-client communications, deliberative process, etc.~~

~~Each employee is responsible for managing their e-mails on a weekly basis, which includes filing e-mails that are public records and deleting e-mails that are not public records, as explained above. In addition, each employee will empty their "Deleted Items" folder on a consistent basis. All deleted files will be removed from the server after 30 days by the IT Department.~~

This policy defines appropriate uses for City-owned, operated and maintained technology resources. It advises all employee regarding the access to, and the disclosure of information created, transmitted, received, and stored through the internet, City intranet, and both internal and external e-mail.

The City's policy guides users in the performance of their duties as a city employee and to avoid situations which can put both employees and the City at risk. It is also intended to provide notice that information created, transmitted, received or stored through the Internet and e-mail is not considered confidential or private and is subject to audit and review.

POLICY STATEMENT

These policies cover all City employees. The City's computer systems (including all hardware and software) are the exclusive property of the City and are provided to employees for creating and transmitting City business-related information. The City treats all computer files as City information. E-mail accounts are provided for general business purposes only. All employees are required to abide by the guidelines established herein to ensure productive use of the Internet, e-mail and technology. Improper use of these items is not acceptable and is subject to applicable disciplinary action as described in Section X of the Personnel Rules and Regulations.

This policy is by no means a complete description of all applicable scenarios that can arise with the use of technology. Restrictions not specifically identified do not constitute an implication of approval. Management reserves the right, in fair judgement, to determine inappropriate usage. Employees unsure as to authorization of a particular use shall inquire with their supervisor or City Manager as appropriate.

PRIVACY

The City's computer system and network are provided to City employees as a tool to assist employees in efficiently performing their employment responsibilities. Employees should be aware that any electronically stored information created, sent or received from others are the property of the City and may be retrieved and reviewed at the City's discretion. Work transmitted on these systems may be subject to investigation, search, and review by others and the City may be required to produce this information pursuant to a court order, subpoena or statute.

The City expressly reserves the right to access, monitor, review, copy and delete all computer data. All information, including text and images may be disclosed to law enforcement or to other third parties without prior consent of the sender or receiver.

The City reserves the right to monitor and review Internet usage, e-mail and other computer transmissions, as well as any stored information created or received on City owned computer resources. There is no expectation of personal privacy in the use of City technology. All employee e-mail is public information and subject to subpoena and therefore may be used in litigation by parties who sue the City or its employees.

LITIGATION HOLD PROCEDURES REGARDING E-MAIL

~~All~~All City records, whether paper or electronic, are governed by the public disclosures requirements of the California Public Records Act (PRA). Therefore, any information sent or received by Public Officials or employees on either City-owned or personal electronic devices, that pertains to City business and otherwise qualifies as a disclosable public record under the PRA, is subject to disclosure upon request. Furthermore, all e-mail communications that qualify as public records may be subject to the discovery process in litigation and may be used as electronic evidence in the event of a lawsuit.

If any e-mails are identified as relating to a lawsuit, then a temporary hold or "litigation hold" may be placed on the subject records, including e-mail communications. Any such records, including e-mail, are considered to be temporarily outside of or suspended from the City's ~~records retention policy~~Record Retention Policy and shall not be destroyed until the City Attorney's office has provided notification that the litigation is complete. Once the litigation is finished, the records, including e-mail, are to be released from the litigation hold and once again become subject to the City's ~~Records~~Record Retention Policy.

CONFIDENTIALITY

The City seeks to protect confidentiality of records stored on its computer systems. Employees must exercise caution when creating or transmitting City business information electronically. Business information may not be transmitted to employees or other individuals who are not authorized to receive such information. E-mail which contains confidential attorney-client information may not be disclosed to non-City personnel except through the City Attorney's office, unless so authorized by the City Manager or his/her designee, or required under law. Further, only authorized City representatives are permitted to communicate with non-employees on behalf of the City via the City computer system. If an employee is unsure as to whether a communication is authorized, it is the employee's responsibility to inquire with their supervisor or City Manager as appropriate.

Rules prohibiting theft or vandalism apply to software and data as well as to physical equipment. All software, data, reports, messages, and information stored on local and network hard drives, as well as other products created using the City's computer resources are the property of the City and access to them may be obtained without prior authorization by the user. The City reserves the right to set permissions and accessibility rights as it deems necessary to all computer resources.

REMOTE ACCESS AND OVERTIME

The City provides offsite e-mail and intranet site access for convenience to employees. This access enables employees to work offsite and after hours when such work proves immediate and/or necessary. In some instances, the use of this access necessitates overtime to be paid. The Fair Labor Standards Act (FLSA) requires employers to pay overtime as described in Section IV, subsection J, of the Personnel Rules and Regulations.

Employees are required to record actual time worked on official timecards. Use of overtime via remote access technologies must have prior supervisor approval. Failure to follow the City's overtime approval procedures will result in payment for all legitimate hours worked, but may be subject to disciplinary action per Section X of the Personnel Rules and Regulations.

Overtime provisions do not apply to employees who are exempt from FLSA overtime because of the executive, administrative or professional nature of their job duties.

EXPRESSLY PROHIBITED USES

The City expressly prohibits certain uses of City communications and electronic technologies. Any uses of City technology that contain offensive, threatening, defamatory, or harassing statements or language, including disparagement of others based on their race, color, national origin, sex, sexual orientation, age, disability, veteran status, religious or political beliefs, or any other protected classification, are strictly prohibited. Users are prohibited from visiting websites or disseminating communications containing sexually explicit, violent or otherwise inappropriate content.

Employees are prohibited from downloading and/or installing software without prior consent from the City's Information Technology Manager. Such software may contain unwanted computer viruses that could cause serious damage to City computer systems. Moreover, the City can be held liable for any non-licensed software operating on its systems. Computer games and/or entertainment programs are prohibited.

Violations of expressly prohibited uses are subject to disciplinary action per Section X of the Personnel Rules and Regulations, up to and including termination.

CELL PHONES

Cell phones are practical and necessary equipment for City operations. The City offers City-owned cell phones for field positions and/or stipends for use of a personal cell phone for the City Manager, Department Heads, and any other employee who may have need for cell phone use for City business, as approved by the City Manager. Use of cell phones for City business is subject to Section XVI Electronic Communication and Technology Use Policy.

6/16/2016

File #: 1431-16 **Item #:** D.

Indian Wells City Council
Staff Report - City Clerk

City Manager Employment Agreement

RECOMMENDED ACTION:

Council **CONSIDERS** any possible action concerning Performance Pay provision in the City Manager Employment Agreement dated June 6, 2013 and directs Staff to **APPROPRIATE** any awarded funds.

DISCUSSION:

The State Legislature in 2012 passed AB 1344 to address abuses by the City of Bell. A component of the bill requires action in regards to compensation of the "local agency executive" be held at an open, regular session of the local agency. The City Council will conduct its annual evaluation of the City Manager in special closed session in the morning on July 16, 2015. The Council then in open session at a regular meeting may consider any possible action concerning Performance Pay.

City Manager Employment Agreement provision:

> **"B. Performance Pay.** The City Manager will be eligible for an annual incentive award not to exceed ten percent (10%) of Base Salary based on the results of his annual performance evaluation. The incentive may be based, in part, on the accomplishment of specific goals set by the City Council that are achieved by the City Manager. Any performance incentive awarded under this Section shall be in a lump sum payment. Notwithstanding the above, the issuance of any incentive award is at the sole discretion of the City Council. Further, any performance pay awarded under this Section shall not become a part of the City Manager's Base Salary."

FISCAL IMPACT:

Any Performance Pay award would require a supplemental budget appropriation.

6/16/2016

File #: 1432-16 **Item #:** E.

Indian Wells City Council
Staff Report - City Clerk

Summer 2016 Council Meeting Schedule

RECOMMENDED ACTION:

Council **APPROVES** the proposed Summer 2016 meeting schedule and provides **DIRECTION** on any other Council meeting schedule related matter.

DISCUSSION:

The proposed Summer 2016 Council meeting schedule is:

Date	Time	Type of Meeting	Status
~~July 7~~	~~1:30 p.m.~~	~~Regular Council~~	Canceled
~~July 21~~	~~1:30 p.m.~~	~~Regular Council~~	Canceled
~~August 4~~	~~1:30 p.m.~~	~~Regular Council~~	Canceled
~~August 18~~	~~1:30 p.m.~~	~~Regular Council~~	Canceled
~~September 1~~	~~1:00 p.m.~~	~~Quarterly Housing Authority~~	**Canceled**
	~~1:30 p.m.~~	~~Regular Council~~	**Canceled**
September 15	1:00 p.m.	Quarterly Housing Authority	**Tentative**
	1:30 p.m.	Regular Council	**Proposed**

6/16/2016

File #: 1434-16 **Item #:** A.

Indian Wells City Council
Council Member Report

CV Link Project Inclusion in CVAG's Transportation Project Prioritization Study - Peabody

RECOMMENDED ACTION:

Council provides **DIRECTION** to the CVAG Executive Committee representative in relation to CV Link project being included in the Transportation Project Prioritization Study (TPPS) list.

DISCUSSION:

Council Member Ty Peabody requests the Council discusses CV Link project being included in the Transportation Project Prioritization Study and provides direction to the CVAG Executive Committee representative for the June 27, 2016 CVAG Executive Committee meeting.

To: Wade

From: Ty

Date: May 30, 2016

RE: CVAG Attempt to Put CV Link on TPPS List

05 31 '16 PM04:42 City OF IH

Wade,
CVAG is attempting to maneuver the CV Link onto the TPPS list, which would make it eligible for Measure A Funds. I am requesting that this be put on the June 16 agenda for the purpose of directing the mayor to vote against such a motion. We voted on this issue in September.

Measure A was approved by the public – they should decide the issue, not CVAG.

Attachment 1

ITEM 7A

Coachella Valley Association of Governments
Transportation Committee
June 06, 2016

Staff Report

Subject: **Approve the Transportation Project Prioritization Study, Regional Arterial Cost Estimate, and Regional Active Transportation Plan**

Contact: Eric Cowle, Transportation Program Manager (ecowle@cvag.org)

Recommendation: Approve the Transportation Project Prioritization Study (TPPS), Regional Arterial Cost Estimate (RACE), and Regional Active Transportation Plan (ATP).

TTAS Committee: Reviewed and provided feedback (Nine meetings in 2015, 2016)
Joint TTAS/TPS Sub-Committee: Reviewed and provided feedback (Meetings on November 23, 2015 and April 25, 2016)

Background: Approximately every five years, CVAG reviews the Regional Transportation Network. At their meeting on April 28, 2014, the CVAG Executive Committee unanimously authorized the CVAG Executive Director to, among other things, update the Non-Motorized Transportation Plan (NMTP) with the Caltrans Active Transportation Plan (ATP) criteria and update the Transportation Project Prioritization Study (TPPS) and Regional Arterial Cost Estimate (RACE). The authorization involved , incorporating regional ATP projects, especially CV Link and other qualifying projects, into the overall TPPS. The NMTP, TPPS and RACE were last approved in 2010.

The TPPS ranks the regional arterial projects in the Coachella Valley based on a system of criteria adopted by the Executive Committee. The accompanying RACE provides a cost estimate, in current dollars, of the segmented improvement projects. Once adopted, the TPPS, RACE and Regional ATP serve as the basis for the Transportation Uniform Mitigation Fee (TUMF) Nexus Study.

Process: Michael Baker International (MBI) was selected in December 2014 as the consultant to assist CVAG and its member agencies in updating the TPPS, RACE and ATP documents. The MBI team has met with the Transportation Technical Advisory Subcommittee (TTAS) in every one of their nine meetings since January of 2015 to develop the chapters of the Regional ATP, TPPS and RACE. Additionally, The Technical Planning Sub-Committee has met twice to consider the ATP and its linkages to the RACE and TPPS.

TPPS: TTAS, MBI and CVAG staff developed the eligible roadway segments starting with the list from the 2010 TPPS, removing any segments that were deemed complete and adding segments suggested by TTAS members. Once a segment qualifies for regional funding, a series of evaluation criteria determine the order of priority. The four criteria were the same ones used in the 2010 TPPS:

1. Roadway Surface Condition
2. System Continuity
3. Level of Service
4. Accident Rate

As part of its scope, MBI examined the possibility of expanding the TPPS scoring criteria to include Benefit-Cost ratios, but in presenting this analysis to the TTAS, it was determined that the available data would ultimately not provide a robust, unique evaluation tool.

MBI has taken all of the roadway segments and converted them into buildable projects, computed the final scores and ranked the projects based upon the total scores.

RACE: The RACE determines a uniform methodology for roadway segments contained in the TPPS and estimates the cost to complete the ultimate improvements. MBI's costs were reviewed by TTAS. Costs are based upon planning-level unit costs for right-of-way, construction and impact factors for unique project cost additions.

ATP: While the TPPS and RACE are updates to existing documents, the ATP is different from the NMTP that it updates. In 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) in the Department of Transportation (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SR2S), into a single program with a focus to make California a national leader in active transportation. The purpose of the ATP is to encourage increased use of active modes of transportation by achieving the following goals:

- Increase the proportion of trips accomplished by biking and walking,
- Increase safety and mobility for non-motorized users,
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas (GHG) reduction goals, pursuant to SB 375 (0f 2008) and SB 341 (of 2009),
- Enhance public health,
- Ensure that disadvantaged communities fully share in the benefits of the program, and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

On November 23, 2015 TTAS and Technical Planning Subcommittee (TPS) met as a joint body to provide feedback on Regional Active Transportation Projects which had been prioritized from the local ATPs developed by the individual jurisdictions. An outcome of that meeting was the development of criteria to define regionally significant active transportation projects and the placement of those projects in separate list within the TPPS. This meant that regional ATP projects would not be utilized as criteria in evaluating the scoring (ranking) for arterial roadway projects. Instead the arterial roadways would stand on their own, separate from the ATP list. Additionally, it should be noted that the ATP projects were not proposed for ranking against one another, therefore all regional ATP projects in the TPPS would simply be listed as regional projects.

The joint TTAS/TPS committee met again on April 25, 2016 to review the draft TPPS/RACE/ATP documents and provide feedback. Each jurisdiction was afforded an ATP packet (maps, tables, descriptions, etc.) of local and regional ATP projects within their respective area. In addition, those jurisdictions with one or more of the five (5) major regional transit hubs were provided with exhibits, maps, and a narrative of their respective hub(s).

Each jurisdiction has a complete local ATP included in the overall Regional ATP. Once approved by CVAG, the local jurisdictions are free to amend/approve/utilize their individual ATPs at their discretion.

Having a regional ATP plan benefits CVAG member jurisdictions in many ways. The ATP can be used to achieve the goals outlined in the ATP legislation, apply for grants, identify and map how regional projects might interconnect, improve access to destinations, improve safety for all users (regardless of age and ability), increase mobility options and access for all including the low-income transit dependent population, identify a network for making a regional trip by seamlessly connecting biking and walking with transit for regional trips, etc.

With RACE, ATP and TPPS complete, MBI is able to move forward with the TUMF Nexus Study this year.

Fiscal Analysis: Adoption of the TPPS, RACE and ATP documents will have no fiscal impact as the studies, including the subsequent TUMF Nexus Study have already been budgeted for in previous years. Adoption will have a long-range impact on projects that are planned and funded through CVAG consistent with the TPPS. The cost of the Regional Transportation System as itemized by the 2015-2016 RACE totals $3.434 billion. This compares to $2.987 billion in the 2010 RACE.

Attachments:

TPPS: http://www.cvag.org/library/pdf_files/trans/Transportation_Documents/CVAG%20TPPS%202016-05-25.pdf

RACE: http://www.cvag.org/library/pdf_files/trans/Transportation_Documents/CVAG%20RACE%202016-05-25.pdf

ATP: http://www.cvag.org/library/pdf_files/trans/Transportation_Documents/CVAG%20ATP%202016-05-25.pdf

APPENDIX: http://www.cvag.org/library/pdf_files/trans/Transportation_Documents/CVAG%20APPX%202016-05-25.pdf

6/16/2016

File #: 1439-16 **Item #:** A.

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.