
City Council Meeting Agenda

Thursday, November 17, 2016

1:30 PM

City Hall Council Chamber



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

Any public records, relating to an open session agenda item, that is distributed within 72 hours of the meeting is available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

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

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

2. APPROVAL OF THE FINAL AGENDA

3. PROCLAMATIONS AND PRESENTATIONS

- A. [1554-16](#) **Presentation of K-9 Tactical Ballistic Vest Donations by Don Hanson, Mary Hanson, Mary Kallusky, Karen Dennis, Christine Maginn, and Christine Breining**
- B. [1552-16](#) **Indian Wells Mini Muster Day Presentation**
- C. [1555-16](#) **Presentation by Ms. Linda Blank on Modernism Week**
- D. [1553-16](#) **Vacation Rental 2016 Wrap-up Report**

4. 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

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. [1557-16](#) **Fourth Amendment to Sunline Joint Powers
Transportation Agency Agreement****

RECOMMENDED ACTIONS:

Sunline Transit Agency requests the Council **APPROVES** the fourth amendment to the Sunline Joint Powers Transportation Agency Agreement to include specific authority for the Sunline Board of Directors to provide compensation for attendance at Board and committee meetings consistent with legal limitations applicable to general law cities to a maximum of \$150 per month; and

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

Attachments: [Fourth Amendment](#)

**B. [1564-16](#) **Purchase of Replacement Indian Wells Motorcycle
[Budgeted]****

RECOMMENDED ACTIONS:

Council **APPROVES** the purchase of a new 2016 BMW Motorcycle for \$29,450 from BMW Motorcycles of Riverside plus a contingency of \$550 for any overages; and

DECLARES the 2011 motorcycle as surplus and **DIRECTS** Staff to auction the 2011 motorcycle.

Attachments: [Sheriff's Department Bid Memo](#)

**C. [1556-16](#) **Change Order to California Joint Powers Insurance
Authority [Budgeted]****

RECOMMENDED ACTION:

Council **APPROVES** change order in the amount of \$1,989 to California Joint Powers Insurance Authority for all risk property insurance for Fiscal Year 2016/17.

Attachments: [Change Order](#)

D. [1547-16](#) **City Treasurer’s Report for August 2016**

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer’s Report for August 2016.

Attachments: [City Treasurer's Report](#)

E. [1567-16](#) **City Treasurer’s Report for September 2016**

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer’s Report for September 2016.

Attachments: [City Treasurer's Report](#)

F. [1561-16](#) **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the October 20, 2016 FAMD Warrants and Demands

Attachments: [10-20-16 FAMD Warrants](#)

G. [1562-16](#) **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the November 3, 2016 FAMD Warrants and Demands

Attachments: [11-03-16 FAMD Warrants](#)

H. [1563-16](#) **FAMD Warrants and Demands**

RECOMMENDED ACTION:

Council **APPROVES** the November 17, 2016 FAMD Warrants and Demands

Attachments: [11-17-16 FAMD Warrants](#)

I. [1551-16](#) City Warrants and Demands**RECOMMENDED ACTION:**

Council **APPROVES** the October 20, 2016 City Warrants and Demands

Attachments: [10-20-16 City Warrants](#)

J. [1559-16](#) City Warrants and Demands**RECOMMENDED ACTION:**

Council **APPROVES** the November 3, 2016 City Warrants and Demands

Attachments: [11-03-16 City Warrants](#)

K. [1560-16](#) City Warrants and Demands**RECOMMENDED ACTION:**

Council **APPROVES** the November 17, 2016 City Warrants and Demands

Attachments: [11-17-16 City Warrants](#)

6. PUBLIC HEARINGS

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

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

A. [RES-183-16](#) **General Plan Amendment, Zone Map Amendment, and Modification to Conditional Use Permit for the Renovation and Reconfiguration of The Sands Hotel located at 75188 Highway 111, and Finding the Project Exempt Under CEQA**

RECOMMENDED ACTIONS:

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

FINDS the project to be exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15303 (Class 3); and

INTRODUCES Ordinance by title only and waives further reading, amending Indian Wells Municipal Code Section 21.14.020 pertaining to land uses in Planning Area 2 and zoning boundaries for The Sands Hotel and The Nest; and

ADOPTS Resolution approving General Plan Amendment No. 2016-01, Zoning Map Amendment No. 2016-01 modifying the existing non-conforming Office Professional Land Use/Zoning Designation to Community Commercial for The Sands Hotel and The Nest properties, and modifying Conditional Use Permit No. 2-80-12 for the renovation and reconfiguration of The Sands Hotel located at 75188 Highway 111.

Attachments: [Vicinity Map](#)
[Ordinance](#)
[Site Map & Floor Plans](#)
[Land Use & Zoning Map](#)
[Elevations & Color Palette](#)
[Proposed Landscape Plans](#)
[Reciprocal Parking Agreement](#)
[Resolution](#)

B. [ORD-127-16](#) Adopting by Reference 2016 Edition of California Building Standards Code and Other Uniform Codes

RECOMMENDED ACTIONS:

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

ADOPTS Ordinance amending Chapters 16.12, 16.16, 16.20, 16.24, 16.30, 16.32, 16.33, 16.35 and 16.38 of the Municipal Code; adopting by reference the 2016 Edition of the California Building Standards Code (California Code of Regulations, Title 24); together with certain additions, insertions, deletions and changes thereto; and adopting by reference the 2015 Uniform Swimming Pool, Spa & Hot Tub Code and the 2015 International Property Maintenance Code.

Attachments: [Ordinance](#)

D. [RES-184-16](#) Resolution Approving General Plan Amendment 2016-02, Re-designing City Bikeways and Making Associated Graphic and Text Changes to the General Plan Circulation and Open Space Elements and Finding the Project Exempt from CEQA [Continued to December 15, 2016 Council Meeting]

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. [ORD-128-16](#) Establish Regulations and Permit Procedures for Residential Indoor Marijuana Cultivation, and Finding the Project Exempt Under CEQA

RECOMMENDED ACTIONS:

Council **FINDS** the action does not constitute a project subject to the provisions of the California Environmental Quality Act (CEQA); and

INTRODUCES Ordinance by title only and waives further reading, amending Title 8 of the Indian Wells Municipal Code by adding Chapter 8.46 entitled "Residential Indoor Marijuana Cultivation;" and

ADOPTS Resolution authorizing use of Live Scan technology to assist the City in implementing its Residential Indoor Marijuana Cultivation Permitting Regulations.

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

B. [ORD-129-16](#) Requiring Landscape-Related Businesses to Complete Water Efficiency Course

RECOMMENDED ACTION:

Council **INTRODUCES** Ordinance read by title only and waives further reading, amending Chapter 5.40 of the Municipal Code to add water efficiency curriculum to the educational prerequisites for landscape-related businesses for issuance of a City Business License.

Attachments: [Ordinance](#)

C. [1558-16](#) **Grants-in-Aid Committee Recommendations for FY
2016-17 Funding Cycle**

RECOMMENDED ACTIONS:

Council **APPROVES** the Grants-in-Aid Committee funding recommendations for Fiscal Year 2016-17 funding cycle, except for Desert Arc; and

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

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

AUTHORIZES and **DIRECTS** the processing of the remaining Fiscal Year 2016-17 requisitions.

Separate discussion and motion:

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

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

AUTHORIZES and **DIRECTS** the processing of the Fiscal Year 2016-17 requisition for Desert Arc.

Attachments: [Funding Allocation Spreadsheet](#)

D. [1565-16](#) **50th Anniversary Birthday Bash at the Indian Wells
Golf Resort**

RECOMMENDED ACTION:

Council **AUTHORIZES** and **DIRECTS** Staff to move forward on planning and executing the 50th Anniversary Birthday Bash to be held on February 27, 2017.

E. [1566-16](#) **Letter to Desert Recreation District Board Regarding General Manager's Comments at the November 2, 2016 Special Council Meeting**

RECOMMENDED ACTIONS:

Council **CONSIDERS** the draft letter to the Desert Recreation District's Board of Directors relating to comments made at November 2, 2016 Special Council Meeting and any **AMENDMENTS** to the letter; and

AUTHORIZES and **DIRECTS** the Mayor to sign the letter, and **DIRECTS** Staff to send the letter to the Desert Recreation District Board of Directors and the Riverside County Board of Supervisors; and

RECEIVES and **FILES** the transcript of Desert Recreation District General Manager Kevin Kalman comments from the November 2, 2016 Special Council meeting.

Attachments: [Draft Letter](#)
[Transcript of Mr. Kalman's comments](#)

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. 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 Committee

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 Committee

D. Mayor Pro Tem Balocco

Coachella Valley Mountains Conservancy
Coachella Valley Economic Partnership
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. ADJOURNMENT

To a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on December 15, 2016 in the City Hall Council Chamber.

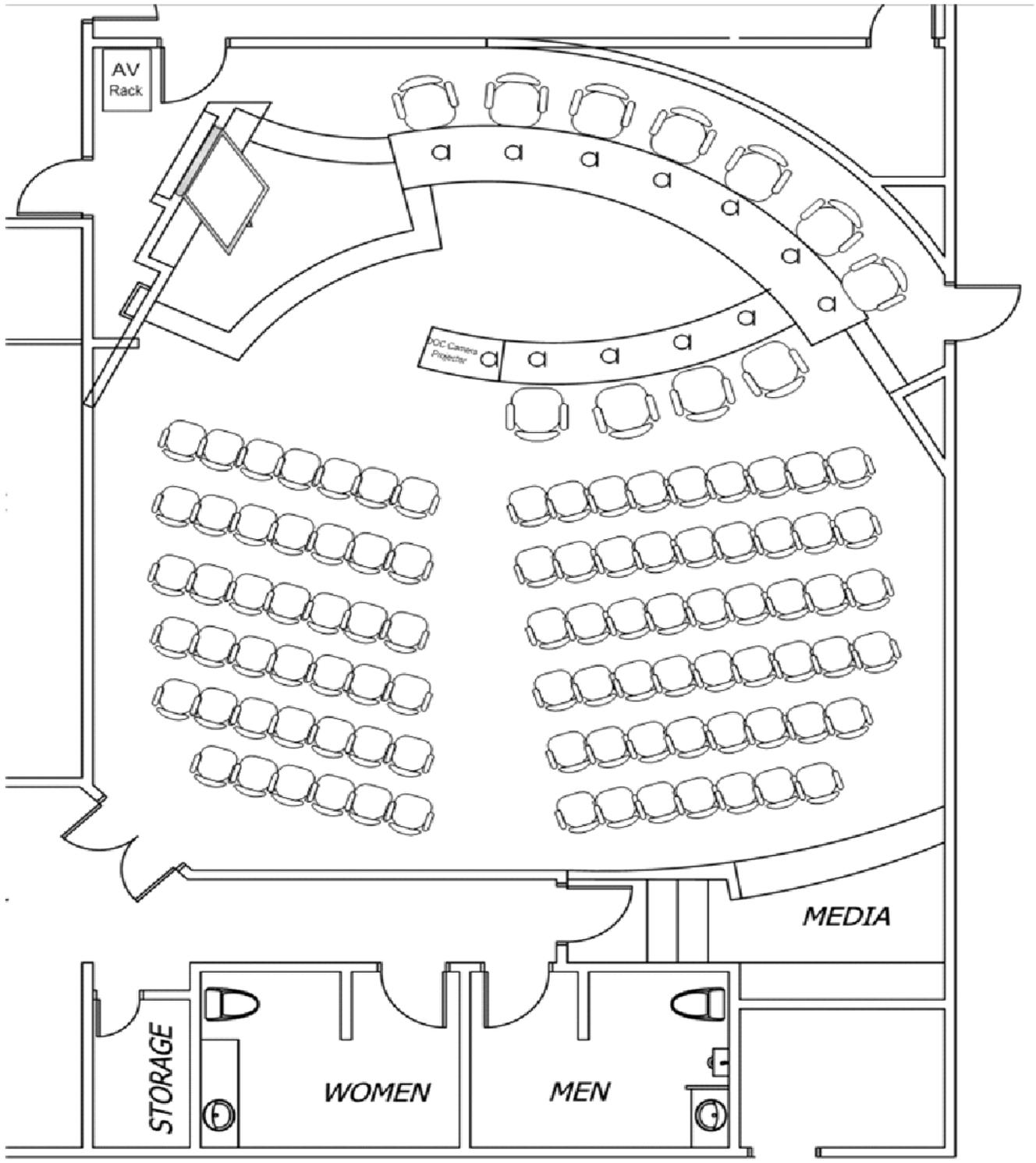
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Chief Deputy City Clerk at (760) 346-2489. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility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

I, Anna Grandys, certify that on November 10 2016, I caused to be posted and served upon all members of the City Council, a notice of a City Council Meeting to be held on November 17, 2016 at 1:30 p.m. in the City Hall Executive Conference Room.

Notices were posted at Indian Wells Civic Center, Village I [Ralph's], and Indian Wells Plaza [Indian Wells Chamber of Commerce], and were delivered to all City Council members.



Anna Grandys, CMC
City Clerk





City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1554-16 Item #: A.

Presentation of K-9 Tactical Ballistic Vest Donations by Don Hanson, Mary Hanson, Mary Kallusky, Karen Dennis, Christine Maginn, and Christine Breining



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1552-16 **Item #:** B.

Indian Wells Mini Muster Day Presentation



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1555-16 Item #: C.

Presentation by Ms. Linda Blank on Modernism Week



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1553-16 **Item #:** D.

Vacation Rental 2016 Wrap-up Report



11/17/2016

File #: 1557-16 Item #: A.

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

Fourth Amendment to Sunline Joint Powers Transportation Agency Agreement

RECOMMENDED ACTIONS:

Sunline Transit Agency requests the Council **APPROVES** the fourth amendment to the Sunline Joint Powers Transportation Agency Agreement to include specific authority for the Sunline Board of Directors to provide compensation for attendance at Board and committee meetings consistent with legal limitations applicable to general law cities to a maximum of \$150 per month; and

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

DISCUSSION:

The Sunline Transit Agency Board of Directors (the "Board") at their May 25, 2016 meeting requested each member agency to consider and approve the fourth amendment to the Joint Powers Transportation Agency Agreement (the "JPA"). The Sunline Transit Agency Board adopted Resolution No. 0753 to increase Board compensation and direct staff to prepare an amendment to the Joint Powers Agreement by the following vote: Yes: 4 (Desert Hot Springs, Indian Wells, Indio, Palm Desert) No: 2 (La Quinta, Rancho Mirage) - Abstain: 1 (Palm Springs). To date, the cities of Cathedral City, Indio, La Quinta, and Palm Desert have considered and approved the amendment on votes of 5-0. The City of Rancho Mirage voted 5-0 not to approve the amendment.

The amendment adds a compensation section allowing for the Board to provide by resolution a stipend for attending Board and committee meetings. The proposed maximum monthly stipend of \$150, consists of \$100 for Board meeting attendance and \$25 for each committee meeting attended, subject to the general law cities limitations in Government Code Section 36516. The current stipend is \$50 for each Board meeting attended, and \$25 for each committee meeting attended.

FISCAL IMPACT:

There is no direct fiscal impact to the City by approving this fourth amendment

File #: 1557-16 **Item #:** A.

ATTACHMENT:

1. Fourth Amendment

FOURTH AMENDMENT TO SUNLINE JOINT POWERS TRANSPORTATION AGENCY AGREEMENT

This Fourth Amendment to SunLine Joint Powers Transportation Agency Agreement ("Fourth Amendment") is entered into by and between the COUNTY OF RIVERSIDE, the CITY OF COACHELLA, the CITY OF INDIO, the CITY OF LA QUINTA, the CITY OF INDIAN WELLS, the CITY OF PALM DESERT, the CITY OF RANCHO MIRAGE, the CITY OF PALM SPRINGS, the CITY OF CATHEDRAL CITY, and the CITY OF DESERT HOT SPRINGS (collectively, the "Parties"), and any other public agencies which subsequently becomes parties to the Agreement. This Fourth Amendment is made and entered into on the date last executed by the Parties hereto.

RECITALS

A. SunLine Transit Agency is a joint powers agency established by the SunLine Joint Powers Transportation Agency Agreement (the "Agreement") on or about May 20, 1977.

B. The first amendment to the Agreement was approved on or about June 11, 1991, and a second amendment to the Agreement was approved on or about March 31, 1992. A third amendment to the Agreement was prepared in 2013 but SunLine is still in the process of obtaining all of the required signatures for that third amendment.

C. The Parties desire to enter into this Fourth Amendment to revise the Agreement to include specific authority for the Board of Directors to receive compensation for attendance at Board and committee meetings consistent with State law.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the promises made and recited herein, the parties do hereby enter into this Fourth Amendment which modifies and amends the Agreement as follows:

1. **AMENDMENT.** Section 3 (Board of Directors), paragraph E (Meetings) is amended to add a new subparagraph 3, to read as follows:

"3) Compensation

The Board may, by resolution, provide Board members a stipend for attendance at Board meetings and subcommittee meetings, provided that the maximum stipend a Board member may receive shall be one hundred fifty dollars (\$150) per month consistent with the limitations on compensation for service on a commission, committee, board, authority, or similar body applicable to general law cities in Government Code section 36516(c), or such other amount as may be applicable to general law cities or joint powers agencies in the future."

2. GENERAL PROVISIONS.

2.1 **Remainder Unchanged.** Except as specifically modified and amended in this Fourth Amendment, the Agreement, as amended, remains in full force and effect and binding upon the parties.

2.2 **Applicable Law.** The laws of the State of California shall govern the interpretation and enforcement of this Fourth Amendment.

2.3 **References.** All references to the Agreement include all their respective terms and provisions. All defined terms utilized in this Fourth Amendment have the same meaning as provided in the Agreement, unless expressly stated to the contrary in this Fourth Amendment.

2.4 **Counterparts.** This Fourth Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment to the Agreement on the date and year first written above.

CITY OF DESERT HOT SPRINGS

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF PALM SPRINGS

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF PALM DESERT

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF INDIO

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF COACHELLA

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF LA QUINTA

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF INDIAN WELLS

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF RANCHO MIRAGE

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

CITY OF CATHEDRAL CITY

Dated: _____

By: _____

Name: _____

Title: _____

ATTEST:

_____, City Clerk

APPROVED AS TO FORM

_____, City Attorney

COUNTY OF RIVERSIDE

Dated: _____

By: _____

ATTEST:

APPROVED AS TO FORM



11/17/2016

File #: 1564-16 Item #: B.

Indian Wells City Council ***Staff Report - Public Safety***

Purchase of Replacement Indian Wells Motorcycle [Budgeted]

RECOMMENDED ACTIONS:

Council **APPROVES** the purchase of a new 2016 BMW Motorcycle for \$29,450 from BMW Motorcycles of Riverside plus a contingency of \$550 for any overages; and

DECLARES the 2011 motorcycle as surplus and **DIRECTS** Staff to auction the 2011 motorcycle.

DISCUSSION:

Background:

The City's motorcycle traffic program was developed in 2003 in response to numerous collisions and resident complaints concerning speeding and traffic safety on Highway 111 and Fred Waring. In addition to addressing complaints and conducting enforcement activities, our Motorcycle Traffic Enforcement Deputy formulates traffic plans for all large special events held in Indian Wells. These events include the BNP Paribas Open, Desert Town Hall, Dr. George Car Show, along with other large events at the hotels, golf resort and Tennis Garden.

The City currently owns and operates one police motorcycle used by our motorcycle deputy. The 2011 BMW has 66,000 miles, with recommended replacement at 60,000.

Analysis:

The Sheriff's Department recommends the City purchase a 2016 BMW R1200 RT-P motorcycle from Riverside BMW. The quote to purchase the new motorcycle, fully outfitted with new equipment, is \$29,479.71. This price includes the installation of a new wireless communications system, optional equipment and radar gun. The Sheriff's Department received three bids and conducted extensive product research. They are recommending the City purchase the BMW from BMW Motorcycles of Riverside based on considerations of safety, service, location and familiarity with the build specifications of the equipment and radio system used by Riverside County.

File #: 1564-16 **Item #:** B.

Staff also recommends the 2011 BMW motorcycle currently in service be declared surplus property and sent to auction for sale.

FISCAL IMPACT:

The total estimated cost is \$29,449.71. The ongoing cost for fuel, service and maintenance is estimated at approximately \$4,600 per year. The purchase is a budgeted item in the City's five-year capital improvement program and was scheduled for replacement in fiscal year 2016/17.

ATTACHMENT:

1. Sheriff's Department Bid Memo



TO: David Gassaway
FROM: Lieutenant Evan Petersen
DATE: September 30, 2016
SUBJECT: Indian Wells Motorcycle Replacement

Due to wear and tear on the current Indian Wells police motorcycle, I began acquiring bids for its replacement. I contacted three BMW motorcycle dealerships that are authorized and certified to build enforcement motorcycles, and are familiar with Riverside Sheriff's specifications. These dealerships were as follows:

- | | | |
|--|------------------|----------------|
| 1) BMW Motorcycles of Riverside | Steven Hobart | (951) 353-0607 |
| 2) Long Beach BMW | Charles Berthron | (562) 426-1200 |
| 3) BMW of Escondido | Rick Johns | (760) 520-1288 |

The following were the bid totals from each entity: Escondido BMW **\$28,924.70**, Riverside BMW **\$29,449.71**, and Long Beach BMW **\$30,121.19**.

I reviewed the bids and found that each are accurate representations of the equipment and service they would provide. I have contacted several local agencies and compared the bids to the cost they recently paid for similar motorcycle builds. The comparisons were similar and their expectations were met.

Of note, Escondido BMW was up front in mentioning their build specifications may raise their cost approximately \$800-1000 depending on our equipment and build sheet changes.

BMW Long Beach and Escondido BMW are excellent dealerships, with long histories of building enforcement motorcycles. However, it may not be convenient if there is a problem with the motorcycle that must be repaired by the builder. BMW of Riverside has built several enforcement motorcycles for many different agencies within Riverside County. Aside from the monetary savings, the location allows a more realistic process if there are any problems encountered after receiving the motorcycle. BMW Motorcycles of Riverside is also familiar with build specifications regarding the equipment and radio system used by Riverside County. Taking these factors into consideration, it is my opinion that BMW Motorcycles of Riverside is the best choice for the city of Indian Wells. I additionally found the city of Palm Desert also moving forward on a purchase from Riverside BMW.



11/17/2016

File #: 1556-16 Item #: C.

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

Change Order to California Joint Powers Insurance Authority [Budgeted]

RECOMMENDED ACTION:

Council **APPROVES** change order in the amount of \$1,989 to California Joint Powers Insurance Authority for all risk property insurance for Fiscal Year 2016/17.

DISCUSSION:

During Fiscal Year 2016/17, the California Joint Powers Insurance Authority (CJPIA) changed property insurance underwriters. The new underwriter, XL Catlin, has different underwriting standards and premium calculations for members. These standards and premium calculations now include member loss experience. At the time of approval of the original CJPIA requisition, premium calculations from the new underwriter were not known. The City's annual premium increased \$1,989 because of the new calculations.

FISCAL IMPACT:

Funding for this change order is budgeted in account number 101.26.01.05580.

ATTACHMENT:

1. Change Order



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

CHANGE ORDER

DATE	DEPARTMENT
10/14/2016	Finance

VENDOR: California Joint Powers

VENDOR #: 7185

PURCHASE ORDER # 012363

PO DESCRIPTION:

FY 2016/17 All Risk Property Insurance

JUSTIFICATION:

Account Number	Original Amount	Increase (Decrease)	Adjusted Total	Budget Available
101.26.01.05580	325,000.00	1,989.00	326,989.00	272,604.00 <i>ur</i>
		-		
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
	-	-	-	
TOTAL:	325,000.00	1,989.00	326,989.00	

Prepared By: Norma Rojo

Date: _____

- Change Orders for less than \$25,000, and within the appropriated budget, may be authorized by the Finance Director
- Change Orders in excess of \$25,000 must be authorized by the City Council on the consent calendar.
- Change Orders which cause the original purchase order to exceed \$25,000 must be authorized by the City Council on the consent calendar.
- Multiple change orders which cumulatively exceed \$25,000 must be authorized by the City Council on the consent calendar.

Change Order Checklist:

- A signed Professional Services Agreement (if adjusted amount is over \$25,000)
- A signed Contract Amendment

Insurance Certificate(s) and indemnification.

 Risk Manager Approval

Copy of 3rd Party Reimbursement Request for Funds (if required)

AUTHORIZED SIGNATURES

Required for all adjustments	Required for all adjustments	Required for increases over \$25,000
	<i>Victoria</i> 10/14/2016	
Department Head	Finance Director	City Manager
Date	Date	Date

32

Attachment #1

City Council Approval:

Meeting Date: _____

Item No. _____



11/17/2016

File #: 1547-16 Item #: D.

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

City Treasurer's Report for August 2016

RECOMMENDED ACTION:

Council **RECEIVES** and **FILES** the City Treasurer's Report for August 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 August 31, 2016:

- The City's cash and investments totaled \$56,397,646.13
- The City's portfolio earned a 1.369% rate of return.

ATTACHMENT:

1. City Treasurer's Report for August 2016.

NET CASH & INVESTMENT SUMMARY AUGUST, 2016

<u>UNRESTRICTED FUNDS</u>	<u>August 2016</u>	<u>August 2015</u>
GENERAL FUND		
101- GENERAL	\$ 6,785,259.81	\$ 5,783,249.42
TOTAL GENERAL FUND	<u>6,785,259.81</u>	<u>5,783,249.42</u>

RESTRICTED FUNDS

SPECIAL REVENUE FUNDS

202 - TRAFFIC SAFETY	135.39	3.99
203 - PUBLIC SAFETY 1/2 CENT SALES TAX	12,708.36	12,412.49
204 - MEASURE "A"	0.49	28,275.00
209 - F.A.M.D. #1	2,481,457.02	2,299,271.48
210 - SCAQMD (VEHICLE REG.)	5,517.81	2,891.11
211 - AB 3229 COPS FUNDING	0.78	0.83
214 - GAS TAX 2103 MAINTENANCE	10,193.11	31,856.86
215 - GAS TAX 2105 MAINTENANCE	9,859.21	10,479.51
216 - GAS TAX 2106 CONSTRUCT/MAINT	5,941.26	3,432.64
217 - GAS TAX 2107 MAINTENANCE	0.20	379.67
218 - GAS TAX 2107.5 ENG./ADMIN	5,290.16	5,222.16
228 - EMERG. UPGRADE SERVICES	3,338,326.18	3,070,614.39
247 - AB 939 RECYCLING FUND	333,405.70	276,888.77
248 - SOLID WASTE	226,011.44	212,201.93
251 - STREET LIGHTING DISTRICT 2000-1	6,570.02	5,372.19
253- INDIAN WELLS VILLAS OPERATIONS	1,054,925.61	980,813.31
254- MOUNTAIN VIEW VILLAS OPERATIONS	1,260,443.54	1,182,739.12
256- HOUSING AUTHORITY	3,257,370.70	2,635,610.42
271 - ELDORADO DRIVE LLMD	86,418.37	88,905.69
272 - MONTECITO/STARDUST LLMD	(1,083.09)	(1,459.71)
273 - CASA DORADO LLMD	3,357.29	3,167.89
274 - THE COVE LLMD	2,888.85	2,690.19
275 - SH 111/IWGR (ENTRANCE) LLMD	280,288.27	322,792.60
276 - CLUB/IW LANE LLMD	52,951.84	55,427.94
277 - COLONY LLMD	36,803.26	32,208.09
278 - COLONY COV ESTATES LLMD	60,529.43	60,098.08
279 - DESERT HORIZONS LLMD	49,905.12	48,643.01
280 - MOUNTAIN GATE LLMD	81,447.97	75,097.73
281 - MOUNTAIN GATE ESTATES LLMD	44,223.93	42,464.17
282 - VILLAGIO LLMD	250,856.06	228,893.73
283 - VAIDYA LLMD	30,033.89	28,832.94
284 - CLUB, SOUTH OF 111 LLMD	14,026.33	11,218.84
285 - MONTELENA LLMD	18,571.74	12,241.97
286 - SUNDANCE LLMD	9,507.62	7,298.26
287 - PROVINCE LLMD	69,324.54	68,533.25
288 - PROVINCE DBAD	542,509.93	485,322.51
TOTAL SPECIAL REVENUE FUNDS	<u>13,640,718.33</u>	<u>12,330,843.05</u>

CAPITAL PROJECT FUNDS

314 - PARK-IN-LIEU FEES	0.20	0.20
315 - CITYWIDE PUBLIC IMPROVEMENT FEE	0.26	0.26
316 - CAPITAL IMPROVEMENT	3,001,118.94	3,515,857.31
319 - ART IN PUBLIC PLACES	358,311.15	332,411.82
321 - HIGHWAY 111 CIRCULATION IMP FEE	0.70	0.70
TOTAL CAPITAL PROJECT FUNDS	<u>3,359,431.25</u>	<u>3,848,270.29</u>

CITY OF INDIAN WELLS
NET CASH & INVESTMENT SUMMARY AUGUST, 2016
 PAGE 2

RESTRICTED FUNDS (Cont.)

	August 2016	August 2015
REPLACEMENT FUNDS		
326 - INFRASTRUCTURE CAPITAL	9,966,594.00	8,478,235.00
327 - FF&E ROLLING STOCK CAPITAL	2,369,958.00	2,332,434.00
328 - GOLF RESORT CAPITAL	3,267,854.09	4,042,338.00
329 - BUILDING & STRUCTURES CAPITAL	3,422,435.00	3,368,243.00
330 - FACILITIES CAPITAL	2,370,026.00	2,332,501.00
TOTAL REPLACEMENT FUNDS	21,396,867.09	20,553,751.00
SUCCESSOR AGENCY FUNDS		
453 - RDA (WHITewater)	83,609.35	433,238.96
456 - RDA OBLIGATION RETIREMENT	0.00	0.00
TOTAL SUCCESSOR AGENCY FUNDS	83,609.35	433,238.96
ENTERPRISE FUNDS		
560 - INDIAN WELLS GOLF RESORT	234,169.26	(106,999.70)
561 - CLUB DRIVE PROPERTY	323,651.90	20,055.11
TOTAL ENTERPRISE FUNDS	557,821.16	(86,944.59)
INTERNAL SERVICE FUNDS		
601 - OPEB BENEFIT FUND	2,594,699.17	2,591,026.93
TOTAL INTERNAL SERVICE FUNDS	2,594,699.17	2,591,026.93
RESERVE FUNDS		
602 - COMPENSATED ABSENCES	560,558.00	551,681.00
603 - SELF INSURANCE	0.00	0.00
TOTAL RESERVE FUNDS	560,558.00	551,681.00
TRUST & AGENCY FUNDS		
732 - SPECIAL DEPOSITS	171,889.46	183,854.67
760 - VISITOR COMMITTEE	0.00	7,793.69
TOTAL TRUST & AGENCY FUNDS	171,889.46	191,648.36
TOTAL ALL FUNDS	49,150,853.62	46,196,764.42
FISCAL AGENTS		
253 - INDIAN WELLS VILLAS	59,975.84	124,159.17
254 - MOUNTAIN VIEW VILLAS	104,999.32	183,978.75
453 - UNION BANK OF CALIFORNIA TRUSTEE	6,739,376.49	8,415,569.51
560 - INDIAN WELLS GOLF RESORT	342,440.86	275,652.04
TOTAL FISCAL AGENTS	7,246,792.51	8,999,359.47
TOTAL ALL FUNDS & FISCAL AGENTS	\$ 56,397,646.13	\$ 55,196,123.89
UNRESTRICTED FUNDS	6,785,259.81	5,783,249.42
RESTRICTED FUNDS	49,612,386.32	49,412,874.47
\$ 56,397,646.13	\$ 55,196,123.89	

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

MONTH: **August 31, 2016**

Investment #	Investment Type	Investment Description	Book Value
Bank Checking & Sweep			
1		Pacific Western Bank - Sweep 45-301117	785,527.14
2		Pacific Western Bank - Accts. Payable 45-523411	0.00
3		Pacific Western Bank - Payroll 45-501752	0.00
4		Union Bank of CA - Sweep Investment 217-0000121	41,815.26
19		Petty Cash	1,400.00
			828,742.40
Managed Pool Accounts			
21		Local Agency Investment Fund - City 98-33-385	9,513,284.79
			9,513,284.79
Bank Certificates of Deposit			
316		Certificate of Deposit-GE Capital Retail Bank 36161NYT9	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 856284Z	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
406		Certificate of Deposit-Ally Bank 02006LC35	250,000.00
			4,500,000.00
Medium Term Corporate Notes			
296		Barclays Bank Corporate Note 06738JVS0	1,000,000.00
322		AT&T Inc. 00206RBF8	1,000,718.99
331		JP Morgan 46625HJG6	1,000,841.40
346		General Electric Cap Corp 36962G6W9	1,002,676.06
369		GE Capital Financial 36163FP64	245,000.00
373		Caterpillar Financial Services Corp 14912L6F3	1,013,342.11
375		Berkshire Hathaway 084664BW0	1,001,221.02
			6,263,799.58
Federal Agency Issues			
334		Freddie Mac 3134G33S7	1,000,000.00
335		Fannie Mae 3136GICF4	1,000,000.00
344		Federal Home Loan Mtg Corp 3134G43H9	2,000,000.00
345		Federal National Mortgage Assn 313G0WN9	2,000,000.00
356		Fannie Mae 3136G26U6	2,000,000.00
357		Fannie Mae 3136G26N2	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
394		Fed. Home Loan Mtg Corp 3134G8UQ0	2,000,000.00
395		Fed. Farm Credit Bank 3133EGAZ8	1,000,000.00
407		Fed. Farm Credit Bank 3133EGDW2	3,000,000.00
408		Fed. Home Loan Mtg Corp 3134G9ML8	2,000,000.00
409		Fed. Home Loan Mtg Corp 3134G9SK4	3,000,000.00
410		Fed. Home Loan Mtg Corp 3134G9NT0	1,000,000.00
411		Fed. Home Loan Mtg Corp 3130A8QD8	1,000,000.00
412		Fed. Home Loan Mtg Corp 3130A8NS8	999,275.00
			27,999,275.00
Total Pooled Cash and Investments			\$ 49,105,101.77
Fair Value Increase (over cost)			174,518.92
Outstanding items			
Outstanding Warrants/Wire Transfers			(119,181.30)
Deposit in Transit			(11,692.32)
Credit Card in Transit			2,106.55
Total Outstanding Items			(128,767.07)
Reconciled Bank Balance			\$ 49,150,853.62
General Ledger Balance			\$ 49,150,853.62
			0.00

City of Indian Wells

Trustee Reconciliation Report - Cash and Investments with City Agents

Finance Department

MONTH: **August 31, 2016**

Investment # Investment Description

Series 2006 A Bonds \$ 34.03 \$ 34.03

Series 2010 A Bonds \$ 1,330,557.36 \$ 1,330,557.36

Series 2014 A Bonds \$ 5,346,662.09 \$ 5,346,662.09

Series 2015 A Bonds \$ - \$ -

Series 2016 A Bonds \$ 62,123.01 \$ 62,123.01

Other Trustees

6 Indian Wells Golf Resort 342,440.86

7 Indian Wells Villas 59,975.84

10 Mountain View Villas \$ 104,999.32 \$ 507,416.02

Total Cash and Investments with City Agents \$ 7,246,792.51

General Ledger Balance \$ **7,246,792.51**

0.00

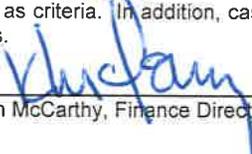
**The City of Indian Wells
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Bank Certificates of Deposit	4,250,000.00	4,308,507.50	4,250,000.00	8.65	1,561	696	1.585	1.607
Certificates of Deposit	245,000.00	251,798.75	245,000.00	0.50	1,830	1,320	1.775	1.800
Managed Pool Accounts - LAIF	9,513,284.79	9,513,284.79	9,513,284.79	19.37	1	1	0.606	0.614
Money Market Sweep/Checking Account	828,742.40	828,742.40	828,742.40	1.69	1	1	0.246	0.250
Negotiable CD's	250,000.00	251,725.00	250,000.00	0.51	1,827	1,581	1.479	1.500
Medium Term Corporate Notes	6,000,000.00	6,049,620.00	6,018,799.58	12.26	1,667	539	1.846	1.872
Federal Agency Issues - Callables	28,000,000.00	28,025,880.00	27,999,275.00	57.02	1,673	1,248	1.488	1.509
Investments	49,087,027.19	49,229,558.44	49,105,101.77	100.00%	1,312	853	1.350	1.369

Total Earnings	August 31 Month Ending
Current Year	56,478.47
Average Daily Balance	53,655,290.70
Effective Rate of Return	1.24%

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


Kevin McCarthy, Finance Director

9/16/2016

Reporting period 08/01/2016-08/31/2016

Run Date: 09/16/2016 - 13:23

No fiscal year history available

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

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
Bank Certificates of Deposit												
38143A5L5	338	Goldman Sachs Bank		02/06/2013	250,000.00	250,562.50	250,000.00	1.050		1.036	158	02/06/2017
SYS364	364	Pacific Western Bank		03/10/2015	250,000.00	250,000.00	250,000.00	1.000		1.000	251	05/10/2017
SYS316	316	GE Capital Retail Bank		05/25/2012	250,000.00	252,152.50	250,000.00	1.800		1.800	266	05/25/2017
17284CJG0	348	CIT BANK		07/24/2013	250,000.00	251,897.50	250,000.00	1.400		1.381	326	07/24/2017
02587DKR8	337	American Express Centurion		02/06/2013	250,000.00	251,867.50	250,000.00	1.700		1.677	335	08/02/2017
319141CQ8	361	FIRST BANK OF HIGHLAND		10/15/2014	250,000.00	251,197.50	250,000.00	1.250		1.233	410	10/16/2017
81423LBN1	360	SECURITY FEDERAL		10/15/2014	250,000.00	251,230.00	250,000.00	1.250		1.233	410	10/16/2017
48124JSY5	339	JP Morgan Chase		02/27/2013	250,000.00	250,327.50	250,000.00	1.125		1.110	536	02/19/2018
20451PBG0	349	Compass Bank		07/24/2013	250,000.00	255,147.50	250,000.00	1.700		1.677	691	07/24/2018
254672HV3	362	Discover Bank		02/25/2015	250,000.00	254,530.00	250,000.00	1.600		1.578	907	02/25/2019
02006LC35	406	Ally Bank		05/26/2016	250,000.00	250,710.00	250,000.00	1.200		1.184	999	05/28/2019
06740KHK6	351	Barclays Bank PLC		07/23/2014	250,000.00	256,357.50	250,000.00	2.100		2.071	1,055	07/23/2019
02587CAJ9	350	American Express Bank FSB		07/24/2014	250,000.00	256,455.00	250,000.00	2.000		1.973	1,056	07/24/2019
140420NX4	354	Capital One Bank CD		09/10/2014	250,000.00	256,470.00	250,000.00	1.900		1.874	1,104	09/10/2019
71270QGS9	353	People's United Bank CD		09/10/2014	250,000.00	256,462.50	250,000.00	1.950	AAA	1.923	1,104	09/10/2019
856284Z98	355	State Bank of India NY, NY CD		09/11/2014	250,000.00	256,592.50	250,000.00	2.150		2.121	1,105	09/11/2019
05580AAW4	358	BMW BANK NORTH AMERICA		09/26/2014	250,000.00	256,547.50	250,000.00	2.100		2.071	1,120	09/26/2019
Subtotal and Average			4,362,903.23		4,250,000.00	4,308,507.50	4,250,000.00			1.585	696	
Certificates of Deposit												
36163FP64	369	GE Capital Financial inc		04/10/2015	245,000.00	251,798.75	245,000.00	1.800		1.775	1,320	04/13/2020
Subtotal and Average			245,000.00		245,000.00	251,798.75	245,000.00			1.775	1,320	
Managed Pool Accounts - LAIF												
SYS21	21	LAIF - City			9,513,284.79	9,513,284.79	9,513,284.79	0.614		0.606	1	
SYS23	23	LAIF - Redevelopment			0.00	0.00	0.00	0.233		0.230	1	
Subtotal and Average			14,207,962.21		9,513,284.79	9,513,284.79	9,513,284.79			0.606	1	
Money Market Sweep/Checking Account												
SYS1	1	Pacific Western Bank			785,527.14	785,527.14	785,527.14	0.250		0.247	1	
SYS2	2	Pacific Western - Acct Payable		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS3	3	Pacific Western-Payroll		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS4	4	Union Bank-Checking			41,815.26	41,815.26	41,815.26	0.250		0.247	1	
SYS19	19	Petty Cash		07/01/2015	1,400.00	1,400.00	1,400.00			0.000	1	
Subtotal and Average			571,043.51		828,742.40	828,742.40	828,742.40			0.246	1	

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

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
Negotiable CD's												
40434AH51	390	HSBC BANK USA		12/30/2015	250,000.00	251,725.00	250,000.00	1.500		1.479	1,581	12/30/2020
Subtotal and Average			250,000.00		250,000.00	251,725.00	250,000.00			1.479	1,581	
Medium Term Corporate Notes												
06738JVS0	296	Barclays Bank PLC		10/27/2011	1,000,000.00	1,001,360.00	1,000,000.00	3.500	AA	3.452	56	10/27/2016
00206RBF8	322	AT&T INC		06/21/2012	1,000,000.00	1,003,650.00	1,000,718.99	1.600		1.479	273	06/01/2017
46625HJG6	331	J P Morgan		01/28/2013	1,000,000.00	1,006,720.00	1,000,841.40	1.800		1.713	511	01/25/2018
36962G6W9	346	General Elec. Cap Crp		05/01/2013	1,000,000.00	1,009,910.00	1,002,676.06	1.625		1.430	578	04/02/2018
084664BW0	375	Berkshire Hathaway		06/09/2015	1,000,000.00	1,002,970.00	1,001,221.02	1.300	AA	1.210	621	05/15/2018
14912L6F3	373	Catapillar Financial Services		04/28/2015	1,000,000.00	1,025,010.00	1,013,342.11	2.250		1.795	1,186	12/01/2019
Subtotal and Average			6,019,114.06		6,000,000.00	6,049,620.00	6,018,799.58			1.846	539	
Federal Agency Issues - Callables												
3134G43H9	344	Fed. Home Loan Mtg Corp		04/30/2013	2,000,000.00	1,998,820.00	2,000,000.00	1.060		1.045	606	04/30/2018
3135G0WN9	345	Fed. Nat'l Mortgage Assoc		04/30/2013	2,000,000.00	2,000,280.00	2,000,000.00	1.000		0.986	606	04/30/2018
3134G33S7	334	Fed. Home Loan Mtg Corp		01/24/2013	1,000,000.00	999,880.00	1,000,000.00	1.000		0.986	683	07/16/2018
3136G1CF4	335	Fed. Nat'l Mortgage Assoc		01/30/2013	1,000,000.00	1,001,300.00	1,000,000.00	1.000	AAA	0.986	697	07/30/2018
3136G26N2	357	Fed. Nat'l Mortgage Assoc		09/26/2014	1,000,000.00	1,000,790.00	1,000,000.00	1.600		1.578	755	09/26/2018
3136G26U6	356	Fed. Nat'l Mortgage Assn (c)		10/07/2014	2,000,000.00	2,002,620.00	2,000,000.00	2.000	AAA	1.973	1,141	10/17/2019
3134G9ML8	408	Fed. Home Loan Mtg Corp		06/16/2016	2,000,000.00	2,005,260.00	2,000,000.00	1.300		1.282	1,292	03/16/2020
3133EGDW2	407	Fed. Farm Credit Bank		06/08/2016	3,000,000.00	3,008,220.00	3,000,000.00	1.520		1.499	1,376	06/08/2020
3134G9SK4	409	Fed. Home Loan Mtg Corp		06/30/2016	3,000,000.00	3,012,090.00	3,000,000.00	1.500		1.479	1,398	06/30/2020
3134G9NT0	410	Fed. Home Loan Mtg Corp		06/30/2016	1,000,000.00	1,000,070.00	1,000,000.00	1.600		1.578	1,398	06/30/2020
3136G2L47	380	Fed. Nat'l Mortgage Assoc		06/30/2015	1,000,000.00	1,007,020.00	1,000,000.00	1.800		1.775	1,398	06/30/2020
3130A8NS8	412	Fed. Home Loan Bank		07/13/2016	1,000,000.00	995,080.00	999,275.00	1.240		1.242	1,411	07/13/2020
3130A8QD8	411	Fed. Home Loan Bank		07/14/2016	1,000,000.00	993,900.00	1,000,000.00	1.230		1.213	1,412	07/14/2020
3133EGAZ8	395	Fed. Farm Credit Bank		05/17/2016	1,000,000.00	997,850.00	1,000,000.00	1.580		1.559	1,630	02/17/2021
3130A7BT1	391	Fed. Home Loan Bank		02/26/2016	2,000,000.00	2,002,320.00	2,000,000.00	1.730		1.706	1,639	02/26/2021
3136G3CN3	392	Fed. Nat'l Mortgage Assoc		03/23/2016	2,000,000.00	2,000,160.00	2,000,000.00	1.000		2.142	1,664	03/23/2021
3134G8UQ0	394	Fed. Home Loan Mtg Corp		03/30/2016	2,000,000.00	2,000,220.00	2,000,000.00	1.800		1.775	1,671	03/30/2021
Subtotal and Average			27,999,267.69		28,000,000.00	28,025,880.00	27,999,275.00			1.488	1,248	

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

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity
Total and Average			53,655,290.70		49,087,027.19	49,229,558.44	49,105,101.77			1.350	853

**2006 A Bonds
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Money Market Sweep/Checking Account	34.03	34.03	34.03	100.00	1	1	0.393	0.398
Investments	34.03	34.03	34.03	100.00%	1	1	0.393	0.398

Total Earnings	August 31 Month Ending
Current Year	0.02
Average Daily Balance	23.67
Effective Rate of Return	0.99%

Kevin McCarthy 9/16/2016
Kevin McCarthy, Agency Treasurer

**2006 A Bonds
Portfolio Management
Portfolio Details - Investments
August 31, 2016**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS13	13	2006A Good Faith Deposit			0.00	0.00	0.00	5.080		5.080	1	
SYS15	15	2006 A Bonds Reserve			1.00	1.00	1.00			0.000	1	
SYS14	14	2006 A Bonds Interest			24.85	24.85	24.85	0.410		0.410	1	
SYS12	12	UBC Cost Of Issuance Escrow			0.00	0.00	0.00	5.020		5.020	1	
SYS10	10	Fidelity Institutional Money M			0.00	0.00	0.00	5.360		5.360	1	
SYS17	17	Principal Account			8.18	8.18	8.18	0.410		0.410	1	
Subtotal and Average			23.67		34.03	34.03	34.03			0.398	1	
Total and Average			23.67		34.03	34.03	34.03			0.398	1	

**RDA Series 2010 A Bonds
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Money Market Sweep/Checking Account	1,330,557.36	1,330,557.36	1,330,557.36	100.00	1	1	0.088	0.090
Investments	1,330,557.36	1,330,557.36	1,330,557.36	100.00%	1	1	0.088	0.090

Total Earnings	August 31 Month Ending
Current Year	3.27
Average Daily Balance	799,144.30
Effective Rate of Return	0.00%

Kevin McCarthy 9/16/2016
Kevin McCarthy, Agency Treasurer

Reporting period 08/01/2016-08/31/2016

Run Date: 09/16/2016 - 14:40

No fiscal year history available

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

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS1	1	2010 A Bonds Reserve		07/01/2015	781,067.92	781,067.92	781,067.92			0.000	1	
SYS14	13	2010 A Bonds Principal		07/01/2015	324,716.31	324,716.31	324,716.31			0.000	1	
SYS4	4	2010 A Bonds Interest			224,773.13	224,773.13	224,773.13	0.530		0.530	1	
SYS7	7	Local Agency Investment Fund			0.00	0.00	0.00	0.530		0.530	1	
SYS2	2	Blackrock Provident T-Fund		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS3	3	UBC Cost Of Issuance Escrow		07/01/2015	0.00	0.00	0.00			0.000	1	
Subtotal and Average			799,144.30		1,330,557.36	1,330,557.36	1,330,557.36			0.090	1	
Total and Average			799,144.30		1,330,557.36	1,330,557.36	1,330,557.36			0.090	1	

**Series 2014 A Bonds
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Money Market Sweep/Checking Account	5,346,662.09	5,346,662.09	5,346,662.09	100.00	1	1	0.000	0.000
Investments	5,346,662.09	5,346,662.09	5,346,662.09	100.00%	1	1	0.000	0.000

Total Earnings	August 31 Month Ending
Current Year	0.00
Average Daily Balance	187,609.31
Effective Rate of Return	0.00%

Kevin McCarthy 9/16/2016
Kevin McCarthy, Agency Treasurer

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

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS28	28	2014 A Bonds Reserve		07/01/2015	1.00	1.00	1.00			0.000	1	
SYS26	26	2014 A Bonds Principal		07/01/2015	4,410,000.00	4,410,000.00	4,410,000.00			0.000	1	
SYS25	25	2014 A Bonds Interest		07/01/2015	936,659.09	936,659.09	936,659.09			0.000	1	
SYS27	27	2014 Debt Service		07/01/2015	2.00	2.00	2.00			0.000	1	
SYS24	1	UBC Cost Of Issuance Escrow		07/01/2015	0.00	0.00	0.00			0.000	1	
		Subtotal and Average	187,609.31		5,346,662.09	5,346,662.09	5,346,662.09			0.000	1	
		Total and Average	187,609.31		5,346,662.09	5,346,662.09	5,346,662.09			0.000	1	

**2015 A Bonds
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
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	August 31 Month Ending
Current Year	0.00
Average Daily Balance	0.00
Effective Rate of Return	0.00%

Kevin McCarthy 9/16/2016
Kevin McCarthy, Agency Treasurer

Reporting period 08/01/2016-08/31/2016

Run Date: 09/16/2016 - 15:08

No fiscal year history available

**2015 A Bonds
Portfolio Management
Portfolio Details - Investments
August 31, 2016**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS22	22	UBC Cost Of Issuance Escrow		08/11/2015	0.00	0.00	0.00			0.000	1	
		Subtotal and Average	0.00		0.00	0.00	0.00			0.000	0	
		Total and Average	0.00		0.00	0.00	0.00			0.000	0	

**2016 A Bonds
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Money Market Sweep/Checking Account	62,123.01	62,123.01	62,123.01	100.00	1	1	0.000	0.000
Investments	62,123.01	62,123.01	62,123.01	100.00%	1	1	0.000	0.000

Total Earnings	August 31	Month Ending
Current Year	0.00	
Average Daily Balance	124,058.49	
Effective Rate of Return	0.00%	

Kevin McCarthy
Kevin McCarthy, Agency Treasurer

6/27/2016

**2016 A Bonds
Portfolio Management
Portfolio Details - Investments
August 31, 2016**

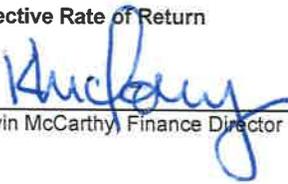
CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Money Market Sweep/Checking Account												
SYS28	1	UBC Cost Of Issuance Escrow		07/21/2016	62,122.01	62,122.01	62,122.01			0.000	1	
SYS33	2	Union Bank Reserve Account		08/01/2016	1.00	1.00	1.00			0.000	1	
Subtotal and Average			124,058.49		62,123.01	62,123.01	62,123.01			0.000	1	
Total and Average			124,058.49		62,123.01	62,123.01	62,123.01			0.000	1	

**City of Indian Wells
Portfolio Management
Portfolio Summary
August 31, 2016**

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Checking Accounts with Fiscal Agent	507,416.02	507,416.02	507,416.02	100.00	1	1	0.321	0.325
Investments	507,416.02	507,416.02	507,416.02	100.00%	1	1	0.321	0.325

Total Earnings	August 31	Month Ending
Current Year	209.30	
Average Daily Balance	1,366,305.31	
Effective Rate of Return	0.18%	


Kevin McCarthy, Finance Director

**City of Indian Wells
Portfolio Management
Portfolio Details - Investments
August 31, 2016**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 360	Days to Maturity	Maturity Date
Managed Trustee Accounts												
SYS1	1	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS11	11	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS12	12	Union Bank of California			0.00	0.00	0.00	0.420		0.414	1	
SYS13	13	Union Bank of California			0.00	0.00	0.00	0.410		0.404	1	
SYS14	14	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS15	15	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS16	16	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS2	2	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS3	3	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS4	4	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS5	5	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS8	8	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
Subtotal and Average			0.00		0.00	0.00	0.00			0.000	0	
Checking Accounts with Fiscal Agent												
SYS6	6	The Golf Resort at Indian Well		07/01/2015	342,440.86	342,440.86	342,440.86			0.000	1	
SYS7	7	Indian Wells Villas			59,975.84	59,975.84	59,975.84	1.000		0.986	1	
SYS10	10	Mountain View Villas			104,999.32	104,999.32	104,999.32	1.000		0.986	1	
Subtotal and Average			1,366,305.31		507,416.02	507,416.02	507,416.02			0.321	1	
Total and Average			1,366,305.31		507,416.02	507,416.02	507,416.02			0.321	1	



11/17/2016

File #: 1567-16 Item #: E.

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

City Treasurer's Report for September 2016

RECOMMENDED ACTION:

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

- The City's cash and investments totaled \$48,807,544.91
- The City's portfolio earned a 1.319% rate of return.

ATTACHMENT:

1. City Treasurer's Report

NET CASH & INVESTMENT SUMMARY SEPTEMBER, 2016

<u>UNRESTRICTED FUNDS</u>	September 2016	September 2015
GENERAL FUND		
101- GENERAL	\$ 7,101,146.74	\$ 5,269,259.84
TOTAL GENERAL FUND	7,101,146.74	5,269,259.84

RESTRICTED FUNDS

SPECIAL REVENUE FUNDS

202 - TRAFFIC SAFETY	0.39	0.43
203 - PUBLIC SAFETY 1/2 CENT SALES TAX	12,658.81	12,415.76
204 - MEASURE "A"	0.13	26,515.59
209 - F.A.M.D. #1	2,403,620.84	2,157,971.36
210 - SCAQMD (VEHICLE REG.)	5,524.81	2,896.11
211 - AB 3229 COPS FUNDING	0.15	0.83
214 - GAS TAX 2103 MAINTENANCE	11,264.47	31,589.38
215 - GAS TAX 2105 MAINTENANCE	10,069.05	10,268.75
216 - GAS TAX 2106 CONSTRUCT/MAINT	6,471.94	3,615.35
217 - GAS TAX 2107 MAINTENANCE	0.64	0.16
218 - GAS TAX 2107.5 ENG./ADMIN	5,129.16	5,064.16
228 - EMERG. UPGRADE SERVICES	3,328,800.23	3,287,182.50
247 - AB 939 RECYCLING FUND	329,743.81	272,702.32
248 - SOLID WASTE	226,678.44	213,101.93
251 - STREET LIGHTING DISTRICT 2000-1	6,578.02	5,382.19
253- INDIAN WELLS VILLAS OPERATIONS	1,052,401.49	977,932.74
254- MOUNTAIN VIEW VILLAS OPERATIONS	1,265,749.66	1,187,030.38
256- HOUSING AUTHORITY	3,246,650.91	2,622,048.85
260 - IWGR OPERATIONS	0.00	0.00
271 - ELDORADO DRIVE LLMD	86,351.26	87,010.43
272 - MONTECITO/STARDUST LLMD	(1,601.47)	(2,163.71)
273 - CASA DORADO LLMD	3,361.29	3,173.89
274 - THE COVE LLMD	2,891.85	2,695.19
275 - SH 111/IWGR (ENTRANCE) LLMD	275,110.36	313,103.57
276 - CLUB/IW LANE LLMD	52,903.06	54,231.79
277 - COLONY LLMD	36,495.80	28,710.63
278 - COLONY COV ESTATES LLMD	60,330.40	59,449.42
279 - DESERT HORIZONS LLMD	49,965.12	48,733.01
280 - MOUNTAIN GATE LLMD	81,454.25	73,074.40
281 - MOUNTAIN GATE ESTATES LLMD	44,246.59	41,828.67
282 - VILLAGIO LLMD	250,911.34	223,486.35
283 - VAIDYA LLMD	30,060.54	28,665.11
284 - CLUB, SOUTH OF 111 LLMD	14,037.62	10,948.99
285 - MONTELENA LLMD	18,253.02	8,384.47
286 - SUNDANCE LLMD	9,473.42	7,312.26
287 - PROVINCE LLMD	69,407.54	68,660.25
288 - PROVINCE DBAD	543,161.93	486,079.76
TOTAL SPECIAL REVENUE FUNDS	13,538,156.87	12,359,103.27

CAPITAL PROJECT FUNDS

314 - PARK-IN-LIEU FEES	0.20	0.20
315 - CITYWIDE PUBLIC IMPROVEMENT FEE	0.26	0.26
316 - CAPITAL IMPROVEMENT	3,007,322.99	3,491,686.18
319 - ART IN PUBLIC PLACES	361,802.84	332,086.93
321 - HIGHWAY 111 CIRCULATION IMP FEE	0.70	0.70
TOTAL CAPITAL PROJECT FUNDS	3,369,126.99	3,823,774.27

CITY OF INDIAN WELLS
NET CASH & INVESTMENT SUMMARY SEPTEMBER, 2016
 PAGE 2

RESTRICTED FUNDS (Cont.)

	September 2016	September 2015
REPLACEMENT FUNDS		
326 - INFRASTRUCTURE CAPITAL	9,978,566.00	8,493,957.00
327 - FF&E ROLLING STOCK CAPITAL	2,372,805.00	2,336,759.00
328 - GOLF RESORT CAPITAL	3,271,779.09	4,049,834.00
329 - BUILDING & STRUCTURES CAPITAL	3,426,546.00	3,374,489.00
330 - FACILITIES CAPITAL	2,372,873.00	2,336,826.00
TOTAL REPLACEMENT FUNDS	21,422,569.09	20,591,865.00
SUCCESSOR AGENCY FUNDS		
453 - RDA (WHITEWATER)	82,982.95	434,041.96
456 - RDA OBLIGATION RETIREMENT	0.00	0.00
TOTAL SUCCESSOR AGENCY FUNDS	82,982.95	434,041.96
ENTERPRISE FUNDS		
560 - INDIAN WELLS GOLF RESORT	(612,156.93)	(1,636,918.55)
561 - CLUB DRIVE PROPERTY	327,132.43	27,046.50
TOTAL ENTERPRISE FUNDS	(285,024.50)	(1,609,872.05)
INTERNAL SERVICE FUNDS		
601 - OPEB BENEFIT FUND	1,399,429.93	2,547,114.71
TOTAL INTERNAL SERVICE FUNDS	1,399,429.93	2,547,114.71
RESERVE FUNDS		
602 - COMPENSATED ABSENCES	561,231.00	552,704.00
603 - SELF INSURANCE	0.00	0.00
TOTAL RESERVE FUNDS	561,231.00	552,704.00
TRUST & AGENCY FUNDS		
732 - SPECIAL DEPOSITS	259,519.88	194,472.39
760 - VISITOR COMMITTEE	0.00	7,807.69
TOTAL TRUST & AGENCY FUNDS	259,519.88	202,280.08
TOTAL ALL FUNDS	47,449,138.95	44,170,271.08
FISCAL AGENTS		
253 - INDIAN WELLS VILLAS	45,613.48	86,199.38
254 - MOUNTAIN VIEW VILLAS	104,958.40	167,928.21
453 - UNION BANK OF CALIFORNIA TRUSTEE	843,365.69	796,300.17
560 - INDIAN WELLS GOLF RESORT	364,468.39	536,791.32
TOTAL FISCAL AGENTS	1,358,405.96	1,587,219.08
TOTAL ALL FUNDS & FISCAL AGENTS	\$ 48,807,544.91	\$ 45,757,490.16
UNRESTRICTED FUNDS	7,101,146.74	5,269,259.84
RESTRICTED FUNDS	41,706,398.17	40,488,230.32
\$ 48,807,544.91	\$ 48,807,544.91	\$ 45,757,490.16

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

MONTH: **September 30, 2016**

Investment #	Investment Type	Investment Description	Book Value
Bank Checking & Sweep			
1		Pacific Western Bank - Sweep 45-301117	657,141.12
2		Pacific Western Bank - Accts. Payable 45-523411	0.00
3		Pacific Western Bank - Payroll 45-501752	0.00
4		Union Bank of CA - Sweep Investment 217-0000121	2,608,385.58
19		Petty Cash	1,400.00
			3,266,926.70
Managed Pool Accounts			
21		Local Agency Investment Fund - City 98-33-385	7,763,284.79
			7,763,284.79
Bank Certificates of Deposit			
316		Certificate of Deposit-GE Capital Retail Bank 36161NYT9	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
406		Certificate of Deposit-Ally Bank 02006LC35	250,000.00
418		Certificate of Deposit-Wells Fargo Bank 94976BH8	250,000.00
419		Certificate of Deposit-Apex Bank 03753XAL4	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	1,000,639.10
331		JP Morgan 46625HJG6	1,000,791.32
346		General Electric Cap Corp 36962G6W9	1,002,535.46
369		GE Capital Financial 36163FP64	245,000.00
373		Caterpillar Financial Services Corp 14912L6F3	1,013,000.00
375		Berkshire Hathaway 084664BW0	1,001,161.36
			6,263,127.24
Federal Agency Issues			
334		Freddie Mac 3134G33S7	1,000,000.00
335		Fannie Mae 3136GICF4	1,000,000.00
344		Federal Home Loan Mtg Corp 3134G43H9	2,000,000.00
345		Federal National Mortgage Assn 313G0WNN9	2,000,000.00
356		Fannie Mae 3136G26U6	2,000,000.00
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
395		Fed. Farm Credit Bank 3133EGAZ8	1,000,000.00
407		Fed. Farm Credit Bank 3133EGDW2	3,000,000.00
408		Fed. Home Loan Mtg Corp 3134G9ML8	2,000,000.00
409		Fed. Home Loan Mtg Corp 3134G9SK4	3,000,000.00
411		Fed. Home Loan Mtg Corp 3130A8QD8	1,000,000.00
412		Fed. Home Loan Mtg Corp 3130A8NS8	999,290.63
413		Fed. Home Loan Mtg Corp 3134GAKN3	1,000,000.00
			24,999,290.63
Total Pooled Cash and Investments			\$ 47,292,629.36
Fair Value Increase (over cost)			175,175.63
Outstanding items			
Outstanding Warrants/Wire Transfers			(9,230.34)
Deposit in Transit			(500.00)
Deposit in Transit			(9,115.70)
Credit Card in Transit			180.00
Total Outstanding Items			(18,666.04)
Reconciled Bank Balance			\$ 47,449,138.95
General Ledger Balance			\$ 47,449,138.95
			0.00

City of Indian Wells

Trustee Reconciliation Report - Cash and Investments with City Agents

Finance Department

MONTH: **September 30, 2016**

Investment # Investment Description

Series 2006 A Bonds \$ 34.03 \$ 34.03

Series 2010 A Bonds \$ 780,954.15 \$ 780,954.15

Series 2014 A Bonds \$ 254.50 \$ 254.50

Series 2015 A Bonds \$ - \$ -

Series 2016 A Bonds \$ 62,123.01 \$ 62,123.01

Other Trustees

6 Indian Wells Golf Resort 364,468.39

7 Indian Wells Villas 45,613.48

10 Mountain View Villas \$ 104,958.40 \$ 515,040.27

Total Cash and Investments with City Agents \$ 1,358,405.96

General Ledger Balance \$ **1,358,405.96**

0.00



The City of Indian Wells
 Portfolio Management
 Portfolio Summary
 September 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	4,250,000.00	4,307,092.50	4,250,000.00	8.99	1,561	666	1.585	1.607
Certificates of Deposit	245,000.00	251,793.85	245,000.00	0.52	1,830	1,290	1.775	1.800
Managed Pool Accounts - LAIF	7,763,284.79	7,763,284.79	7,763,284.79	16.42	1	1	0.625	0.634
Money Market Sweep/Checking Account	3,266,926.70	3,266,926.70	3,266,926.70	6.91	1	1	0.246	0.250
Negotiable CD's	750,000.00	750,552.50	750,000.00	1.59	1,826	1,733	1.546	1.567
Medium Term Corporate Notes	6,000,000.00	6,042,490.00	6,018,127.24	12.73	1,667	509	1.846	1.872
Federal Agency Issues - Callables	25,000,000.00	25,022,100.00	24,999,290.63	52.86	1,655	1,193	1.458	1.478
Investments	47,275,211.49	47,404,240.34	47,292,629.36	100.00%	1,266	790	1.301	1.319

Total Earnings	September 30	Month Ending
Current Year	53,249.89	
Average Daily Balance	48,257,701.95	
Effective Rate of Return	1.34%	

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

Kevin McCarthy 11/4/2016
 Kevin McCarthy, Finance Director

Reporting period 09/01/2016-09/30/2016

Run Date: 11/04/2016 - 12:06

No fiscal year history available

**The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
September 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												
38143A5L5	338	Goldman Sachs Bank		02/06/2013	250,000.00	250,452.50	250,000.00	1.050		1.036	128	02/06/2017
SYS364	364	Pacific Western Bank		03/10/2015	250,000.00	250,000.00	250,000.00	1.000		1.000	221	05/10/2017
SYS316	316	GE Capital Retail Bank		05/25/2012	250,000.00	251,935.00	250,000.00	1.800		1.800	236	05/25/2017
17284CJG0	348	CIT BANK		07/24/2013	250,000.00	251,827.50	250,000.00	1.400		1.381	296	07/24/2017
02587DKR8	337	American Express Centurion		02/06/2013	250,000.00	251,807.50	250,000.00	1.700		1.677	305	08/02/2017
319141CQ8	361	FIRST BANK OF HIGHLAND		10/15/2014	250,000.00	251,155.00	250,000.00	1.250		1.233	380	10/16/2017
81423LBN1	360	SECURITY FEDERAL		10/15/2014	250,000.00	251,182.50	250,000.00	1.250		1.233	380	10/16/2017
48124JSY5	339	JP Morgan Chase		02/27/2013	250,000.00	250,207.50	250,000.00	1.125		1.110	506	02/19/2018
20451PBG0	349	Compass Bank		07/24/2013	250,000.00	255,005.00	250,000.00	1.700		1.677	661	07/24/2018
254672HV3	362	Discover Bank		02/25/2015	250,000.00	254,485.00	250,000.00	1.600		1.578	877	02/25/2019
02006LC35	406	Ally Bank		05/26/2016	250,000.00	250,745.00	250,000.00	1.200		1.184	969	05/28/2019
06740KHK6	351	Barclays Bank PLC		07/23/2014	250,000.00	256,242.50	250,000.00	2.100		2.071	1,025	07/23/2019
02587CAJ9	350	American Express Bank FSB		07/24/2014	250,000.00	256,335.00	250,000.00	2.000		1.973	1,026	07/24/2019
140420NX4	354	Capital One Bank CD		09/10/2014	250,000.00	256,370.00	250,000.00	1.900		1.874	1,074	09/10/2019
71270QGS9	353	People's United Bank CD		09/10/2014	250,000.00	256,365.00	250,000.00	1.950	AAA	1.923	1,074	09/10/2019
856284Z98	355	State Bank of India NY, NY CD		09/11/2014	250,000.00	256,492.50	250,000.00	2.150		2.121	1,075	09/11/2019
05580AAW4	358	BMW BANK NORTH AMERICA		09/26/2014	250,000.00	256,485.00	250,000.00	2.100		2.071	1,090	09/26/2019
Subtotal and Average			4,250,000.00		4,250,000.00	4,307,092.50	4,250,000.00			1.585	666	
Certificates of Deposit												
36163FP64	369	GE Capital Financial inc		04/10/2015	245,000.00	251,793.85	245,000.00	1.800		1.775	1,290	04/13/2020
Subtotal and Average			245,000.00		245,000.00	251,793.85	245,000.00			1.775	1,290	
Managed Pool Accounts - LAIF												
SYS21	21	LAIF - City			7,763,284.79	7,763,284.79	7,763,284.79	0.634		0.625	1	
SYS23	23	LAIF - Redevelopment			0.00	0.00	0.00	0.233		0.230	1	
Subtotal and Average			8,784,951.46		7,763,284.79	7,763,284.79	7,763,284.79			0.625	1	
Money Market Sweep/Checking Account												
SYS1	1	Pacific Western Bank			657,141.12	657,141.12	657,141.12	0.250		0.247	1	
SYS2	2	Pacific Western - Acct Payable		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS3	3	Pacific Western-Payroll		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS4	4	Union Bank-Checking			2,608,385.58	2,608,385.58	2,608,385.58	0.250		0.247	1	
SYS19	19	Petty Cash		07/01/2015	1,400.00	1,400.00	1,400.00			0.000	1	
Subtotal and Average			910,015.21		3,266,926.70	3,266,926.70	3,266,926.70			0.246	1	

**The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
September 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
Negotiable CD's												
40434AH51	390	HSBC BANK USA		12/30/2015	250,000.00	251,730.00	250,000.00	1.500		1.479	1,551	12/30/2020
949763BH8	418	Wells Fargo Bank CD		09/28/2016	250,000.00	249,420.00	250,000.00	1.700		1.678	1,823	09/28/2021
03753XAL4	419	APEX BANK		09/30/2016	250,000.00	249,402.50	250,000.00	1.500		1.480	1,825	09/30/2021
Subtotal and Average			283,333.33		750,000.00	750,552.50	750,000.00			1.546	1,733	
Medium Term Corporate Notes												
06738JVS0	296	Barclays Bank PLC		10/27/2011	1,000,000.00	1,000,600.00	1,000,000.00	3.500	AA	3.452	26	10/27/2016
00206RBF8	322	AT&T INC		06/21/2012	1,000,000.00	1,003,000.00	1,000,639.10	1.600		1.479	243	06/01/2017
46625HJG6	331	J P Morgan		01/28/2013	1,000,000.00	1,004,070.00	1,000,791.32	1.800		1.713	481	01/25/2018
36962G6W9	346	General Elec. Cap Crp		05/01/2013	1,000,000.00	1,010,210.00	1,002,535.46	1.625		1.430	548	04/02/2018
084664BW0	375	Berkshire Hathaway		06/09/2015	1,000,000.00	1,003,330.00	1,001,161.36	1.300	AA	1.210	591	05/15/2018
14912L6F3	373	Catapillar Financial Services		04/28/2015	1,000,000.00	1,021,280.00	1,013,000.00	2.250		1.795	1,156	12/01/2019
Subtotal and Average			6,018,452.21		6,000,000.00	6,042,490.00	6,018,127.24			1.846	509	
Federal Agency Issues - Callables												
3134G43H9	344	Fed. Home Loan Mtg Corp		04/30/2013	2,000,000.00	2,000,020.00	2,000,000.00	1.060		1.045	576	04/30/2018
3135G0WN9	345	Fed. Nat'l Mortgage Assoc		04/30/2013	2,000,000.00	1,999,700.00	2,000,000.00	1.000		0.986	576	04/30/2018
3134G33S7	334	Fed. Home Loan Mtg Corp		01/24/2013	1,000,000.00	1,002,390.00	1,000,000.00	1.000		0.986	653	07/16/2018
3136G1CF4	335	Fed. Nat'l Mortgage Assoc		01/30/2013	1,000,000.00	1,002,100.00	1,000,000.00	1.000	AAA	0.986	667	07/30/2018
3134GAKN3	413	Fed. Home Loan Mtg Corp		09/30/2016	1,000,000.00	998,830.00	1,000,000.00	0.750		1.470	1,094	09/30/2019
3136G26U6	356	Fed. Nat'l Mortgage Assn (c)		10/07/2014	2,000,000.00	2,000,320.00	2,000,000.00	2.000	AAA	1.973	1,111	10/17/2019
3134G9ML8	408	Fed. Home Loan Mtg Corp		06/16/2016	2,000,000.00	2,004,420.00	2,000,000.00	1.300		1.282	1,262	03/16/2020
3133EGDW2	407	Fed. Farm Credit Bank		06/08/2016	3,000,000.00	3,001,680.00	3,000,000.00	1.520		1.499	1,346	06/08/2020
3134G9SK4	409	Fed. Home Loan Mtg Corp		06/30/2016	3,000,000.00	3,011,760.00	3,000,000.00	1.500		1.479	1,368	06/30/2020
3136G2L47	380	Fed. Nat'l Mortgage Assoc		06/30/2015	1,000,000.00	1,006,680.00	1,000,000.00	1.800		1.775	1,368	06/30/2020
3130A8NS8	412	Fed. Home Loan Bank		07/13/2016	1,000,000.00	996,270.00	999,290.63	1.240		1.242	1,381	07/13/2020
3130A8QD8	411	Fed. Home Loan Bank		07/14/2016	1,000,000.00	996,220.00	1,000,000.00	1.230		1.213	1,382	07/14/2020
3133EGA28	395	Fed. Farm Credit Bank		05/17/2016	1,000,000.00	999,630.00	1,000,000.00	1.580		1.559	1,600	02/17/2021
3130A7BT1	391	Fed. Home Loan Bank		02/26/2016	2,000,000.00	2,001,280.00	2,000,000.00	1.730		1.706	1,609	02/26/2021
3136G3CN3	392	Fed. Nat'l Mortgage Assoc		03/23/2016	2,000,000.00	2,000,800.00	2,000,000.00	1.000		2.142	1,634	03/23/2021
Subtotal and Average			27,765,949.74		25,000,000.00	25,022,100.00	24,999,290.63			1.458	1,193	

**The City of Indian Wells
Portfolio Management
Portfolio Details - Investments
September 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			48,257,701.95		47,275,211.49	47,404,240.34	47,292,629.36			1.301	790

**2006 A Bonds
Portfolio Management
Portfolio Summary
September 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	34.03	34.03	34.03	100.00	1	1	0.393	0.398
Investments	34.03	34.03	34.03	100.00%	1	1	0.393	0.398

Total Earnings	September 30	Month Ending
Current Year	0.01	
Average Daily Balance	34.03	
Effective Rate of Return	0.36%	

Kevin McCarthy 11/4/2016
Kevin McCarthy, Agency Treasurer

**2006 A Bonds
Portfolio Management
Portfolio Details - Investments
September 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			24.85	24.85	24.85	0.410		0.410	1	
SYS12	12	UBC Cost Of Issuance Escrow			0.00	0.00	0.00	5.020		5.020	1	
SYS10	10	Fidelity Institutional Money M			0.00	0.00	0.00	5.360		5.360	1	
SYS17	17	Principal Account			8.18	8.18	8.18	0.410		0.410	1	
Subtotal and Average			34.03		34.03	34.03	34.03			0.398	1	
Total and Average			34.03		34.03	34.03	34.03			0.398	1	

**RDA Series 2010 A Bonds
Portfolio Management
Portfolio Summary
September 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	780,954.15	780,954.15	780,954.15	100.00	1	1	0.000	0.000
Investments	780,954.15	780,954.15	780,954.15	100.00%	1	1	0.000	0.000

Total Earnings	September 30	Month Ending
Current Year	94.65	
Average Daily Balance	1,312,237.25	
Effective Rate of Return	0.09%	

Kevin McCarthy 11/4/2016
Kevin McCarthy, Agency Treasurer

**RDA Series 2010 A Bonds
Portfolio Management
Portfolio Details - Investments
September 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		07/01/2015	780,931.70	780,931.70	780,931.70			0.000	1	
SYS14	13	2010 A Bonds Principal		07/01/2015	13.26	13.26	13.26			0.000	1	
SYS4	4	2010 A Bonds Interest			9.19	9.19	9.19	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		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS3	3	UBC Cost Of Issuance Escrow		07/01/2015	0.00	0.00	0.00			0.000	1	
Subtotal and Average			1,312,237.25		780,954.15	780,954.15	780,954.15			0.000	1	
Total and Average			1,312,237.25		780,954.15	780,954.15	780,954.15			0.000	1	

**Series 2014 A Bonds
Portfolio Management
Portfolio Summary
September 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	254.50	254.50	254.50	100.00	1	1	0.000	0.000
Investments	254.50	254.50	254.50	100.00%	1	1	0.000	0.000

Total Earnings	September 30	Month Ending
Current Year	0.00	
Average Daily Balance	5,168,448.50	
Effective Rate of Return	0.00%	

Kevin McCarthy 11/4/2016
Kevin McCarthy, Agency Treasurer

**Series 2014 A Bonds
Portfolio Management
Portfolio Details - Investments
September 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		07/01/2015	1.00	1.00	1.00			0.000	1	
SYS26	26	2014 A Bonds Principal		07/01/2015	0.00	0.00	0.00			0.000	1	
SYS25	25	2014 A Bonds Interest		07/01/2015	251.50	251.50	251.50			0.000	1	
SYS27	27	2014 Debt Service		07/01/2015	2.00	2.00	2.00			0.000	1	
SYS24	1	UBC Cost Of Issuance Escrow		07/01/2015	0.00	0.00	0.00			0.000	1	
Subtotal and Average			5,168,448.50		254.50	254.50	254.50			0.000	1	
Total and Average			5,168,448.50		254.50	254.50	254.50			0.000	1	

**2015 A Bonds
Portfolio Management
Portfolio Summary
September 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	September 30 Month Ending
Current Year	0.00
Average Daily Balance	0.00
Effective Rate of Return	0.00%

Kevin McCarthy 11/4/2016
Kevin McCarthy, Agency Treasurer

**2015 A Bonds
Portfolio Management
Portfolio Details - Investments
September 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	0.00		0.00	0.00	0.00			0.000	0	
		Total and Average	0.00		0.00	0.00	0.00			0.000	0	

**2016 A Bonds
Portfolio Management
Portfolio Summary
September 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	62,123.01	62,123.01	62,123.01	100.00	1	1	0.000	0.000
Investments	62,123.01	62,123.01	62,123.01	100.00%	1	1	0.000	0.000

Total Earnings	September 30	Month Ending
Current Year	0.00	
Average Daily Balance	62,123.01	
Effective Rate of Return	0.00%	

Kevin McCarthy 11/4/2016
Kevin McCarthy, Agency Treasurer

**2016 A Bonds
Portfolio Management
Portfolio Details - Investments
September 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	1	UBC Cost Of Issuance Escrow		07/21/2016	62,122.01	62,122.01	62,122.01			0.000	1	
SYS33	2	Union Bank Reserve Account		08/01/2016	1.00	1.00	1.00			0.000	1	
Subtotal and Average			62,123.01		62,123.01	62,123.01	62,123.01			0.000	1	
Total and Average			62,123.01		62,123.01	62,123.01	62,123.01			0.000	1	

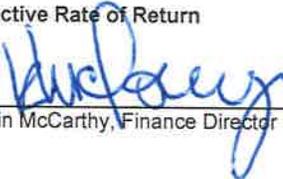


**City of Indian Wells
Portfolio Management
Portfolio Summary
September 30, 2016**

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.
Checking Accounts with Fiscal Agent	515,040.27	515,040.27	515,040.27	100.00	1	1	0.288	0.292
Investments	515,040.27	515,040.27	515,040.27	100.00%	1	1	0.288	0.292

Total Earnings	September 30 Month Ending
Current Year	135.20
Average Daily Balance	507,670.16
Effective Rate of Return	0.32%


Kevin McCarthy, Finance Director

Reporting period 09/01/2016-09/30/2016

Run Date: 11/10/2016 - 09:18

No fiscal year history available

**City of Indian Wells
Portfolio Management
Portfolio Details - Investments
September 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
Managed Trustee Accounts												
SYS1	1	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS11	11	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS12	12	Union Bank of California			0.00	0.00	0.00	0.420		0.414	1	
SYS13	13	Union Bank of California			0.00	0.00	0.00	0.410		0.404	1	
SYS14	14	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS15	15	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS16	16	Union Bank of California		07/01/2015	0.00	0.00	0.00	5.110		5.040	1	
SYS2	2	Union Bank of California			0.00	0.00	0.00	5.110		5.040	1	
SYS3	3	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS4	4	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS5	5	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
SYS8	8	Union Bank of California			0.00	0.00	0.00	4.950		4.882	1	
Subtotal and Average			0.00		0.00	0.00	0.00			0.000	0	
Checking Accounts with Fiscal Agent												
SYS6	6	The Golf Resort at Indian Well		07/01/2015	364,468.39	364,468.39	364,468.39			0.000	1	
SYS7	7	Indian Wells Villas			45,613.48	45,613.48	45,613.48	1,000		0.986	1	
SYS10	10	Mountain View Villas			104,958.40	104,958.40	104,958.40	1,000		0.986	1	
Subtotal and Average			507,670.16		515,040.27	515,040.27	515,040.27			0.288	1	
Total and Average			507,670.16		515,040.27	515,040.27	515,040.27			0.288	1	



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1561-16 Item #: F.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the October 20, 2016 FAMD Warrants and Demands

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50344	10/20/2016		UNIVERSAL PROTECTION SERVICE		
		2275427	8/26-9/29/16 FAMD SECURITY SERVICES	67,831.98	
	10/20/2016		UNIVERSAL PROTECTION SERVICE		
		2284069	9/16 FAMD SECURITY SERVICES	593.99	68,425.97
50340	10/20/2016		DESERT RESORT MANAGEMENT INC.		
		DRM029529	10/16 FAMD MANAGEMENT SERVICES	5,942.00	5,942.00
50341	10/20/2016		MARTIN SWEEPING		
		10235	9/16 FAMD DRAIN CLEANING & MAINTENANCE SERVICES	4,995.00	4,995.00
50337	10/20/2016		APPLICATIONS BY DESIGN, INC.		
		33399	9/16 DIGITAL BAR CODE SCANNER PROGRAMING SERVICES	3,100.00	
		33578	10/16 FAMD ACCESS CONTROL SYSTEM HOSTING	625.00	3,725.00
50336	10/20/2016		AMS		
		13827	10/16 FAMD SECURITY SURVEILLANCE SYSTEM INSTALLATION	2,267.08	
		13734	10/16 FAMD SECURITY ACCESS SOFTWARE MAINTENANCE	1,200.00	3,467.08
50339	10/20/2016		CONSERVE LANDCARE		
		14830	10/16 FAMD LANDSCAPE MAINTENANCE	1,840.00	1,840.00
50338	10/20/2016		COACHELLA VALLEY WATER DIST.		
		313223-844958	9/16 FAMD UTILITIES	898.64	
		152597-419098	9/16 FAMD UTILITIES	157.16	
		155649-422592	9/16 FAMD UTILITIES	47.46	1,103.26
50343	10/20/2016		SPARKLETTS DRINKING WATER		
		14583030100116	10/16 FAMD GATEHOUSE DRINKING WATER	126.48	126.48
50342	10/20/2016		POWERFUL PEST		
		100425	10/16 FAMD PEST CONTROL SERVICES	61.80	61.80

9 checks in this report

TOTAL FAMD WARRANTS: 50336-50344 **89,686.59**

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*10/20/16 Warrants issued prior to City Council approval.



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1562-16 Item #: G.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the November 3, 2016 FAMD Warrants and Demands

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50418	11/3/2016		AMS		
		13863	10/16 FAMD SECURITY GATE TRANSPONDERS	6,750.00	
	11/3/2016		AMS		
		13930	10/16 FAMD SECURITY GATE TRANSPONDERS	6,750.00	13,500.00
50424	11/3/2016		M & M SWEEPING, INC.		
		41728	10/16 FAMD STREET SWEEPING SERVICES	5,380.00	5,380.00
50422	11/3/2016		CONSERVE LANDCARE		
		14535	11/16 FAMD LANDSCAPE MAINTENANCE	1,840.00	
		15056	10/25/16 FAMD EXTRA LANDSCAPE MAINTENANCE	350.00	
		14990	10/11/16 FAMD EXTRA LANDSCAPE MAINTENANCE	235.00	2,425.00
50429	11/3/2016		WILLDAN FINANCIAL SERVICES		
		010-32387	10/16-12/16 FAMD LEVY SERVICES	1,162.07	1,162.07
50420	11/3/2016		BEST, BEST & KRIEGER, L.L.P.		
		781032	9/16 FAMD LEGAL SERVICES	913.00	913.00
50428	11/3/2016		UNIVERSAL PROTECTION SERVICE		
		2289347	10/16 FAMD SECURITY SERVICES	768.96	768.96
50419	11/3/2016		APPLICATIONS BY DESIGN, INC.		
		33183	11/16 FAMD ACCESS CONTROL SYSTEM HOSTING	625.00	
		33907	FY 2016/17 DIGITAL BAR CODE READERS & SOFTWARE	100.00	725.00
50425	11/3/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-04-020-2624	10/16 FAMD UTILITIES	415.78	
		2-01-570-2145	10/16 FAMD UTILITIES	239.38	655.16
50423	11/3/2016		FRONTIER		
		345-1307	10/16 FAMD LANDLINE PHONE SERVICES	553.33	553.33
50427	11/3/2016		TIME WARNER CABLE		
		844841076002410	10/16 FAMD CLUB DR GATEHOUSE INTERNET SERVICES	249.99	
		844841076002411	10/16 FAMD MANITOU DI GATEHOUSE INTERNET SERVICES	249.99	78

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50426	11/3/2016		STAPLES		
		1663202361	FY 2016/17 FAMD OFFICE SUPPLIES	285.61	285.61
50421	11/3/2016		COACHELLA VALLEY WATER DIST.		
		313223-844958	10/16 FAMD UTILITIES	194.44	
		155649-422592	10/16 FAMD UTILITIES	48.78	243.22
12 checks in this report					
				TOTAL FAMD WARRANTS: 50418-50429	27,111.33

*11/03/16 Warrants issued prior to City Council approval.



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1563-16 Item #: H.

FAMD Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the November 17, 2016 FAMD Warrants and Demands

**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50502	11/17/2016		UNIVERSAL PROTECTION SERVICE		
		2309579	9/30-10/27/16 FAMD SECURITY SERVICES	54,836.64	
	11/17/2016		UNIVERSAL PROTECTION SERVICE		
		2317511	10/16 FAMD SECURITY SERVICES FUEL	719.58	55,556.22
50499	11/17/2016		SIGN A RAMA		
		78146	10/16 FAMD SIGNAGE SUPPLY	2,458.98	
		81070	10/16 FAMD SIGNAGE MAINTENANCE SERVICES	301.62	2,760.60
50501	11/17/2016		UNITED BROTHERS CONCRETE, INC.		
		916374	9/16 FAMD CONCRETE REPAIR SERVICES	2,400.00	2,400.00
50497	11/17/2016		CONSERVE LANDCARE		
		15151	11/16 FAMD LANDSCAPE MAINTENANCE	1,840.00	1,840.00
50494	11/17/2016		AMS		
		13939	11/16 FAMD SECURITY ACCESS SOFTWARE MAINTENANCE	1,200.00	
		13988	10/16 FAMD SECURITY GATE REPAIR SERVICES	21.60	1,221.60
50495	11/17/2016		APPLICATIONS BY DESIGN, INC.		
		33906	12/16 FAMD ACCESS CONTROL SYSTEM HOSTING	625.00	625.00
50500	11/17/2016		SPARKLETTS DRINKING WATER		
		14583030110116	11/16 FAMD GATEHOUSE DRINKING WATER	126.48	126.48
50496	11/17/2016		COACHELLA VALLEY WATER DIST.		
		152597-419098	10/16 FAMD UTILITIES	116.88	116.88
50498	11/17/2016		POWERFUL PEST		
		100425	11/16 FAMD PEST CONTROL SERVICES	61.80	61.80

9 checks in this report

TOTAL FAMD WARRANTS: 50494-50502 64,708.58

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City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1551-16 Item #: I.

City Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the October 20, 2016 City Warrants and Demands

**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50293	10/14/2016	PROP01494	CALIFORNIA JOINT POWERS 2016/17 ALL RISK PROPERTY INSURANCE	326,989.00	326,989.00
50325	10/20/2016	SH0000029010	RIVERSIDE COUNTY SHERIFF DEPT 7/1-7/20/16 SHERIFF CONTRACT SERVICES	179,154.44	179,154.44
50314	10/20/2016	2017 SERIES	DESERT FORUM, INC. 2016/17 DESERT TOWN HALL LECTURE SERIES	57,900.00	57,900.00
50294	10/14/2016	SEP16	COACHELLA VALLEY ASSOC OF GOVT 9/16 TUMF DISTRIBUTION	19,804.99	19,804.99
50297	10/14/2016	0013344-IN	GREATER PALM SPRINGS 7/16 CVB ADVERTISING TV CO-OP	7,500.00	7,500.00
50310	10/20/2016	16-0626 16-0657	COACHELLA VALLEY ENGINEERS 9/16 SURVEY & DEFLECTION MONITORING SERVICES 9/16 SURVEY & DEFLECTION MONITORING SERVICES	3,012.09 3,012.09	6,024.18
50303	10/20/2016	31453 31767 31530 31362 31732	ACCESS ELECTRIC SUPPLY, INC. 9/16 LANDSCAPE LIGHTING SUPPLIES 9/16 INFRASTRUCTURE MAINTENANCE SUPPLIES 9/16 LANDSCAPE LIGHTING SUPPLIES 9/16 LANDSCAPE LIGHTING SUPPLIES 9/16 CREDIT-LANDSCAPE LIGHTING SUPPLIES	4,681.80 444.50 320.76 93.48 -209.47	5,331.07
50315	10/20/2016	52968	DESERT PUBLICATIONS, INC 10/16 PALM SPRINGS LIFE ANNUAL CITY ADVERTORIAL	3,995.00	3,995.00
50296	10/14/2016	627893-867338 155641-422578 313547-845300 281271-740546 281269-740542 153215-419808 155581-422504 155805-422752 152175-418598 152067-418436 314503-846420 542759-418520 152073-418442 314499-846416	COACHELLA VALLEY WATER DIST. 9/16 UTILITIES 9/16 UTILITIES	565.82 493.42 311.50 288.22 243.14 232.30 224.92 215.56 132.95 127.42 69.58 65.20 53.52 53.38	

**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		152069-418438	9/16 UTILITIES	47.50	
		134443-394192	9/16 UTILITIES	46.60	
		314329-846220	9/16 UTILITIES	45.04	
		152599-419102	9/16 UTILITIES	38.38	
		152575-419066	9/16 UTILITIES	35.62	
		281261-740534	9/16 UTILITIES	35.50	
		155761-422706	9/16 UTILITIES	30.20	
		156361-423526	9/16 UTILITIES	23.50	
		152991-419528	9/16 UTILITIES	23.50	
		281233-740500	9/16 UTILITIES	23.50	
		152173-418596	9/16 UTILITIES	21.60	
		324083-740422	9/16 UTILITIES	20.32	
		308623-839674	9/16 UTILITIES	19.00	
		281263-740536	9/16 UTILITIES	12.40	3,499.59
50311	10/20/2016		COACHELLA VALLEY WATER DIST.		
		155641-422578	8/16 UTILITIES	897.02	
		281269-740542	8/16 UTILITIES	478.54	
		152175-418598	8/16 UTILITIES	131.98	
		152173-418596	8/16 UTILITIES	85.24	1,592.78
50318	10/20/2016		INNOVATIVE DOCUMENT SOLUTIONS		
		173806	9/16 CANON COPIER MAINTENANCE SERVICES	1,081.68	
		173805	9/16 CANON COPIER MAINTENANCE SERVICES	212.48	1,294.16
50327	10/20/2016		RYDIN DECAL		
		324146	9/16 2017 BUSINESS LICENSE VEHICLE DECALS	1,292.09	1,292.09
50302	10/14/2016		TIME WARNER CABLE		
		8448410760148720	10/16 CITY HALL INTERNET SERVICES	1,235.00	1,235.00
50332	10/20/2016		SUPERCO SPECIALTY PRODUCTS		
		15039827	9/16 MAINTENANCE SUPPLIES	1,215.85	1,215.85
50295	10/14/2016		COACHELLA VALLEY CONSERVATION		
		SEP16	9/16 MSHCP COLLECTED	1,208.79	1,208.79
50291	10/14/2016		CALIF. DEPT OF CONSERVATION		
		JUL-SEP16	7/16-9/16 SMI & SEISMIC HAZARD MAPPING FEES	1,161.47	1,161.47
50321	10/20/2016		MARTIN SWEEPING		
		10232	9/16 CITYWIDE STORM DRAIN FACILITIES MAINTENANCE	962.70	962.70
50335	10/20/2016		WEX BANK		
		47070357	9/16 CITY FLEET VEHICLES FUEL SUPPLY	957.05	84

**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50301	10/14/2016	101637688	STATE BOARD OF EQUALIZATION 7/16-9/16 SALES AND USE TAX DUE	837.00	837.00
50324	10/20/2016	B00-013-582-1	RA STRUCTURAL ENGINEERING 10/16 PLAN CHECK SERVICES	520.00	520.00
50292	10/14/2016	JUL-SEP16	CALIFORNIA BUILDING STANDARDS 7/16-9/16 CBSC FEES COLLECTED	442.80	442.80
50322	10/20/2016	LONG BEACH	MCKINNEY, WADE G. 10/5-10/6/16 LEAGUE ANNUAL CONFERENCE EXPENSE REIMB.	421.08	421.08
50312	10/20/2016	ANAHEIM	DEGROOT, CRAIG 11/16 2016 CTI EDUCATION WEEK TRAVEL ADVANCE	375.00	375.00
50331	10/20/2016	3315833096 3314576998	STAPLES 9/16 OFFICE SUPPLIES 9/16 OFFICE SUPPLIES	204.57 158.48	363.05
50300	10/14/2016	2-10-366-7580 2-10-366-7440 2-36-295-8456 2-35-530-3157	SOUTHERN CALIFORNIA EDISON CO. 9/16 UTILITIES 9/16 UTILITIES 9/16 UTILITIES 9/16 UTILITIES	136.66 121.99 41.90 10.50	311.05
50329	10/20/2016	77803351 77816837	SITEONE LANDSCAPE SUPPLY, LLC 9/16 LANDSCAPE IRRIGATION SUPPLIES 9/16 LANDSCAPE IRRIGATION SUPPLIES	186.87 59.15	246.02
50298	10/14/2016	863822	HOME DEPOT 6/16 MAINTENANCE SUPPLIES-FIRE STATION	244.03	244.03
50289	10/11/2016	00370351-360	EMPLOYMENT DEVELOPMENT DEPT 10/7/16 PAYROLL GARNISHMENT	239.98	239.98
50333	10/20/2016	22875	TROPICAL PLANT SERVICES 9/16 INDOOR PLANT MAINTENANCE SERVICES	225.00	225.00
50334	10/20/2016	9772646165	VERIZON WIRELESS 9/16 CELLULAR PHONE SERVICES	205.22	205.22
50316	10/20/2016	104333 104332 104334	FERNANDO'S BUST-A-BUG 10/16 PEST CONTROL SERVICES-CIVIC CENTER 10/16 PEST CONTROL SERVICES-FIRE STATION 10/16 PEST CONTROL SERVICES-WALK OF HONOR	96.00 50.00 20.00	85.00

**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50308	10/20/2016	988743092	CANON SOLUTIONS AMERICA, INC. 9/16 WIDE FORMAT COPIER/SCANNER MAINTENANCE	152.00	152.00
50299	10/14/2016	64587	LOWE'S BUSINESS ACCOUNT 9/16 MAINTENANCE SUPPLIES	150.52	150.52
50319	10/20/2016	101161	JTB SUPPLY COMPANY, INC. 8/16 INFRASTRUCTURE MAINTENANCE SUPPLIES	128.00	128.00
50320	10/20/2016	6224	JUDICIAL DATA SYSTEMS CORP. 8/16 PARKING CITATIONS SERVICES	100.00	100.00
50317	10/20/2016	6021523 7011178	HOME DEPOT 9/16 MAINTENANCE SUPPLIES 8/16 MAINTENANCE SUPPLIES	65.15 32.67	97.82
50304	10/20/2016	68371 68435	AMERICAN FORENSIC NURSES 8/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES 9/16 PUBLIC SAFETY BLOOD DRAW TESTING SERVICES	40.00 40.00	80.00
50306	10/20/2016	44-BS 405166	BURRTEC WASTE & RECYCLING 10/16 ONSITE STORAGE BOX RENTAL	80.00	80.00
50305	10/20/2016	32751	BIO-TOX LABORATORIES 8/16 IW POLICE DRUG TESTING SERVICES	78.00	78.00
50326	10/20/2016	SH0000029136	RIVERSIDE COUNTY SHERIFF DEPT. 8/16 TRAFFIC MOTORCYCLE FUEL	77.27	77.27
50307	10/20/2016	74158	CAM STONE'S AUTOMOTIVE 9/16 CITY FLEET VEHICLE MAINTENANCE	67.68	67.68
50330	10/20/2016	15892760008 16312760008	SOUTHERN CALIFORNIA GAS CO. 9/16 UTILITIES 9/16 UTILITIES	52.41 14.79	67.20
50323	10/20/2016	74310	PALM DESERT DOOR & HARDWARE 9/16 MAINTENANCE SUPPLIES	42.08	42.08
50313	10/20/2016	S2343653.001	DESERT ELECTRIC SUPPLY 9/16 UTILITIES	35.82	35.82
50309	10/20/2016	76130	CARDINAL PROMOTIONS 6/16 CUSTOM EMBROIDERY SERVICES	32.40	32.40

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**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50290	10/11/2016	352000006506	UNITED WAY OF THE DESERT 10/7/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	25.00
50328	10/20/2016	208065503	SIMPLOT PARTNERS 9/16 DIAGNOSTIC FEE	25.00	25.00
47 checks in this report					
TOTAL CITY WARRANTS 50289-50335:					626,953.18

Wires :

61	10/5/2016	2016 09 SD	INDIAN WELLS GOLF RESORT 9/16 WIND STORM DAMAGE REIMBURSEMENT	652,810.80	652,810.80
1730	10/7/2016	95-2489139	INTERNAL REVENUE SERVICE 10/7/16 PAYROLL-FWT, FICA & MEDICARE	31,302.63	31,302.63
1731	10/7/2016	6392517834	CALPERS RETIREMENT SYSTEM 10/7/16 PAYROLL CONTRIBUTIONS	21,888.73	21,888.73
1729	10/12/2016		ICMA CONTRIBUTIONS 10/7/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	8,436.34	8,436.34
1732	10/7/2016	925-0060-2	CALIFORNIA, STATE OF 10/7/16 PAYROLL-SDI & SWT DEPOSIT	6,432.66	6,432.66
2960	10/6/2016	2379795	INDIAN WELLS EMPLOYEE ASSOC. 10/7/16 PAYROLL IW EMPLOYEE ASSOCIATION	196.00	196.00
2961	10/11/2016	200000001834517	CALIFORNIA STATE DISBURSEMENT 10/7/16 PAYROLL GARNISHMENT	138.46	138.46
TOTAL WIRE DISBURSEMENTS 61 and 1729-1732 and 2960 and 2961:					721,205.62

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**CITY OF INDIAN WELLS
10/20/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 15097-15128	79,554.96	
			2962	719.95	
			Total Net Payroll 10/7/16	80,274.91	

TOTAL CITY DISBURSEMENTS: 1,428,433.71

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



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1559-16 Item #: J.

City Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the November 3, 2016 City Warrants and Demands

CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50414	11/3/2016	SI-177381	VINTAGE ASSOCIATES 10/16 CITYWIDE LANDSCAPE MAINTENANCE SERVICES	47,909.17	47,909.17
50361	11/3/2016		BEST, BEST & KRIEGER, L.L.P.		
		781031	9/16 GENERAL RETAINER LEGAL SERVICES	20,797.00	
		780254	9/16 CODE ENFORCEMENT LEGAL SERVICES	869.70	
		781037	9/16 CODE ENFORCEMENT LEGAL SERVICES	823.10	
		781036	9/16 CODE ENFORCEMENT LEGAL SERVICES	778.09	
		781038	9/16 CODE ENFORCEMENT LEGAL SERVICES	513.24	
		781033	9/16 CODE ENFORCEMENT LEGAL SERVICES	340.68	24,121.81
50353	10/31/2016		PLATINUM PLUS FOR BUSINESS		
		0704 DG	10/16 UPDATED REFERENCE MATERIAL BLDG DEPT	2,665.26	
		7142 CT	9/16 OFFICE SUPPLIES	2,217.04	
		0292 NW	9/16 SOFTWARE LICENSE	1,830.00	
		6324 KM	9/16 (7,000) 2017 RESIDENT BENEFIT ID CARDS	1,816.00	
		7142 CT	9/16 REFERENCE MATERIAL	1,332.64	
		4914 KS	9/16 TOOL SUPPLY	1,132.92	
		4914 KS	9/16 TRAINING MATERIAL	1,013.98	
		0704 DG	9/24-9/28/16 ICMA CONFERENCE HOTEL-D.GASSAWAY	853.43	
		7142 CT	11/16 CALBO EDUCATION WEEK REGISTRATION-C.DEGROOT	645.00	
		7142 CT	9/7/16 EXECUTIVE MANAGEMENT TEAM MEETING	619.05	
		7142 CT	10/16 CALBO EDUCATION WEEK REGISTRATION-C.DEGROOT	585.00	
		3913 NS	10/16 LCC ANNUALCONFERENCE & EXPO-N.SAMEULSON	575.00	
		0292 NW	9/16 1-YEAR SOFTWARE LICENSE	574.56	
		0292 NW	9/16 AMAZON WEB OFFSITE BACKUP SERVICES	553.50	
		0704 DG	9/16 LCC 2017 CITY MANAGERS DEPT MTG-D.GASSAWAY	500.00	
		0704 DG	3/17 CALIFORNIA ASSOCIATION CONFERENCE-D.GASSAWAY	495.00	
		3913 NS	12/16 MMASC ANNUAL CONFERENCE HOTEL-N.SAMUELSON	454.00	
		7142 CT	11/16 CALBO EDUCATION WEEK REGISTRATION-T.BATISTE	390.00	
		7142 CT	10/16 CALBO EDUCATION WEEK REGISTRATION-B.PELLETIER	390.00	
		4914 KS	9/16 MAINTENANCE SUPPLIES	372.50	
		0704 DG	8/16 ANNUAL MEMBERSHIP-D.GASSAWAY	350.00	
		4914 KS	10/16 MAINTENANCE SUPPLIES	294.41	
		4914 KS	9/16 UNIFORM SUPPLY	266.50	
		4914 KS	9/16 OFFICE SUPPLIES	231.02	
		7142 CT	9/16 CITY COUNCIL MEETING LUNCH	202.50	
		7142 CT	10/16 CALBO EDUCATION WEEK REGISTRATION-J.MOON	195.00	
		0292 NW	9/16 DOMAIN NAME RENEWALS	166.14	
		4914 KS	10/16 LCC ANNUAL CONFERENCE HOTEL-K.SEUMALO	134.63	
		3913 NS	10/16 LCC ANNUAL CONFERENCE & EXPO HOTEL-N.SAMUELSON	134.63	
		6324 KM	10/16 LCC CONFERENCE & EXPO HOTEL-K.MCCARTHY	134.63	

**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		4914 KS	9/16 UNIFORM SUPPLY	130.68	
		7142 CT	10/16 OFFICE SUPPLY	112.55	
		0704 DG	10/16 MEMBERSHIP TRAINING-K.NELSON	100.00	
		0704 DG	9/16 LUNCH MEETING	97.67	
		0292 NW	9/16 DOMAIN NAME RENEWALS	91.73	
		7142 CT	8/16 MEMBERSHIP RENEWAL-D.GASSAWAY	85.00	
		7142 CT	9/16 REFERENCE MATERIAL	76.34	
		0292 NW	9/16 COMPUTER HARDWARE	75.59	
		4914 KS	9/16 TOOL SUPPLY	73.87	
		7142 CT	9/20/16 DESERT WATER PANEL REGISTRATION-T.MERTENS	55.00	
		4914 KS	9/16 TOOL SUPPLY	50.01	
		4914 KS	9/16 TOOL SUPPLY	49.02	
		0704 DG	9/26/16 ICMA CONFERENCE MEAL EXPENSE-D.GASSAWAY	46.54	
		4914 KS	9/16 TOOL SUPPLY	45.35	
		7142 CT	9/16 OFFICE SUPPLIES	35.23	
		0292 NW	9/16 COMPUTER ACCESSORY	34.28	
		7142 CT	9/20/16 ERGONOMIC TRAINING SUPPLIES	32.44	
		4914 KS	9/16 MAINTENANCE SUPPLIES	26.00	
		0704 DG	9/22/16 ICMA CONFERENCE AIRFARE FEE-D.GASSAWAY	25.00	
		0704 DG	9/29/16 ICMA CONFERENCE AIRFARE FEE-D.GASSAWAY	25.00	
		6324 KM	9/16 ONLINE PAYMENT ACCOUNT MANAGEMENT SERVICES	25.00	
		3913 NS	9/16 MAINTENANCE SUPPLIES	15.61	
		7142 CT	9/16/16 CITY COUNCIL MEETING SUPPLIES	12.47	
		0292 NW	10/16 DOMAIN NAME REGISTRATION	12.17	
		4914 KS	8/16 SATELLITE PHONE SERVICE USAGE	6.17	
		0292 NW	9/16 TELEPHONE CONFERENCING SERVICES	3.17	
		4914 KS	10/16 MASTERCARD HOTEL NETWORK REBATE	-5.39	
		3913 NS	10/16 MASTERCARD HOTEL NETWORK REBATE	-5.39	
		6324 KM	10/16 MASTERCARD HOTEL NETWORK REBATE	-5.39	
		4914 KS	9/16 CREDIT TOOL SUPPLY	-34.84	22,415.22
50407	11/3/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-10-345-9178	10/16 UTILITIES	6,737.68	
		2-01-570-2186	10/16 UTILITIES	1,351.10	
		2-32-228-7590	10/16 UTILITIES	357.04	
		2-26-379-6526	10/16 UTILITIES	211.54	
		2-30-405-2939	10/16 UTILITIES	124.17	
		2-26-446-8521	10/16 UTILITIES	96.68	
		2-33-975-8682	10/16 UTILITIES	80.78	
		2-28-811-8029	10/16 UTILITIES	79.17	
		2-28-811-8524	10/16 UTILITIES	78.10	
		2-28-811-9811	10/16 UTILITIES	62.68	
		2-02-275-6597	10/16 CITYWIDE UTILITIES	61.64	

**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		2-26-702-6078	10/16 UTILITIES	58.02	
		2-04-013-0916	10/16 UTILITIES	56.94	
		2-28-811-8276	10/16 UTILITIES	53.85	
		2-28-811-8425	10/16 UTILITIES	48.43	
		2-28-811-8466	10/16 UTILITIES	47.35	
		2-31-473-5101	10/16 UTILITIES	45.90	
		2-30-405-3051	10/16 UTILITIES	44.20	
		2-28-811-8367	10/16 UTILITIES	43.42	
		2-19-255-7163	10/16 UTILITIES	42.80	
		2-19-200-4638	10/16 UTILITIES	35.56	
		2-35-253-2683	10/16 UTILITIES	32.60	
		2-01-570-2202	10/16 UTILITIES	17.04	9,766.69
50379	11/3/2016		GRAPHTEK INTERACTIVE		
		10838-1	10/16 NEWSLETTER DESIGN SERVICES	3,500.00	
		10795-1	10/16 GRAPHIC DESIGN SERVICES	175.00	
		10797-1	10/16 GRAPHIC DESIGN SERVICES	175.00	
		10810-1	10/16 GRAPHIC DESIGN SERVICES	175.00	
		10811-1	10/16 GRAPHIC DESIGN SERVICES	175.00	
		10839-1	10/16 GRAPHIC DESIGN SERVICES	175.00	4,375.00
50367	11/3/2016		CLEANSTREET		
		83766	9/16 CITYWIDE STREET SWEEPING SERVICES	3,681.17	3,681.17
50393	11/3/2016		PERFECT IMAGES JANITORIAL		
		92892	9/16 JANITORIAL MAINTENANCE SERVICES	3,495.00	3,495.00
50350	10/28/2016		DELTA DENTAL		
		BE001893484	11/16 DENTAL INSURANCE PREMIUMS	2,764.90	2,764.90
50415	11/3/2016		WELLNESS WORKS		
		16-37	7/16-6/17 EMPLOYEE ASSISTANCE PROGRAM SERVICES	2,500.00	2,500.00
50383	11/3/2016		HIGH TECH MAILING SERVICES		
		33101	10/16 NEWSLETTER MAILING SERVICES	2,328.92	2,328.92
50395	11/3/2016		PRINTING PLACE		
		161872	10/16 NEWSLETTER PRINTING SERVICES	2,310.00	2,310.00
50409	11/3/2016		SYNERGY INFORMATION SYSTEMS		
		4331	9/16 1-YEAR SOFTWARE RENEWAL	1,234.64	
		4332	9/16 SOFTWARE RENEWAL SERVICES	780.00	2,014.64
50351	10/28/2016		UNION SECURITY INSURANCE CO.		
		4015595	11/16 LONG TERM DISABILITY INSURANCE	1,855.09	1,855.09

CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50359	11/3/2016		B.G. STRUCTURAL ENGINEERING		
		917.689	10/16 PLAN CHECK SERVICES	750.00	
		917.694	10/16 PLAN CHECK SERVICES	450.00	
		917.691	10/16 PLAN CHECK SERVICES	300.00	
		917.692	10/16 PLAN CHECK SERVICES	225.00	1,725.00
50358	11/3/2016		AVILA, ANGELICA		
		SCHOOL REIMB	8/30-10/18/16 EDUCATION REIMBURSEMENT	1,192.96	
		SCHOOL REIMB	6/16-9/16 EDUCATION REIMBURSEMENT	250.00	1,442.96
50398	11/3/2016		RA STRUCTURAL ENGINEERING		
		B00-013-523-2	10/16 PLAN CHECK SERVICES	1,430.00	1,430.00
50405	11/3/2016		SIMPLOT PARTNERS		
		208067189	10/16 LANDSCAPE MAINTENANCE SUPPLIES	842.40	
		208067414	10/16 LANDSCAPE MAINTENANCE SUPPLIES	428.77	
		208067063	10/16 MAINTENANCE SUPPLIES	61.28	1,332.45
50374	11/3/2016		DESERT FIRE EXTINGUISHER CO.,		
		241247	9/16 PORTABLE FIRE EXTINGUISHER SERVICE	1,152.14	1,152.14
50387	11/3/2016		JP TREE CARE CERTIFD ARBORIST		
		12278	10/16 CODE ENFORCEMENT ABATEMENT SERVICES	1,150.00	1,150.00
50364	11/3/2016		CAM STONE'S AUTOMOTIVE		
		74356	10/16 CITY FLEET VEHICLE MAINTENANCE	1,138.13	1,138.13
50396	11/3/2016		PROPER SOLUTIONS		
		5202	9/12-9/16/16 CITY STAFF TEMP SERVICES	1,118.88	1,118.88
50363	11/3/2016		BMW MOTORCYCLES OF RIVERSIDE		
		6014521/2	9/16 TRAFFIC MOTORCYCLE MAINTENANCE	1,011.20	1,011.20
50380	11/3/2016		GREAT AMERICA FINANCIAL SVCS		
		19541194	10/16 CANON COPIER LEASE SERVICES	999.00	999.00
50406	11/3/2016		SITEONE LANDSCAPE SUPPLY, LLC		
		77910783	10/16 LANDSCAPE IRRIGATION SUPPLIES	260.01	
		77881528	10/16 LANDSCAPE IRRIGATION SUPPLIES	228.28	
		78009877	10/16 LANDSCAPE IRRIGATION SUPPLIES	134.91	
		77841059	10/16 LANDSCAPE IRRIGATION SUPPLIES	124.52	
		77950260	10/16 LANDSCAPE IRRIGATION SUPPLIES	122.67	
		77910946	10/16 LANDSCAPE IRRIGATION SUPPLIES	45.16	
		77841024	9/16 LANDSCAPE IRRIGATION SUPPLIES	37.42	
		77924008	10/16 LANDSCAPE IRRIGATION SUPPLIES	22.49	

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**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50388	11/3/2016		MCKINNEY, WADE G.		
		SAN FRANCISCO	10/16 CCMF QUARTERLY BOARD MEETING TRAVEL REIMB	896.15	896.15
50389	11/3/2016		MERTENS, TED		
		LONG BEACH	10/16 LCC ANNUAL CONFERENCE TRAVEL EXPENSE REIMB	839.99	839.99
50369	11/3/2016		CORELOGIC INFORMATION		
		81733845	9/16 REALQUEST ONLINE REAL ESTATE DATA	825.00	825.00
50430	11/3/2016		PEABODY, TY		
		LAS VEGAS	11/16 TOPGOLF MEETING & FACILITY TOUR TRAVEL ADVANCE	815.00	815.00
50401	11/3/2016		REED, DANA		
		LONG BEACH	10/5-10/7/16 LCC ANNUAL CONFERENCE TRAVEL REIMB	736.86	
		BEAUMONT	8/12/16 LCC RIVERSIDE COUNTY DIVISION MTG TRAVEL REIMB	53.24	790.10
50400	11/3/2016		RASA		
		5025	10/16 CITY MAP/PLAN CHECKING SERVICES	570.00	570.00
50392	11/3/2016		PALM DESERT DOOR & HARDWARE		
		74597	10/16 MAINTENANCE SUPPLIES	562.72	562.72
50368	11/3/2016		COACHELLA VALLEY WATER DIST.		
		317055-849582	9/16 UTILITIES	393.14	
		314309-846198	9/16 UTILITIES	97.66	
		331197-849962	9/16 UTILITIES	60.40	551.20
50375	11/3/2016		DESERT SUN PUBLISHING CO.		
		0005726248	8/16 LEGAL NOTICES	528.00	528.00
50360	11/3/2016		BAY CITY EQUIPMENT INDUSTRIES		
		W164842	10/16 CITY GENERATOR PREVENTATIVE MAINTENENACE	260.00	
		W164838	10/16 CITY GENERATOR PREVENTATIVE MAINTENENACE	239.00	499.00
50365	11/3/2016		CANON FINANCIAL SERVICES, INC		
		16589213	11/16 WIDE FORMAT PRINTER & SCANNER LEASE	411.21	411.21
50402	11/3/2016		RIVERSIDE COUNTY INFORMATION		
		IT0000000022	7/16 SHERIFF MOTORCYCLE RADIO OPERATIONS SERVICES	205.48	
		IT0000000135	8/16 SHERIFF MOTORCYCLE RADIO OPERATIONS SERVICES	205.48	410.96
50346	10/21/2016		ASSURANT EMPLOYEE BENEFITS		
		5478680	11/16 LIFE INSURANCE/AD&D PREMIUMS	403.80	403.80
50386	11/3/2016		JENKINS & HOGIN, LLP		
		24126	9/16 LEGAL SERVICES	360.00	360.00

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**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50399	11/3/2016	8383	RADAR SHOP, THE 9/16 ON-SITE RE-CERTIFICATION	356.00	356.00
50381	11/3/2016	SCHOOL REIMB	HAPNER, SONIA 6/16-9/16 EDUCATION REIMBURSEMENT	350.00	350.00
50354	11/3/2016	31935 31915	ACCESS ELECTRIC SUPPLY, INC. 10/16 LANDSCAPE LIGHTING SUPPLIES 10/16 LANDSCAPE LIGHTING SUPPLIES	170.64 108.00	278.64
50403	11/3/2016	294	SECO SYS WATER CONTROL 10/16 MAINTENANCE MATERIAL	273.05	273.05
50397	11/3/2016	22320087 22316400	PRUDENTIAL OVERALL SUPPLY 10/12/16 CITY FACILITY SERVICES 10/5/16 FACILITY SERVICES	123.44 115.55	238.99
50347	10/21/2016	REFUND	BURR, LHORAN 10/16 PAYROLL DEDUCTION OVERPAYMENT REFUND	227.09	227.09
50377	11/3/2016	595167	FIRST CHOICE SERVICES 10/16 CITY HALL COFFEE SUPPLY	202.60	202.60
50378	11/3/2016	346-0407 200-1815	FRONTIER 10/16 CITY HALL FAX LINE SERVICES 10/16 TRAFFIC SIGNAL CONTROL PHONE SERVICE	108.74 55.80	164.54
50410	11/3/2016	83584796-0	TELEPACIFIC COMMUNICATIONS 10/16 E.O.C. EMERGENCY PHONE SERVICE	160.25	160.25
50348	10/21/2016	NOVEMBER 2016 NOVEMBER 2016	NATIONAL INSURANCE MARKETING 10/7/16 PAYROLL EMPLOYEE DEDUCTION LIFE INSURANCE 10/21/16 PAYROLL EMPLOYEE DEDUCTION LIFE INSURANCE	77.49 77.49	154.98
50382	11/3/2016	10005922597	HDS WHITE CAP CONST SUPPLY 10/16 TOOL SUPPLY	145.79	145.79
50394	11/3/2016	133615 133670	POWERS AWARDS 9/16 CUSTOM SERVICES 10/16 MAINTENANCE SUPPLIES	97.58 45.36	142.94
50371	11/3/2016	AN0000000866	COUNTY OF RIVERSIDE 9/16 ANIMAL SHELTER MAINTENANCE SERVICES	131.17	131.17
50355	11/3/2016	SI-61345	ARMSTRONG GROWERS 9/16 LANDSCAPE SUPPLIES	116.64	116.64

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**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50370	11/3/2016	000111821642483	COSTCO MEMBERSHIP 12/16 (1) EXECUTIVE MEMBERSHIP RENEWAL	110.00	110.00
50416	11/3/2016	12774	YELLOW MART STORES 10/16 UNIFORM SUPPLY	103.66	103.66
50385	11/3/2016	29823	INTERNATIONAL INSTITUTE OF 9/16-12/17 ASSOCIATE MEMBERSHIP RENEWAL-S.HAPNER	100.00	100.00
50356	11/3/2016	161100106101	AROUND-THE-CLOCK 10/16 AFTER HOURS PHONE ANSWERING SERVICE	91.00	91.00
50411	11/3/2016	8448410760152292	TIME WARNER CABLE 10/16 CITY HALL CABLE TV SERVICES	88.60	88.60
50376	11/3/2016	5-577-58834	FEDERAL EXPRESS CORP. 9/16 EXPRESS MAIL SERVICES	79.44	79.44
50412	11/3/2016	1056534	TOPS N BARRICADES 10/16 MAINTENANCE SUPPLIES	75.60	75.60
50372	11/3/2016	172021	CSMFO 11/16/16 CSMFO CHAPTER MEETING	75.00	75.00
50404	11/3/2016	2314188	SEPULVEDA BUILDING MATERIALS 10/16 TOOL SUPPLY	50.77	50.77
50384	11/3/2016	50579115	IMPERIAL IRRIGATION DISTRICT 10/16 UTILITIES	49.82	49.82
50362	11/3/2016	32470	BIO-TOX LABORATORIES 6/16 IW POLICE DRUG TESTING SERVICES	39.00	39.00
50366	11/3/2016	76557	CARDINAL PROMOTIONS 10/16 CUSTOM EMBROIDERY SERVICES	37.80	37.80
50391	11/3/2016	202841 202987 202648	PALM DESERT ACE HARDWARE 9/16 TOOL SUPPLY 10/16 MAINTENANCE SUPPLIES 9/16 TOOL SUPPLY	12.95 10.79 10.79	34.53
50357	11/3/2016	287243904839	AT&T MOBILITY 9/16 SIM CARD DATA CONNECTION SERVICES	31.41	31.41

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**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50349	10/21/2016	352000006506	UNITED WAY OF THE DESERT 10/21/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	25.00
50413	11/3/2016	9773410012	VERIZON WIRELESS 9/16 MOTOR OFFICER TICKET WRITER CELLULAR SERVICE	22.18	22.18
50390	11/3/2016	627757319-179	NEXTEL COMMUNICATIONS 9/16 CELLULAR COMMUNICATION SERVICES	20.77	20.77
50408	11/3/2016	1201790-IN	SOUTHWEST BOULDER & STONE INC. 9/16 LANDSCAPE MAINTENANCE SUPPLIES	16.00	16.00
50373	11/3/2016	S2346127.001	DESERT ELECTRIC SUPPLY 10/16 ELECTRICAL SUPPLIES	2.42	2.42

71 checks in this report

TOTAL CITY WARRANTS 50346-50416 and 50430: 155,471.64

**CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
Wires :					
1736	10/21/2016		CALIFORNIA PUBLIC EMPLOYEES		
		100000014851071	11/16 MEDICAL INSURANCE PREMIUMS	64,820.00	64,820.00
1734	10/21/2016		INTERNAL REVENUE SERVICE		
		95-2489139	10/21/16 PAYROLL-FWT, FICA & MEDICARE	29,881.34	29,881.34
1737	10/21/2016		CALPERS RETIREMENT SYSTEM		
		6392517834	10/21/16 PAYROLL CONTRIBUTIONS	21,687.05	21,687.05
1733	10/21/2016		ICMA		
			CONTRIBUTIONS 10/21/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	8,170.48	8,170.48
1741	11/3/2016		ICMA		
			CONTRIBUTIONS 11/4/16 PAYROLL-401A, 457 & ROTH IRA CONTRIBUTIONS	7,830.61	7,830.61
1738	10/21/2016		CALIFORNIA, STATE OF		
		925-0060-2	10/21/16 PAYROLL-SDI & SWT DEPOSIT	6,327.72	6,327.72
1739	10/21/2016		VISION SERVICE PLAN - (CA)		
		121858900001	11/16 VISION INSURANCE PREMIUMS	637.47	637.47
1743	11/3/2016		INDIAN WELLS EMPLOYEE ASSOC.		
		2379795	11/4/16 PAYROLL IW EMPLOYEE ASSOCIATION	196.00	196.00
1735	10/19/2016		INDIAN WELLS EMPLOYEE ASSOC.		
		2379795	10/21/16 PAYROLL IW EMPLOYEE	196.00	196.00
1740	10/21/2016		CALIFORNIA STATE DISBURSEMENT		
		200000001834517	10/21/16 PAYROLL GARNISHMENT	138.46	138.46

TOTAL WIRE DISBURSEMENTS 1733-1741 and 1743: 139,885.13
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CITY OF INDIAN WELLS
11/03/2016 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 15129-15156	74,887.17	
			Total Net Payroll 10/21/16	74,887.17	
			TOTAL CITY DISBURSEMENTS:	370,243.94	

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



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: 1560-16 Item #: K.

City Warrants and Demands

RECOMMENDED ACTION:

Council **APPROVES** the November 17, 2016 City Warrants and Demands

**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50463	11/17/2016		LIVING DESERT, THE		
		100	10/16 CULTURAL & PROMOTIONAL GRANT	60,000.00	60,000.00
50491	11/17/2016		VINTAGE ASSOCIATES		
		SI-178293	11/16 CITYWIDE LANDSCAPE MAINTENANCE SERVICES	47,909.17	
		SI-177960	10/16 EXTRA LANDSCAPE SERVICES	4,902.00	52,811.17
50459	11/17/2016		INDIAN WELLS GOLF RESORT		
		2016 10 RR	10/16 GOLF RESORT RESIDENT DISCOUNTS	9,272.72	
		2016 09 RR	9/16 GOLF RESORT RESIDENT DISCOUNTS	5,164.06	14,436.78
50437	11/17/2016		BURRTEC WASTE & RECYCLING		
		2015/16 #4	11/16 FY 2015/16 SOLID WASTE FEES PASS THROUGH (SS4)	13,108.12	13,108.12
50447	11/17/2016		CVENT, INC		
		232525-A	10/16 CVENT MEDIA BUYS	12,665.00	12,665.00
50434	11/17/2016		ARMSTRONG GROWERS		
		SI-66348	10/16 CITYWIDE FLOWERS LANDSCAPE SUPPLY	9,183.40	9,183.40
50441	11/17/2016		CNS ENGINEERS, INC.		
		14016-6	9/16 ENGINEERING DESIGN SERVICES	7,985.43	7,985.43
50454	11/17/2016		GRANICUS		
		81368	10/16 CITY WEBSITE REDESIGN & DEVELOPMENT SERVICES	5,678.90	
		81371	10/16-10/17 CIVICA SERVICES	560.00	6,238.90
50450	11/17/2016		EVERBRIDGE INC.		
		M31115	10/24/16-10/23/17 NIXLE ENGAGE SOFTWARE	4,650.00	4,650.00
50444	11/17/2016		COACHELLA VALLEY WATER DIST.		
		155641-422578	10/16 UTILITIES	1,209.61	
		627893-867338	10/16 UTILITIES	409.09	
		313547-845300	10/16 UTILITIES	329.86	
		153215-419808	10/16 UTILITIES	274.54	
		281269-740542	10/16 UTILITIES	263.86	
		155805-422752	10/16 UTILITIES	223.42	
		314309-846198	10/16 UTILITIES	155.72	
		314499-846416	10/16 UTILITIES	133.16	
		281271-740546	10/16 UTILITIES	129.16	
		155581-422504	10/16 UTILITIES	88.96	
		152067-418436	10/16 UTILITIES	78.00	
		314329-846220	10/16 UTILITIES	74.31	
		542759-418520	10/16 UTILITIES	73.54	
		152175-418598	10/16 UTILITIES	73.00	

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**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		152073-418442	10/16 UTILITIES	54.84	
		152599-419102	10/16 UTILITIES	53.92	
		134443-394192	10/16 UTILITIES	53.20	
		314503-846420	10/16 UTILITIES	46.72	
		152575-419066	10/16 UTILITIES	43.54	
		152173-418596	10/16 UTILITIES	38.80	
		281261-740534	10/16 UTILITIES	35.50	
		155761-422706	10/16 UTILITIES	30.20	
		281233-740500	10/16 UTILITIES	23.50	
		156361-423526	10/16 UTILITIES	23.50	
		152991-419528	10/16 UTILITIES	23.50	
		324083-740422	10/16 UTILITIES	19.00	
		308623-839674	10/16 UTILITIES	19.00	
		281263-740536	10/16 UTILITIES	12.40	3,993.85
50445	11/17/2016		COVE ELECTRIC, INC.		
		4845	10/16 SIGNAL CABLE INSTALLATION SERVICES	3,920.00	3,920.00
50477	11/17/2016		SHARK POOLS, INC.		
		16201104	11/16 IW LANE WEST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16201105	11/16 IW LANE EAST SIDE OF HWY 111 FOUNTAINS MAINTENANCE	1,120.00	
		16201103	11/16 WALK OF HONOR FOUNTAIN MAINTENANCE	720.00	
		16201101	11/16 CITY HALL ENTRY FOUNTAIN MAINTENANCE	360.00	
		16201102	11/16 CITY FLAGPOLE FOUNTAIN MAINTENANCE	360.00	3,680.00
50442	11/17/2016		COACHELLA VALLEY ASSOC OF GOV'T		
		OCT16	10/16 TUMF DISTRIBUTION	3,674.88	3,674.88
50492	11/17/2016		WILLDAN FINANCIAL SERVICES		
		010-32387	10/16-12/16 CITY LEVY SERVICES	3,589.04	3,589.04
50461	11/17/2016		JOE A. GONSALVES & SON		
		155205	11/16 LEGISLATIVE ADVOCACY SERVICES	3,000.00	3,000.00
50446	11/17/2016		CRAIL COMMUNICATIONS		
		3017	11/16-12/16 NEWSLETTER CONTENT	2,435.00	2,435.00
50443	11/17/2016		COACHELLA VALLEY CONSERVATION		
		OCT16	10/16 MSHCP COLLECTED	2,417.58	2,417.58
50470	11/17/2016		PIN CENTER		
		1016065	10/16 50TH ANNIVERSARY CITY PINS	2,015.00	2,015.00
50440	11/17/2016		CLARK DEVELOPMENT CORP/		
		1505001-2 0007	2/15 DEPOSIT REFUND-DUST CONTROL	1,720.00	102 1,720.00

**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50479	11/17/2016	208067614	SIMPLOT PARTNERS 10/16 LANDSCAPE MAINTENANCE SUPPLIES	1,706.40	1,706.40
50484	11/17/2016	2566	SURABIAN AG LABORATORY & 9/16 PALM TREE TISSUE ANALYSIS SERVICE	1,420.95	1,420.95
50489	11/17/2016	141291807-001	UNITED RENTALS NORTHWEST, INC. 10/16 EQUIPMENT RENTAL	1,299.76	1,299.76
50486	11/17/2016	8448410760148720	TIME WARNER CABLE 11/16 CITY HALL INTERNET SERVICES	1,235.00	1,235.00
50457	11/17/2016	LONG BEACH	HANSON, DOUGLAS 10/4-10/7/16 LCC CONFERENCE TRAVEL EXPENSE REIMB	1,050.20	1,050.20
50478	11/17/2016	DTD 10/27/16	SIGNWORKS, THE 10/16 WALK OF HONER MONUMENT ENGRAVING SERVICES	1,008.00	1,008.00
50460	11/17/2016	174866 174865	INNOVATIVE DOCUMENT SOLUTIONS 10/16 CANON COPIER MAINTENANCE SERVICES 10/16 CANON COPIER MAINTENANCE SERVICES	778.66 200.29	978.95
50493	11/17/2016	0167306	ZUMAR INDUSTRIES, INC. 10/16 CITY TRAFFIC SIGNS	930.81	930.81
50455	11/17/2016	10760-1 10759-1	GRAPHTEK INTERACTIVE 10/16 GRAPHIC DESIGN SERVICES 10/16 GRAPHIC DESIGN SERVICES	450.00 450.00	900.00
50471	11/17/2016	5267 5294	PROPER SOLUTIONS 9/29-9/30/16 CITY STAFF TEMP SERVICES 10/6-10/7/16 CITY STAFF TEMP SERVICES	479.52 399.60	879.12
50475	11/17/2016	2318034	SEPULVEDA BUILDING MATERIALS 10/16 MAINTENANCE SUPPLIES	844.10	844.10
50453	11/17/2016	392675 393012	FULTON DISTRIBUTING 10/16 JANITORIAL SUPPLIES 10/16 KITCHEN/MEETING SUPPLIES	538.11 296.33	834.44
50435	11/17/2016	917.698 917.699	B.G. STRUCTURAL ENGINEERING 10/16 PLAN CHECK SERVICES 10/16 PLAN CHECK SERVICES	525.00 225.00	750.00
50480	11/17/2016	78230162 78230215 78042506 78148459	SITEONE LANDSCAPE SUPPLY, LLC 10/16 LANDSCAPE IRRIGATION SUPPLIES 10/16 LANDSCAPE IRRIGATION SUPPLIES 10/16 LANDSCAPE IRRIGATION SUPPLIES 10/16 LANDSCAPE IRRIGATION SUPPLIES	341.09 190.61 116.29 57.89	103

**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50439	11/17/2016	78230209	10/16 LANDSCAPE IRRIGATION SUPPLIES CDW GOVERNMENT, INC.	37.17	743.05
50456	11/17/2016	FQW9725 FRS7346	10/16 COMPUTER HARDWARE PURCHASE 10/16 COMPUTER HARDWARE PURCHASE GREAT AMERICA FINANCIAL SVCS	373.59 364.97	738.56
		19579771	11/16 CANON COPIER LEASE SERVICES	626.84	626.84
50487	11/17/2016		TOPS N BARRICADES		
		1056698	10/16 TRAFFIC CONTROL SUPPLIES	616.90	616.90
50468	11/17/2016		PAUL BLATT ENTERPRISES, INC.		
		1142	9/16 MAINTENANCE SUPPLIES-BALANCE DUE	580.00	580.00
50462	11/17/2016		LASR-INK		
		13148	10/16 PRINTER CARTRIDGES	529.74	529.74
50466	11/17/2016		MUNISERVICES, LLC		
		0000043602	10/16 SALES TAX REPORTING SYSTEMS	510.00	510.00
50448	11/17/2016		DESERT ELECTRIC SUPPLY		
		S2351485.001	10/16 MAINTENANCE SUPPLIES	485.73	485.73
50464	11/17/2016		MILLESTONE MARBLE & TILE, INC.		
		7390	10/16 COMMUNITY GARDEN PLAQUE	372.50	372.50
50481	11/17/2016		SOUTHERN CALIFORNIA EDISON CO.		
		2-10-366-7580	10/16 UTILITIES	137.00	
		2-10-366-7440	10/16 UTILITIES	124.39	
		2-36-295-8456	10/16 UTILITIES	41.96	
		2-35-530-3157	10/16 UTILITIES	10.51	313.86
50483	11/17/2016		STAPLES		
		3317171705	10/16 OFFICE SUPPLIES	309.76	309.76
50474	11/17/2016		ROJO, NORMA L.		
		RIVERSIDE	10/16 CALPERS ED FORUM TRAVEL EXPENSE REIMB	279.14	279.14
50432	11/4/2016		EMPLOYMENT DEVELOPMENT DEPT		
		00370351-360	11/4/16 PAYROLL GARNISHMENT	239.98	239.98
50472	11/17/2016		PRUDENTIAL OVERALL SUPPLY		
		22327444	10/26/16 FACILITY SERVICES	123.43	
		22323839	10/19/16 FACILITY SERVICES	115.55	238.98

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**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50488	11/17/2016	22952	TROPICAL PLANT SERVICES 10/16 INDOOR PLANT MAINTENANCE SERVICES	225.00	225.00
50473	11/17/2016	ANAHEIM	REED, DANA 10/16 MOBILITY 21 SUMMIT TRAVEL EXPENSE REIMB	218.80	218.80
50490	11/17/2016	9774312860	VERIZON WIRELESS 10/16 CELLULAR PHONE SERVICES	201.46	201.46
50452	11/17/2016	341-3179	FRONTIER 10/16 CITY HALL FIRE/ALARM PHONE LINE SERVICES	167.60	167.60
50469	11/17/2016	ONTARIO	PELLETIER, BRUCE 10/26-10/27/16 CALBO TRAINING TRAVEL EXPENSE REIMB	163.47	163.47
50476	11/17/2016	29390	SERVICEMASTER OF THE DESERT 10/16 CARPET CLEANING SERVICE-FIRE STATION	160.00	160.00
50438	11/17/2016	988758506	CANON SOLUTIONS AMERICA, INC. 10/16 WIDE FORMAT COPIER/SCANNER MAINTENANCE	152.00	152.00
50465	11/17/2016	ONTARIO	MOON, JILL 10/16 CALBO EDUCATION WEEK TRAVEL EXPENSE REIMB	112.81	112.81
50451	11/17/2016	6-667-84634	FEDERAL EXPRESS CORP. 10/16 EXPRESS MAIL SERVICES	82.88	82.88
50436	11/17/2016	32906 32959	BIO-TOX LABORATORIES 9/16 IW POLICE DRUG TESTING SERVICES 8/16 IW POLICE DRUG TESTING SERVICES	39.00 39.00	78.00
50482	11/17/2016	15892760008 16312760008	SOUTHERN CALIFORNIA GAS CO. 10/16 UTILITIES 10/16 UTILITIES	27.32 14.88	42.20
50458	11/17/2016	9010943	HOME DEPOT 10/16 TOOL SUPPLY	41.99	41.99
50485	11/17/2016	26298	TCC SALES 10/16 MAINTENANCE SUPPLIES	41.53	41.53
50449	11/17/2016	JUL-SEP16	DIVISION OF STATE ARCHITECT 7/16-9/16 DISABILITY ACCESS & EDUCATION FEES COLLECTED	41.40	41.40

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**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
50433	11/4/2016	352000006506	UNITED WAY OF THE DESERT 11/4/16 PAYROLL EMPLOYEE CONTRIBUTIONS	25.00	25.00
50431	11/4/2016	1	APWA COACHELLA VALLEY 11/17/16 CV BRANCH VENDOR SHOW-K.SEUMALO	25.00	25.00
50467	11/17/2016	203272	PALM DESERT ACE HARDWARE 10/16 MAINTENANCE SUPPLIES	4.96	4.96
63 checks in this report					
				TOTAL CITY WARRANTS 50431-50493:	233,731.02

Wires :

63	11/7/2016	2016 10 SD	INDIAN WELLS GOLF RESORT 10/16 WIND STORM DAMAGE REIMBURSEMENT	80,852.95	80,852.95
64	11/7/2016	2016 10 CE	INDIAN WELLS GOLF RESORT 10/16 IWGR CAPITAL EXPENSES	60,831.48	60,831.48
62	11/7/2016	2016 09 CE	INDIAN WELLS GOLF RESORT 09/16 IWGR CAPITAL EXPENSES	33,962.89	33,962.89
1742	11/4/2016	95-2489139	INTERNAL REVENUE SERVICE 11/4/16 PAYROLL-FWT, FICA & MEDICARE	30,642.49	30,642.49
1744	11/4/2016	6392517834	CALPERS RETIREMENT SYSTEM 11/4/16 PAYROLL CONTRIBUTIONS	21,950.22	21,950.22
1745	11/4/2016	925-0060-2	CALIFORNIA, STATE OF 11/4/16 PAYROLL-SDI & SWT DEPOSIT	6,341.68	6,341.68
1746	11/4/2016	200000001834517	CALIFORNIA STATE DISBURSEMENT 11/4/16 PAYROLL GARNISHMENT	138.46	138.46

TOTAL WIRE DISBURSEMENTS 62-64 and 1742 and 1744-1746: **234,720.17**

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**CITY OF INDIAN WELLS
11/17/2016 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 15157-15188	79,911.37	
			2963	719.95	
			Total Net Payroll 11/04/16	80,631.32	
TOTAL CITY DISBURSEMENTS:				549,082.51	

Note: Warrants 50431-50433 were issued prior to the regular scheduled City Council meeting.



11/17/2016

File #: RES-183-16 Item #: A.

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

General Plan Amendment, Zone Map Amendment, and Modification to Conditional Use Permit for the Renovation and Reconfiguration of The Sands Hotel located at 75188 Highway 111, and Finding the Project Exempt Under CEQA

RECOMMENDED ACTIONS:

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

FINDS the project to be exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15303 (Class 3); and

INTRODUCES Ordinance by title only and waives further reading, amending Indian Wells Municipal Code Section 21.14.020 pertaining to land uses in Planning Area 2 and zoning boundaries for The Sands Hotel and The Nest; and

ADOPTS Resolution approving General Plan Amendment No. 2016-01, Zoning Map Amendment No. 2016-01 modifying the existing non-conforming Office Professional Land Use/Zoning Designation to Community Commercial for The Sands Hotel and The Nest properties, and modifying Conditional Use Permit No. 2-80-12 for the renovation and reconfiguration of The Sands Hotel located at 75188 Highway 111.

REPORT-IN-BRIEF:

PRG Sands, LLC ("Applicant") requests approval for the renovation and reconfiguration of The Sands Hotel ("Project") located on Highway 111 between Cook Street and Eldorado Drive (Attachment 1). The Project will add a new restaurant and bar lounge, botanical garden, and spa facility, as well as, remodel all the rooms and improve the façade of the building.

The Project, along with the adjacent Nest Restaurant, are currently zoned as Professional Office, which prevents hotel, restaurant, and spa uses. The recommended Ordinance (Attachment 2) modifies the zoning of both properties to Community Commercial, which allows their uses under a

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Conditional Use Permit. Owners of The Sands and Nest are both in favor of the zoning modification.

DISCUSSION:

The Applicant is rehabbing the existing Sands Hotel building to operate as a year-around 46 room luxury boutique hotel. The total scope of the Project includes the following items as indicated on the site map and floor plans (Attachment 3):

- Exterior refinish and replacement of existing fixtures (guardrails, windows, etc.).
- Reconfiguration of pool area to include a swim-up bar and Jacuzzi.
- Reconfiguration of existing entry lobby.
- Construction of a 660 sqft spa building.
- Conversion of existing common room/kitchen into a new +/- 43 seat restaurant.
- Conversion of existing shade structure into a new +/- 53 seat bar lounge.
- Installation of landscaping at parking area, interior courtyard, perimeter, and Highway 111 frontage.
- Removal of 1-row of carports to allow for expansion of landscaped area.
- Conversion of existing "tot lot" area to botanical garden and small wedding venue.
- Interior remodel of all suites.

The City's Architecture & Landscape Committee (ALC) reviewed the Project at their September 6, 2016 meeting and recommended approval (5-0) to the Planning Commission, with a few minor comments regarding potential visibility of private patio furniture and pool towels that might drape over railings fronting Highway 111. Additionally, the ALC requested the Applicant paint a small section of the building to ensure it matched the desired design presented.

The City's Planning Commission reviewed the Project at their October 27, 2016 meeting and recommended approval (5-0) to the City Council, with revisions to Condition Nos. 17 and 21 to address the potential need for overflow parking and the timing of a possible Lot Line Adjustment.

ANALYSIS:

Zoning Modification:

The Applicant submitted a request to modify Conditional Use Permit (CUP) No. 2-80-12 to renovate and reconfigure The Sands Hotel. Project approval requires a General Plan Amendment (GPA) and Zoning Map Amendment (ZMA). Currently, The Sands Hotel (Hotel) and the adjacent restaurant/lounge, The Nest, operate as existing non-conforming uses within the City's Professional Office Zoning designation. As a result, both uses are restricted from improvements and modifications pursuant to Section 21.90.030 (Non-conforming uses and structures) of the City's Municipal Code.

File #: RES-183-16 **Item #:** A.

The GPA and ZMA re-designate both the Hotel and The Nest from Professional Office (PO) to Community Commercial (CC), as shown in Attachment 4. The CC designation allows for a variety of commercial uses including, but not limited to Hotel/Resort uses, restaurants, and health clubs. Both amendments assign proper land use and zoning designations to the Hotel and The Nest, bringing both uses into conformance with the General Plan and Zoning Map as amended.

Architectural Modification:

Architectural improvements to the exterior of the building are mostly aesthetic. The ALC approved exterior refinish in a "Russet" color, reminiscent of 1920's luxury hotels such as the Beverly Hills Hotel, La Valencia, and Hotel Bel Air. Exterior finishes include black frame window sills, sliding glass doors, code compliant guard rails, and a "Deep Green" colored entry door, to provide strong visual contrast to the architectural features and design elements of the hotel. The elevations, color palette, and paint package are provided in Attachments 5.

Landscaping Modification:

The existing landscaping consists of a combination of small ornamental shrubs, groundcovers, and trees, including broad-leaved paperbarks, date palms, and palo verdes. The Applicant will install landscaping improvements in the interior courtyard, parking entry area, and along the exterior of the hotel (Attachment 6).

Perimeter landscape enhancements include the addition of a row of date palms along the interior drive isle fronting Highway 111. The date palms will appear as an extension of existing date palms flanking Highway 111 in the project vicinity, and will serve to break-up the visual impact of the hotel's building mass along Highway 111.

Since approval of landscaping plans by the ALC, the Applicant submitted a request for modification to the Highway 111 landscaping plan. In addition to date palms, the Applicant wants to install additional shrubs and ground cover in an effort to shield the bottom level units from Highway 111 traffic and noise. Included in Attachment 6 is an elevation of the newly proposed planting material palette. The planting palette is similar to the planting palette along Highway 111 with minor variations in subspecies of plants and colors.

The Applicant will also remove the existing carport within the north side parking area to facilitate additional landscape improvements, including canopy trees to soften the building appearance, provide shade, and create a better aesthetic appeal to the main entry.

Parking Requirements:

Based on the parking formulas provided in the Municipal Code, Staff determined the Project requires a total of 57 parking spaces. An existing reciprocal parking agreement between The Sands Hotel, The Nest Restaurant, and The Indian Wells Professional Center allocates a total of 58 spaces for exclusive use by the Hotel (Attachment 7). Therefore, the Hotel has sufficient parking to accommodate the

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proposed expansion of uses and is consistent with parking requirements identified in the Indian Wells Municipal Code.

Planning Commission expressed concern about the limited availability of overflow parking. Specifically, Condition of Approval No. 17 of the Resolution (Exhibit A of Attachment 8) stated the Hotel would not exceed use of 57 stalls of parking at any point in time. However, with the conversion of the tot-lot children play area into a botanical garden and small wedding venue, it is feasible the Hotel could exceed 57 stalls during a wedding event. As a result, Planning Commission requested the language be modified to require an additional agreement for parking on each individual event.

Staff recommends further modification to Condition No. 17 to require the Hotel to negotiate with adjacent property owners a master agreement for use of additional parking spaces for special events in general. Staff has recommended language for Condition No. 17.

Senate Bill 18 Compliance:

The General Plan Amendment is subject to review by local Native American Tribal organizations, under Senate Bill 18 (SB 18) requirements. Per SB 18 requirements, the Community Development Department sent notice to the potentially affected Native American Tribes, identified by the Native American Heritage Commission, requesting their response within 90-days for formal consultation. The request for consultation period officially terminated on November 4, 2016, with no formal request for further consultation by any of the identified Native American Tribes.

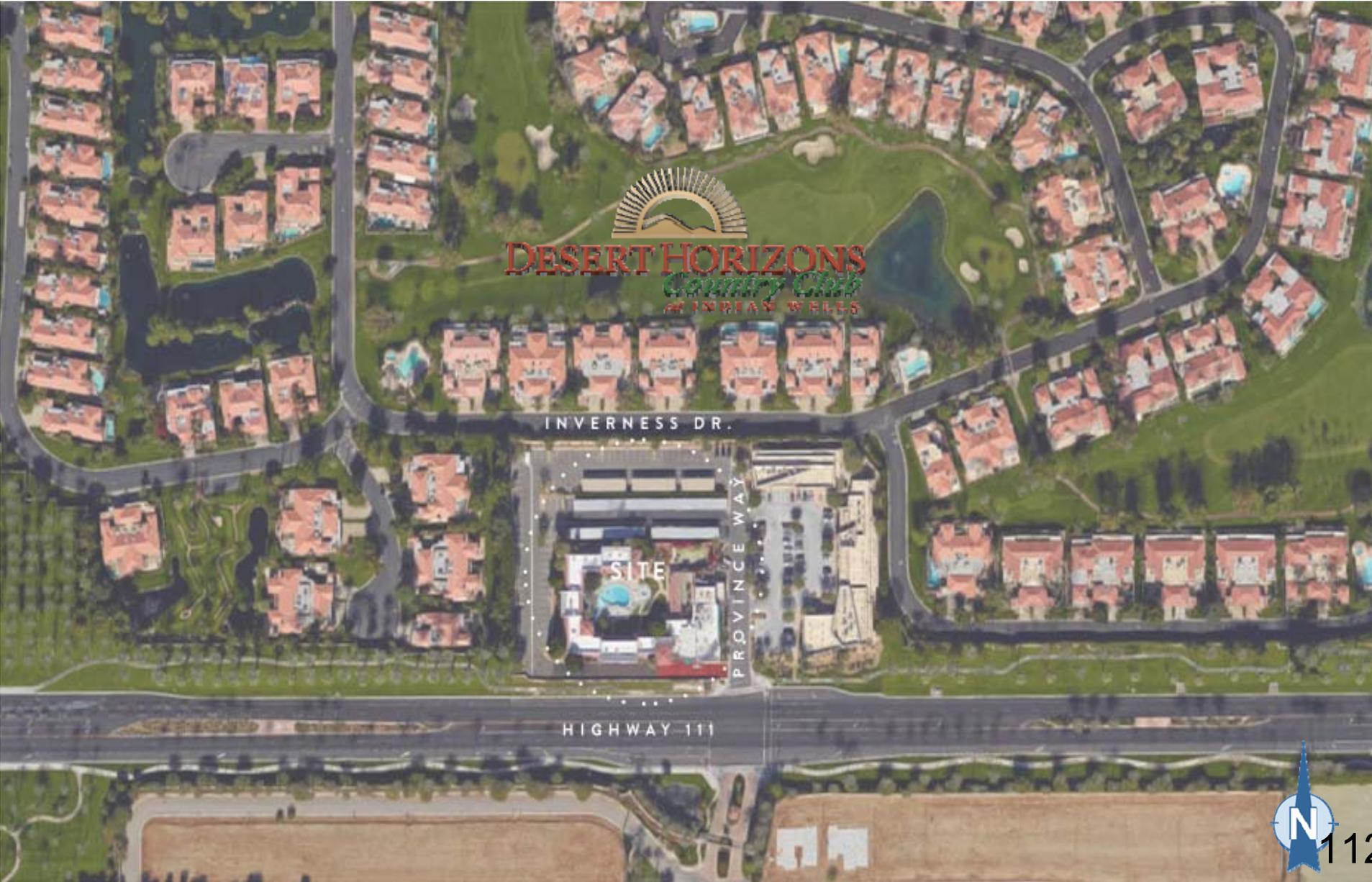
CEQA:

This Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed project will have no significant effect on the environment and qualifies as being Categorically Exempt from CEQA pursuant to § 15303 (Class 3).

ATTACHMENTS:

1. Vicinity Map
2. Ordinance
3. Site Map & Floor Plans
4. Land Use & Zoning Map
5. Elevations & Color Palette
6. Proposed Landscape Plans
7. Reciprocal Parking Agreement
8. Resolution

Vicinity Map



ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING TITLE 21 OF THE INDIAN WELLS MUNICIPAL CODE BY AMENDING SECTION 21.14.020 PERTAINING TO LAND USES IN PLANNING AREA 2 AND ZONING BOUNDARIES FOR THE SANDS HOTEL AND THE NEST

WHEREAS, on October 27, 2016, the Planning Commission held a duly noticed public hearing on Zoning Map Amendment No. 2016-01 in conformance with Government Code 65854 and Indian Wells Municipal Code Sections 21.06.020(c) and 21.06.100, and adopted Resolution No. PC 2016-04 recommending the City Council adopt this Ordinance amending the City's Zoning Code; and

WHEREAS, notice of a public hearing of the City Council of the City of Indian Wells to consider the Zoning Map Amendment was given in accordance with applicable law, and

WHEREAS, on November 17, 2016, the City Council held a duly noticed public hearing on the Zoning Map Amendment, and

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

Zoning Map Amendment Findings:

1. The proposed Zoning Map Amendment is consistent with the City of Indian Wells General Plan or any amendment approved concurrently with the Zone Change.

FACT: The proposed Zoning Map Amendment is consistent with the General Plan and concurrent amendment thereto in that it provides proper land use designations of Community Commercial to the property on which "The Sands Hotel" and "The Nest" are located, both of which are existing non-conforming uses within the City's Professional Office zone. Furthermore, the zoning boundaries of Planning Area 2, as amended, are consistent with General Plan Amendment No. 2016-01 approved concurrently with this action.

2. The proposed Zoning Map Amendment is consistent with the intent and objectives of this Zoning Code.

FACT: The proposed Zoning Map Amendment is consistent with the intent and objectives of Municipal Code Title 21 and Chapter 21.30, as this Amendment is deemed consistent with compatibility of use and intensity with adjacent and surrounding uses and promotes the quality image and character of the City, and

3. The proposed Zoning Map Amendment is consistent with any applicable area Master Development Plan or Specific Plan.

FACT: The proposed renovations to the existing Sands Hotel and landscape improvements are consistent with the Highway 111 Overlay Zone (Planning Area 12) as it maintains and enhances the exiting physical structure of the Highway 111 corridor, characterized by formal commercial hotel development to the north of the highway, by maintaining the existing setbacks from Highway 111 greater than the 55-foot requirement from existing curb, and enhancing the palm-themed landscape fronting the highway. There are no other master development plans or specific plans affecting the subject property.

4. The proposed Zoning Map Amendment is in the best interests of the health, safety and welfare of the community.

FACT: The proposed Zoning Map Amendment is in the best interests of the health, safety and welfare of the community as it would not adversely affect the public health, safety or welfare, or materially injure surrounding properties or improvements since the Amendment will facilitated the renovation and reconfiguration of "the Sands Hotel", and the Project will adhere to all applicable sections of the California Building Code, California Fire Code and Municipal Code, thus precluding adverse impacts resulting from the Project.

5. Adequate sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection/emergency medical care, vehicular circulation and school facilities will be available to serve the area affected by the proposed Zone Change when development occurs.

FACT: Adequate utilities (sewer, water, etc.), drainage facilities, police and fire protection and vehicular circulation are already available to serve the area affected by the proposed Amendment when development occurs. No impact on school facilities will result.

NOW, THEREFORE, the City Council of the City of Indian Wells **DOES ORDAIN AS FOLLOWS:**

SECTION 1. CEQA. The passage of the Amendment has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed project will have no significant effect on the environment and qualifies as being Categorically Exempt from CEQA pursuant to CEQA Guidelines § 15303 (Class 3).

SECTION 2. ZONING MAP AMENDMENT. Indian Wells Municipal Code Section 21.14.020(c) is amended in its entirety in order to revise text relating to the change in hotel use, and to re-designate the Project site from Professional Office to Community Commercial (new language is shown in bold and deleted language is struck through):

“(c) Subarea 2.3. This small subarea includes a ~~resort~~ **46 room boutique** hotel/~~time share development~~ and a restaurant. ~~The hotel contains 102 rooms, 48 of which are operated as time share units. The time share is registered with the City as Worldwide Vacations.~~ The subarea is zoned **Community Commercial** Professional Office.

PLANNING AREA 2 (DESERT HORIZONS/COOK STREET AREA) – MAP



PLANNING AREA 2 (DESERT HORIZONS/COOK STREET AREA) – CHART

ZONE		GROSS ACREAGE	MAXIMUM DU's	MAXIMUM DENSITY	AVERAGE DENSITY	NOTES
(NPR)	RESIDENTIAL: Natural Preserve	0.0	0.0	1/40		[1][2]
(RVLD)	Very Low Density	423.5	926.0	3.0		
(RLD)	Low Density	0.0	0.0	4.5		
(RMD)	Medium Density	0.0	0.0	7.0		
(RMHD)	Medium High Density	0.0	0.0	12.0		
	<i>Subtotal</i>	423.5	926.0		2.2	
(CC)	COMMERCIAL: Community Commercial	0.0 2.8	n.a.	n.a.		[3]
(RC)	Resort Commercial	0.0	n.a.	n.a.		
(OP)	Professional Office	4.4 1.6	n.a.	n.a.		
	<i>Subtotal</i>	4.4	n.a.	n.a.	n.a.	
(PF)	PUBLIC USE: Public Facilities	0.0	n.a.	n.a.		
(PP)	Public Parks/Recreation	1.5	n.a.	n.a.		
(PA 12)	Highway 111	6.1				
	<i>Subtotal</i>	7.6	n.a.	n.a.	n.a.	
(COS)	OPEN SPACE: Country Club Open Space	0.0	n.a.	n.a.		
(WC)	Watercourse	10.6	n.a.	n.a.		
(POS)	Public Owned Open Space	0.0	n.a.	n.a.		
	<i>Subtotal</i>	10.6	n.a.	n.a.	n.a.	
	PLANNING AREA TOTAL	446.1	926.0		2.1	
(GOLF)	OVERLAY ZONES: Golf Course	115.0	n.a.	n.a.		
(AHO)	Affordable Housing	0.0	n.a.	n.a.		
(SHO)	Senior Housing	0.0	n.a.	n.a.		
(SSAO)	Special Study Area	0.0	n.a.	n.a.		

- NOTES:** [1] The number of units currently approved within this designation is 460 units.
 [2] Approximately 115 acres of this base zone are designated for golf course usage by the Golf Course Overlay Zone. Thus, the acreage subject to actual development in accordance with the base zone designation is the base zone acreage minus the golf course overlay zone acreage.
 [3] This area is improved with a restaurant and a ~~resort~~ **46 room boutique hotel, which has 102 rooms, of which 48 are operated as time share units.**

SECTION 3. ZONING MAP AMENDMENT. The Indian Wells Land Use and Zoning Map is amended to be constituted as follows:

Land Use/Zoning Exhibit (Current Plan)



Land Use Legend

LandUse

Residential

- Residential, Very Low Density Residential
- Residential, Low Density Residential
- Residential, Medium Density Residential
- Residential, Medium High Density Residential

Commercial

- Commercial, Community Commercial
- Commercial, Professional Office
- Commercial, Resort Commercial
- Commercial, Sports Complex

Open Space

- Open Space, Golf and Recreation
- Open Space, Natural Preserve
- Open Space, Open Space
- Open Space, Public Park
- Open Space, Watercourse

Civic

- Civic, Public Facility

Land Use/Zoning Exhibit (Proposed Plan)



Land Use Legend

LandUse

Residential

- Residential, Very Low Density Residential
- Residential, Low Density Residential
- Residential, Medium Density Residential
- Residential, Medium High Density Residential

Commercial

- Commercial, Community Commercial
- Commercial, Professional Office
- Commercial, Resort Commercial
- Commercial, Sports Complex

Open Space

- Open Space, Golf and Recreation
- Open Space, Natural Preserve
- Open Space, Open Space
- Open Space, Public Park
- Open Space, Watercourse

Civic

- Civic, Public Facility

SECTION 4. SEVERABILITY. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable. This Ordinance amends, adds to and deletes (as applicable) sections of the Indian Wells Municipal Code.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in force 30 days after passage.

SECTION 6. PUBLICATION. The City Clerk is directed to publish this Ordinance within the manner and in the time prescribed by law.

PASSED APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on the 15th day of December, 2016.

RICHARD BALOCCO
MAYOR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF INDIAN WELLS)

CERTIFICATION FOR ORDINANCE NO. ____

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. ____, having been regularly introduced at the meeting of November 17, 2016, was again introduced, the reading in full thereafter unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 15th day of December, 2016, and said Ordinance was passed and adopted by the following stated vote, to wit:

AYES:
NOES:

and was thereafter on said day signed by the Mayor of the City of Indian Wells.

ATTEST:

APPROVED AS TO FORM:

ANNA GRANDYS
CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

SITE MAP AND PROJECT INFO

PROJECT SUMMARY

UPGRADE OF EXISTING HOTEL TO A 46 UNIT HOTEL WITH NEW +/- 43 SEAT RESTAURANT AND +/- 53 SEAT BAR LOUNGE FOR HOTEL GUEST USE. NEW +/- 1,000 SF SPA BUILDING. RECONFIGURED POOL TO INCLUDE +/- 8 SEAT SWIM-UP BAR AND NEW JACUZZI. NEW LANDSCAPING AT POOL AND SPA. DEMO TO NON-STRUCTURAL WALLS. INTERIOR REMODEL OF ALL ROOMS. REPLACE ALL FINISHES AND EXISTING FIXTURES. REPLACE (E) NON CODE-CONFORMING GUARDRAILS. NEW LANDSCAPING ALONG EXTERIOR OF BUILDING AND INTERIOR COURTYARD, NEW WEDDING GARDEN. REMOVE (E) CARPORT ADJACENT TO BUILDING TO INCREASE LANDSCAPE AREA.

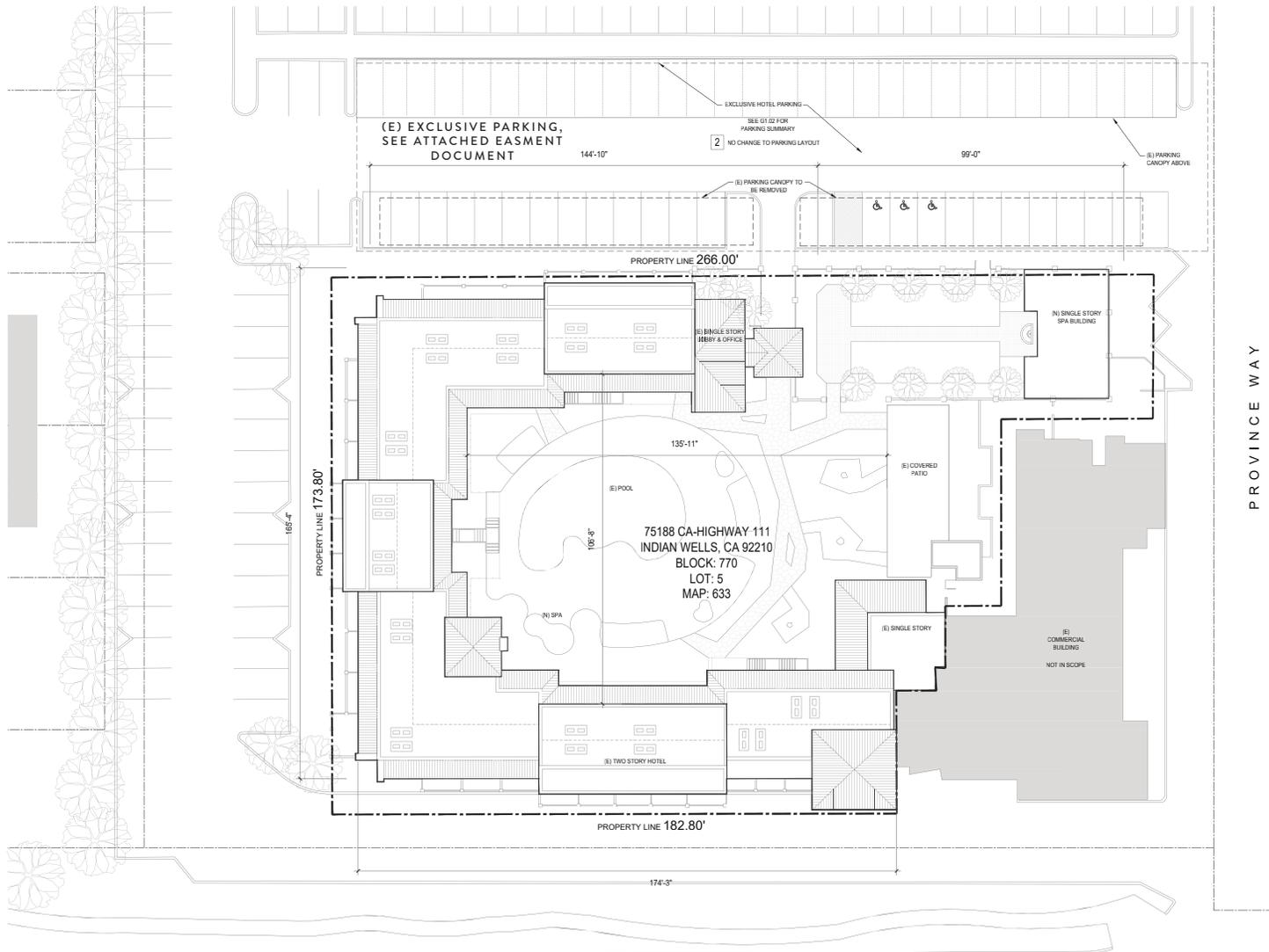
SITE AREA: 38,101.7 SF

BUILDING AREAS
 FIRST FLOOR BUILDINGS: 14,635 SF
 SECOND FLOOR BUILDINGS: 8,207 SF
 TOTAL: 22,842 SF

LANDSCAPE AREA: 22,316.2 SF

POOL AREA: 1,150 SF

NO CHANGE TO EXISTING PARKING LAYOUT
 57 (E) PARKING SPOTS



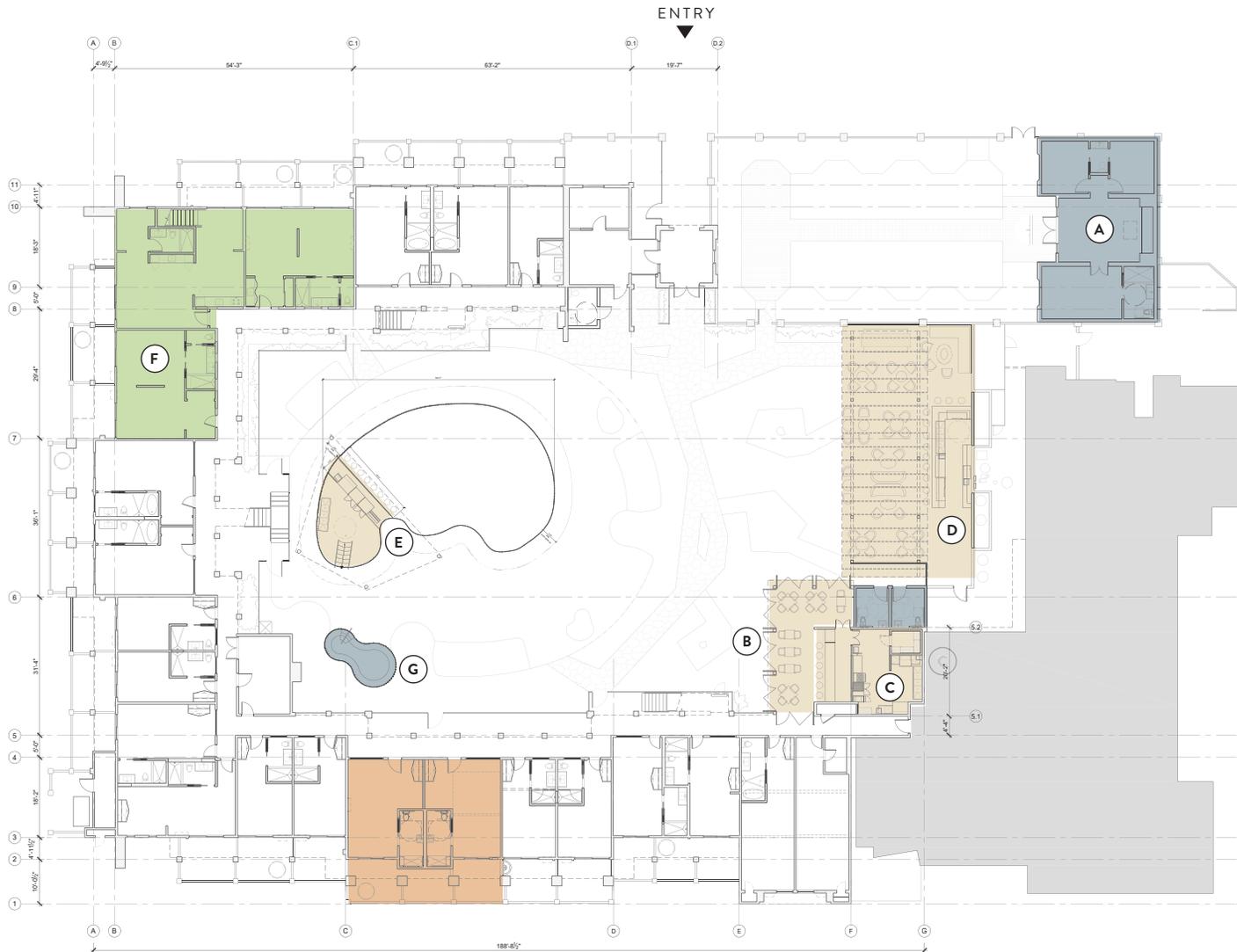
ATTACHMENT 3

FIRST FLOOR PLAN

- AREA OF NEW CONSTRUCTION
- AREA OF CHANGE OF USE
- NOT IN SCOPE
- ADA UNITS
- SUITE UNITS

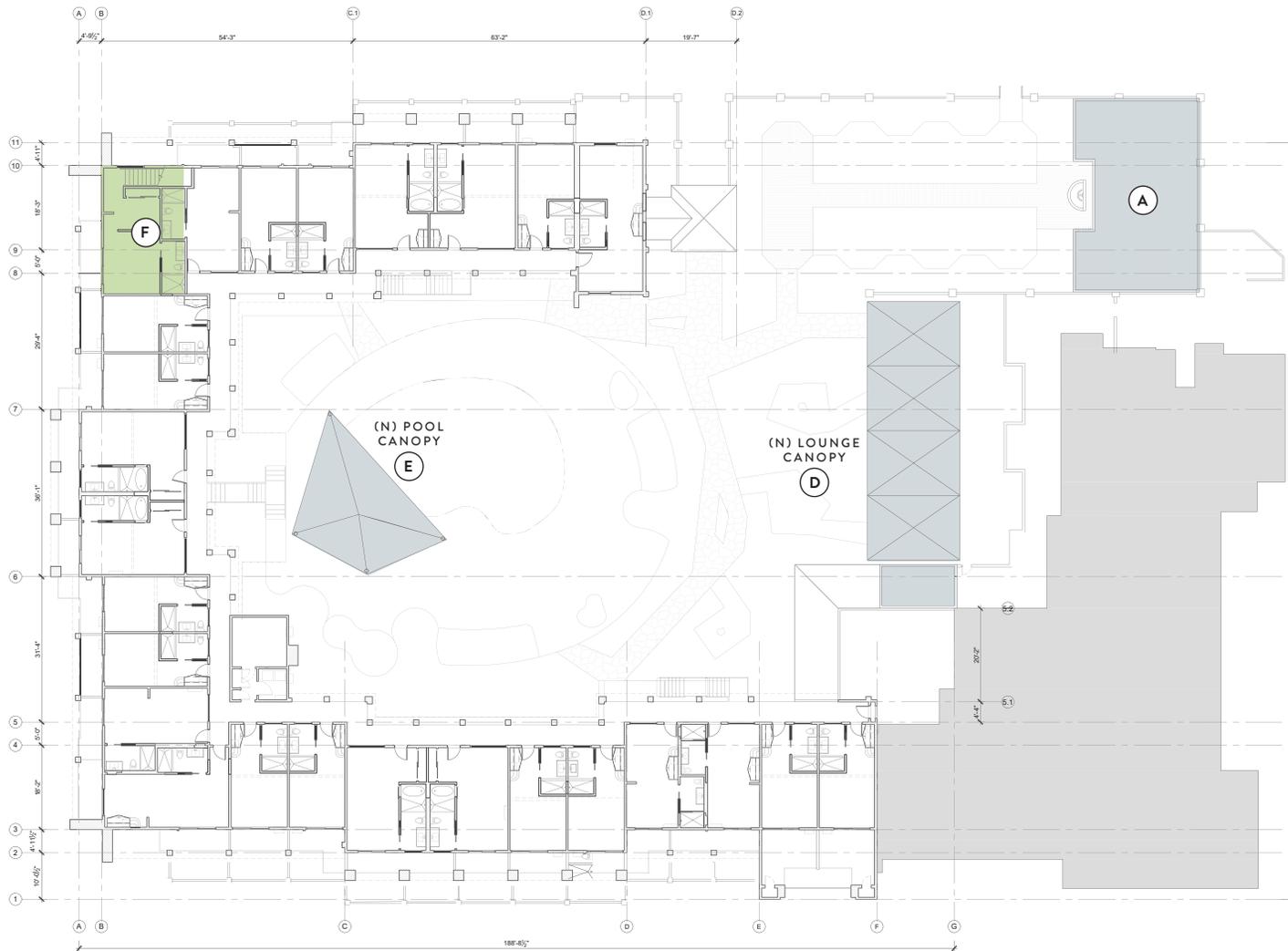
PROJECT SUMMARY

- (A)** SPA BUILDING
660 SF, ONE STORY, OCCUPANCY B,
7 OCCUPANTS
- (B)** DINING AREA
316 SF, ONE STORY, OCCUPANCY A,
21 OCCUPANTS, +/- 23 SEATS
- (C)** KITCHEN / BACK OF HOUSE
395 SF, ONE STORY, OCCUPANCY B,
2 OCCUPANTS
- (D)** OUTDOOR BAR
RECONFIGURE (E) CANOPY
1,740 SF, OCCUPANCY A, 116 OCCUPANTS,
+/- 54 SEATS
- (E)** NEW SWIM-UP BAR, WITH (N) COVERED AREA
+/- 14 BAR SEATS
- (F)** SUITES
ROOMS 118 + 119 = 547 SF
ROOMS 120 + 121 = 717 SF
ROOMS 122 + 122 = 545 SF
- (G)** NEW HOT TUB



HIGHWAY 111

SECOND FLOOR PLAN

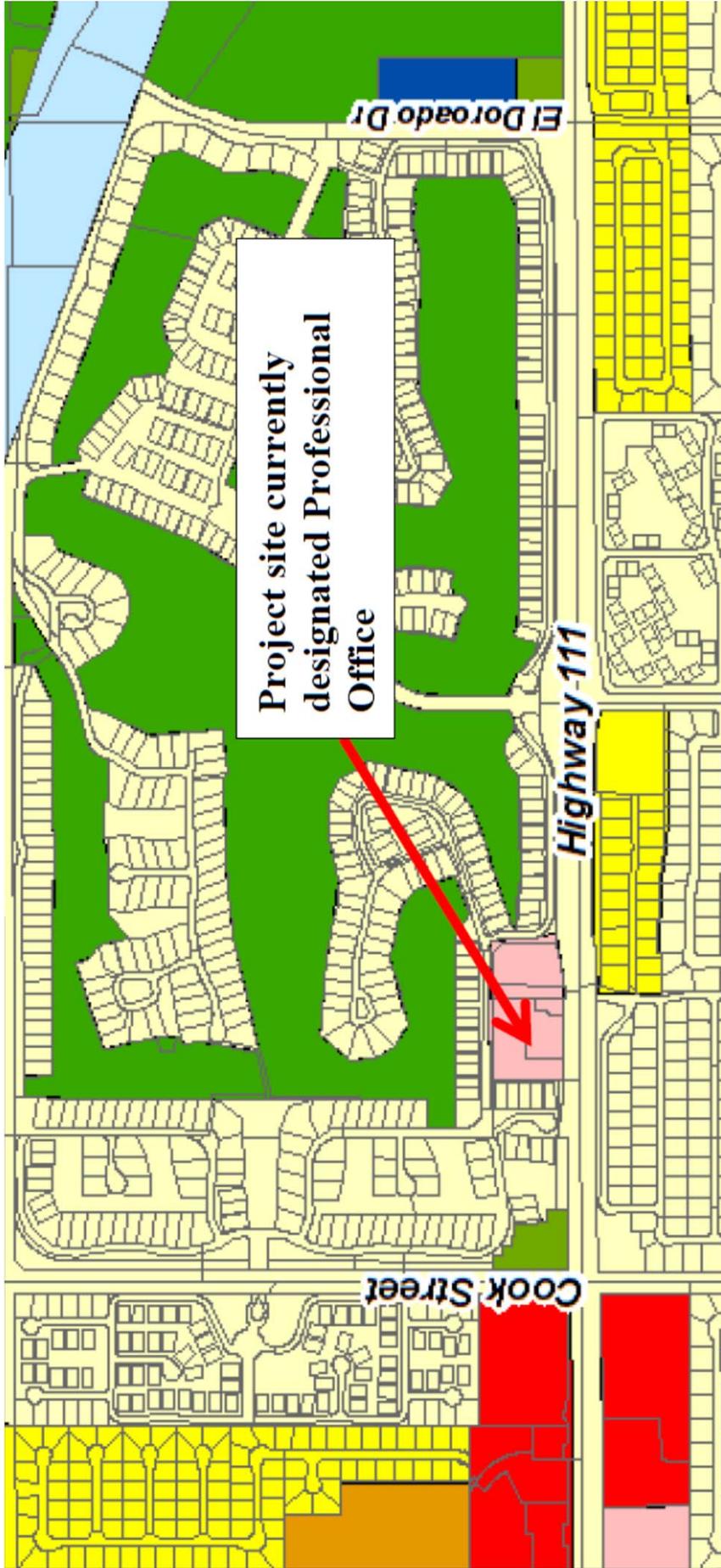


- AREA OF NEW CONSTRUCTION
- AREA OF CHANGE OF USE
- NOT IN SCOPE
- ADA UNITS
- SUITE UNITS

PROJECT SUMMARY

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660 SF, ONE STORY, OCCUPANCY B,
7 OCCUPANTS
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316 SF, ONE STORY, OCCUPANCY A,
21 OCCUPANTS, +/- 23 SEATS
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+/- 14 BAR SEATS
- (F) SUITES**
ROOMS 118 + 119 = 547 SF
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ROOMS 122 + 122 = 545 SF
- (G) NEW HOT TUB**

Existing Land Use/Zoning

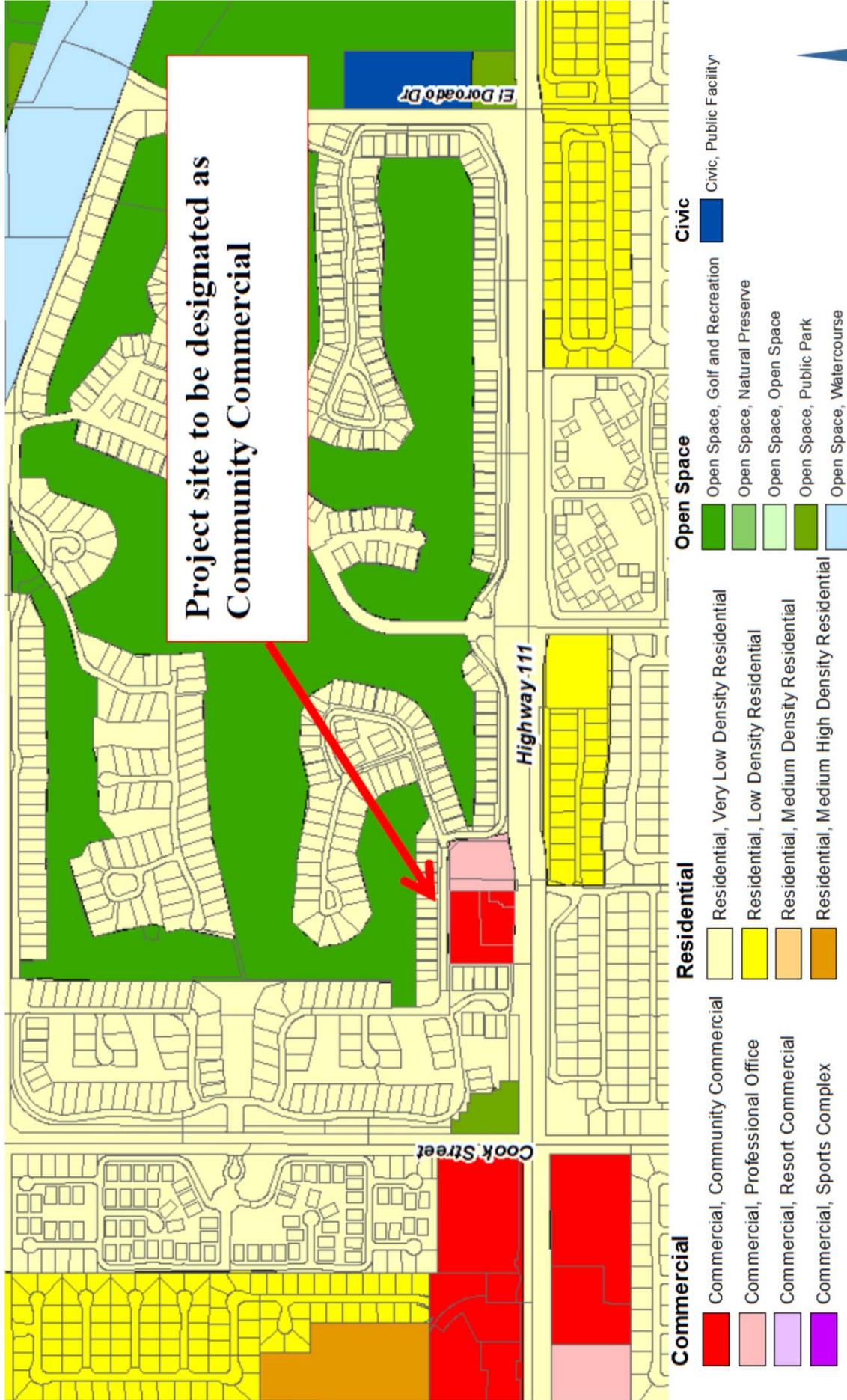


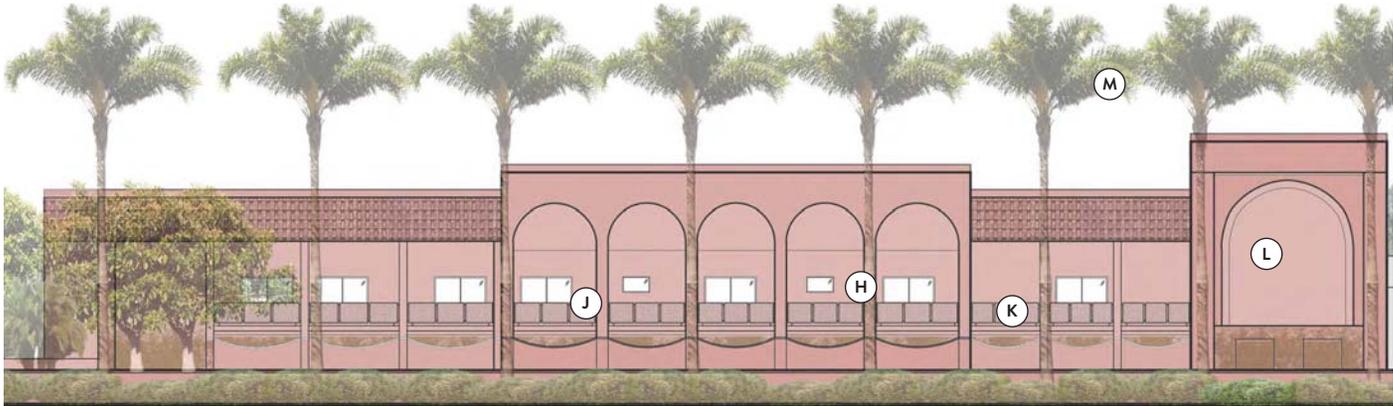
Project site currently designated Professional Office

- | | | | |
|--|--|--|--|
| Commercial | Residential | Open Space | Civic |
| <ul style="list-style-type: none"> Commercial, Community Commercial Commercial, Professional Office Commercial, Resort Commercial Commercial, Sports Complex | <ul style="list-style-type: none"> Residential, Very Low Density Residential Residential, Low Density Residential Residential, Medium Density Residential Residential, Medium High Density Residential | <ul style="list-style-type: none"> Open Space, Golf and Recreation Open Space, Natural Preserve Open Space, Open Space Open Space, Public Park Open Space, Watercourse | <ul style="list-style-type: none"> Civic, Public Facility |



Proposed Land Use/Zoning





PROPOSED EXTERIOR VIEW

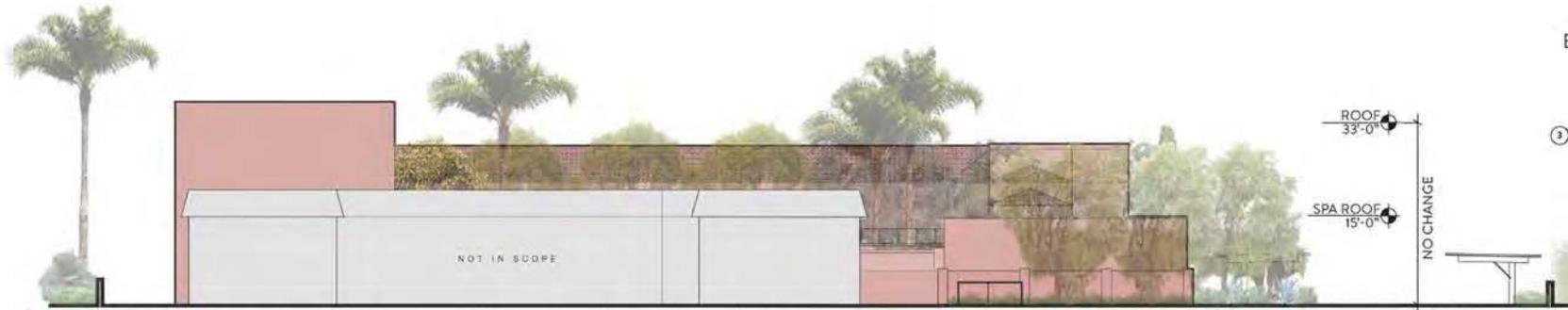
AREAS OF CHANGE

- (H) REPLACE ALL WINDOWS, SEE EXAMPLE ON PAGE 11
- (J) REPLACE ALL DOORS, SEE EXAMPLE ON PAGE 11
- (K) REPLACE GUARDRAILS, SEE EXAMPLE ON PAGE 11
- (L) NEW EXTERIOR PAINT, SEE SPEC ON PAGE 11
- (M) NEW LANDSCAPING, SEE PAGE 6



EXISTING EXTERIOR VIEW

EXTERIOR ELEVATIONS

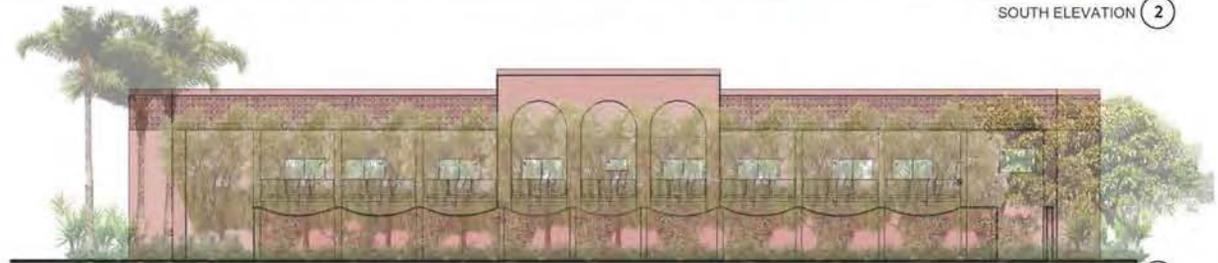


EAST ELEVATION ①

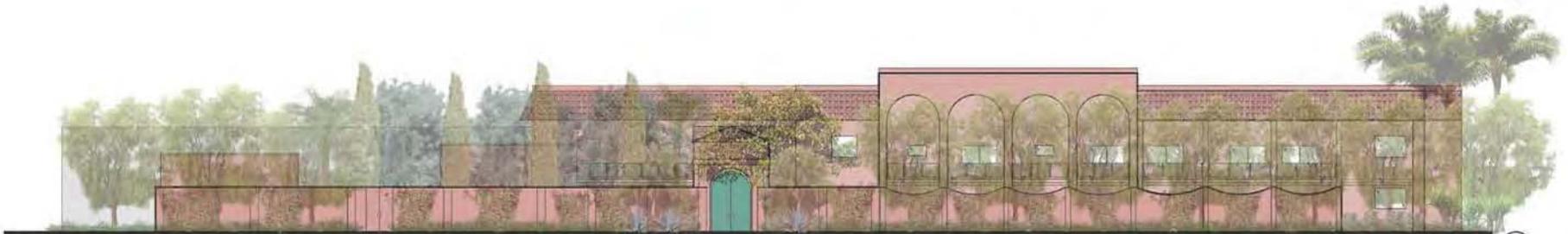


SOUTH ELEVATION ②

SEE PAGES 10 AND 11 FOR ARCHITECTURAL CHANGES
MADE TO EXTERIOR OF BUILDING



WEST ELEVATION ③



NORTH ELEVATION ④

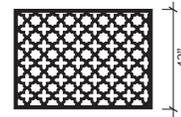
PROPOSED MATERIAL AND COLOR PALETTE



SLIDING DOOR
FLEETWOOD SERIES 3300-T,
PAINTED BLACK, TBD



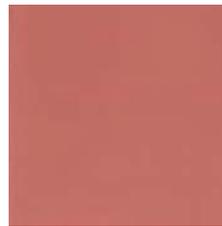
HORIZONTAL SLIDER WINDOW
FLEETWOOD, SERIES 330-T,
BLACK FRAME



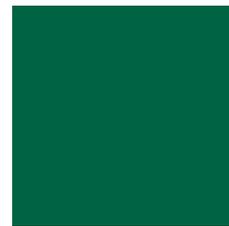
PATTERENED GUARDRAIL,
PAINTED BLACK



HANDRAIL,
GLOSSY BLACK,
TBD



BUILDING COLOR
PORTOLA PAINT
"RUSSET #204"



ENTRY DOOR COLOR
BENJAMIN MOORE
#2039-10
"DEEP GREEN"

THE SANDS
PAINT PACKAGE
SEPTEMBER 06, 2016

PRG INVESTMENT &
MANAGEMENT, INC.



MARTYN LAWRENCE
BULLARD DESIGN

ELYSIAN LANDSCAPES



BUILDING COLOR
PORTOLA PAINT
"RUSSET #204"



HOTEL BEL AIR, LOS ANGELES, CA

- ESTABLISHED IN 1922
- FIVE STAR LUXURY HOTEL
- SURROUNDED BY 12 ACRES OF GARDENS
- 103 GUEST UNITS
- NOTABLE GUESTS INCLUDE: JUDY GARLAND, BETTE DAVIS, PAUL NEWMAN, ROBERT REDFORD, AND GRACE KELLY





BEVERLY HILLS HOTEL, LOS ANGELES, CA

- ESTABLISHED IN 1912
- FIVE STAR LUXURY HOTEL
- SURROUNDED BY 12 ACRES OF GARDENS
- 208 GUEST UNITS
- NOTABLE GUESTS INCLUDE: MARILYN MONROE, GREGORY PECK, FRANK SINATRA, AND HOWARD HUGHES





LA VALENCIA, LA JOLLA, CA

- ESTABLISHED IN 1926
- FOUR STAR LUXURY HOTEL
- 114 GUEST UNITS
- NOTABLE GUESTS INCLUDE: GREGORY PECK, GINGER RODGERS, LORNE GREEN, AND DOROTHY MCGUIRE



LOTUSLAND, MONTECITO



TAROUDANT, MOROCCO



FRANK LLOYD WRIGHT, ALBIN HOUSE



HIGHWAY 111 LANTING



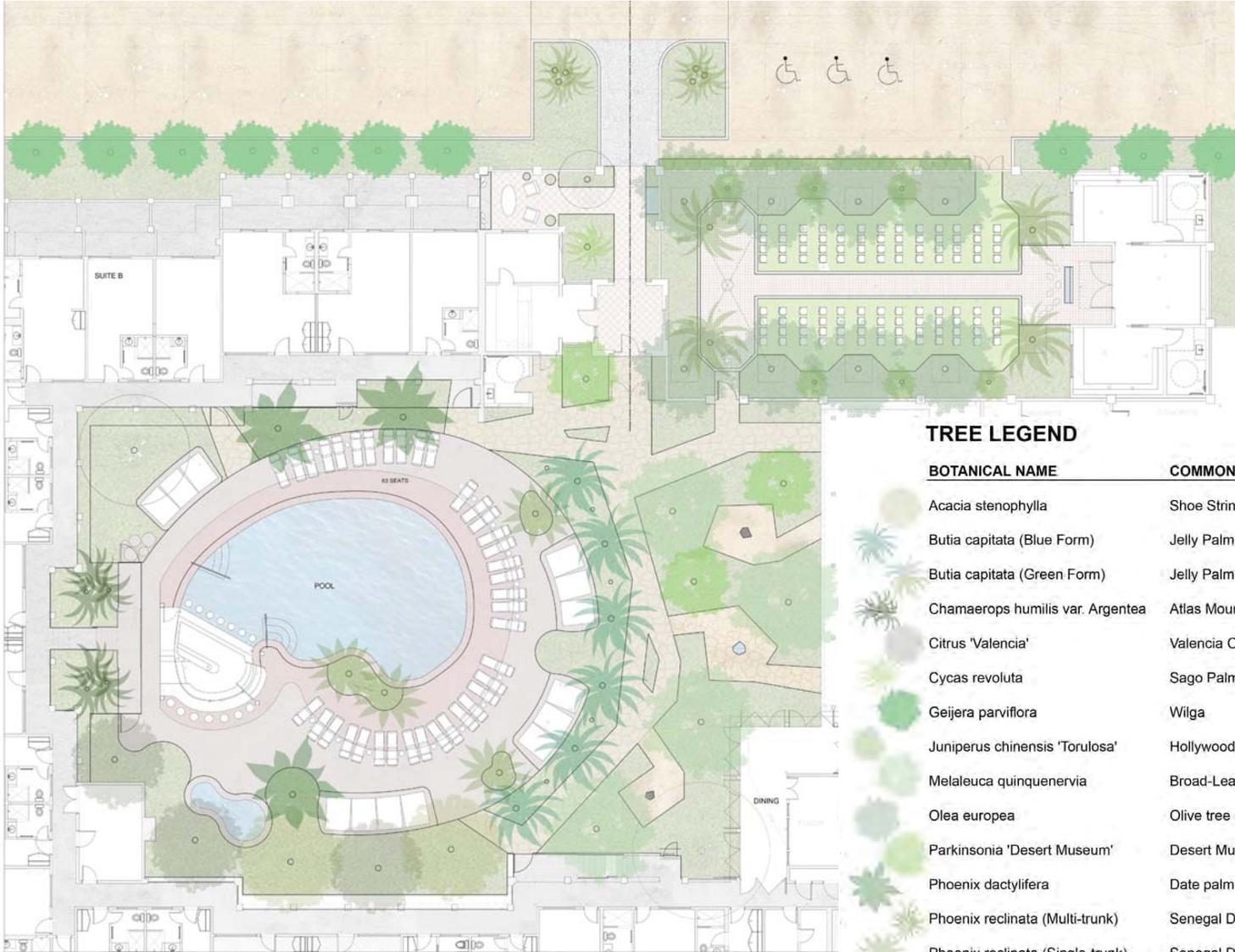
PROPOSED EXTERIOR VIEW FROM HWY 111



EXISTING EXTERIOR VIEW FROM HWY 111



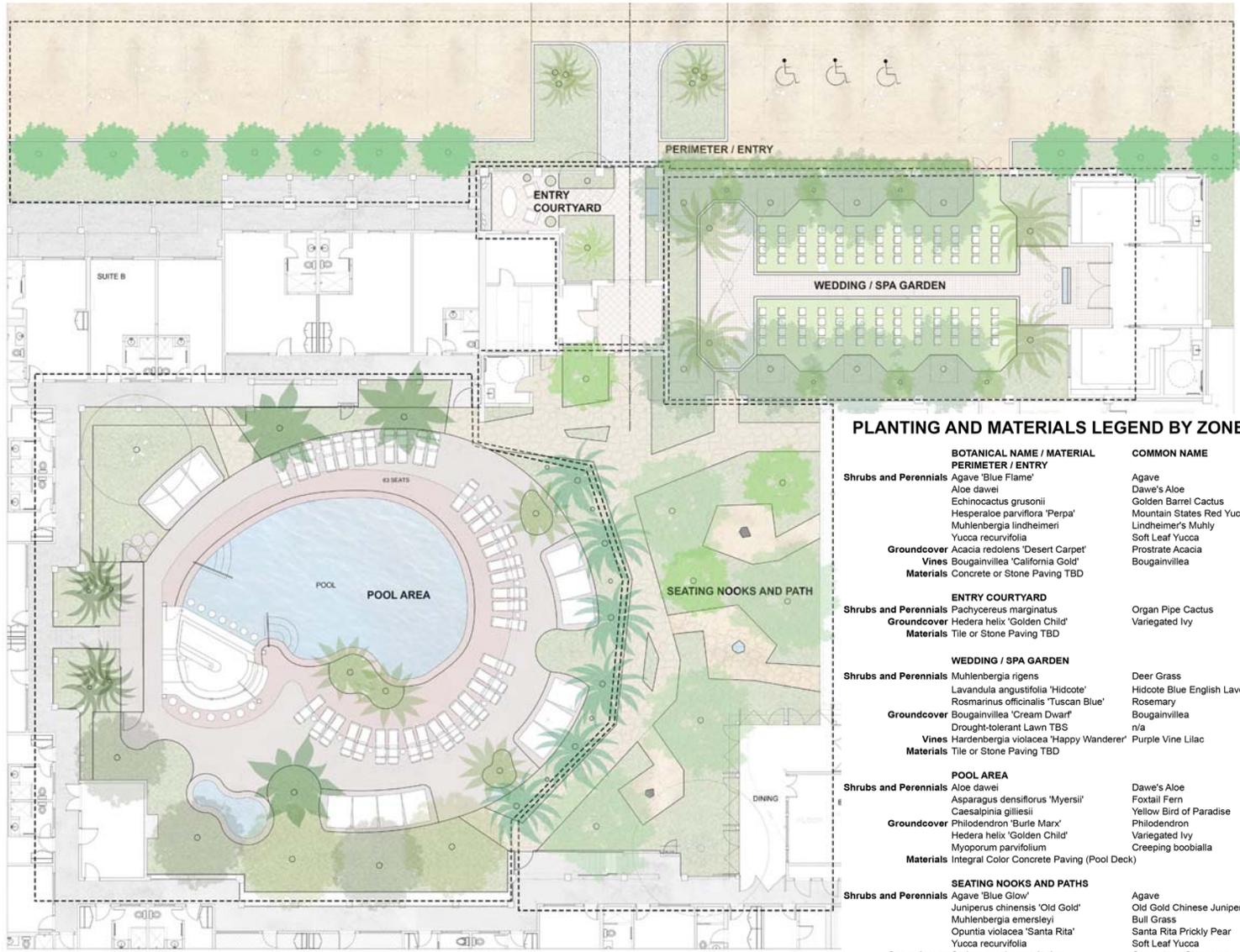
THANK YOU.



TREE LEGEND

BOTANICAL NAME	COMMON NAME	CONTAINER
Acacia stenophylla	Shoe String Acacia	24" box
Butia capitata (Blue Form)	Jelly Palm	36" box
Butia capitata (Green Form)	Jelly Palm	36" box
Chamaerops humilis var. Argentea	Atlas Mountain Palm	36" box
Citrus 'Valencia'	Valencia Orange	36" box
Cycas revoluta	Sago Palm	24" box
Geijera parviflora	Wilga	24" box
Juniperus chinensis 'Torulosa'	Hollywood Juniper	24" box
Melaleuca quinquenervia	Broad-Leaved Paperbark	36" box
Olea europea	Olive tree	36" box
Parkinsonia 'Desert Museum'	Desert Museum Palo Verde	24" box
Phoenix dactylifera	Date palm	24" box
Phoenix reclinata (Multi-trunk)	Senegal Date Palm	24" box
Phoenix reclinata (Single-trunk)	Senegal Date Palm	24" box

ATTACHMENT 6



PLANTING AND MATERIALS LEGEND BY ZONE

	BOTANICAL NAME / MATERIAL	COMMON NAME	CONTAINER
PERIMETER / ENTRY			
Shrubs and Perennials	Agave 'Blue Flame'	Agave	5 gal
	Aloe dawei	Dawe's Aloe	2 gal
	Echinocactus grusonii	Golden Barrel Cactus	5 gal
	Hesperaloe parviflora 'Perpa'	Mountain States Red Yucca	1 gal
	Muhlenbergia lindheimeri	Lindheimer's Muhly	1 gal
	Yucca recurvifolia	Soft Leaf Yucca	15 gal
Groundcover	Acacia redolens 'Desert Carpet'	Prostrate Acacia	1 gal
	Vines Bougainvillea 'California Gold'	Bougainvillea	5 gal
Materials Concrete or Stone Paving TBD			
ENTRY COURTYARD			
Shrubs and Perennials	Pachycereus marginatus	Organ Pipe Cactus	5 gal
	Groundcover Hedera helix 'Golden Child'	Variiegated Ivy	flats
Materials Tile or Stone Paving TBD			
WEDDING / SPA GARDEN			
Shrubs and Perennials	Muhlenbergia rigens	Deer Grass	5 gal
	Lavandula angustifolia 'Hidcote'	Hidcote Blue English Lavender	1 gal
	Rosmarinus officinalis 'Tuscan Blue'	Rosemary	1 gal
	Bougainvillea 'Cream Dwarf'	Bougainvillea	2 gal
Groundcover	Drought-tolerant Lawn	n/a	sod/seed
	Vines Hardenbergia violacea 'Happy Wanderer'	Purple Vine Lilac	5 gal
Materials Tile or Stone Paving TBD			
POOL AREA			
Shrubs and Perennials	Aloe dawei	Dawe's Aloe	2 gal
	Asparagus densiflorus 'Myersii'	Foxtail Fern	1 gal
	Caesalpinia gilliesii	Yellow Bird of Paradise	5 gal
	Philodendron 'Burlie Marx'	Philodendron	1 gal
Groundcover	Hedera helix 'Golden Child'	Variiegated Ivy	flats
	Myoporum parvifolium	Creeping boobialla	flats
	Materials Integral Color Concrete Paving (Pool Deck)		
SEATING NOOKS AND PATHS			
Shrubs and Perennials	Agave 'Blue Glow'	Agave	5 gal
	Juniperus chinensis 'Old Gold'	Old Gold Chinese Juniper	5 gal
	Muhlenbergia emersleyi	Bull Grass	1 gal
	Opuntia violacea 'Santa Rita'	Santa Rita Prickly Pear	5 gal
	Yucca recurvifolia	Soft Leaf Yucca	15 gal
	Groundcover	Sedum nussbaumerianum	Coppertone Stonecrop
Materials Flagstone Paving TBS Stabilized Decomposed Granite			

PALMS



BRAHAEA ARMATA
25'-40' H



BRUTIA CAPITATA
15'-20' H



PHOENIX DACTYLIFERA
25'-60' H



PHOENIX RECLINATA
25'-30' H

TREES



ACACIA STENOPHYLLA
20'-30' H



CITRUS 'VALENCIA'
10'-12' H



CYCAS REVOLUTA
6'-12' H



GEIJERA PARVIFLORA
20'-30' H



JUNIPERUS CHINENSIS
'TORULOSA'
15' H



MELALEUCA
QUINQUENERVIA
25'-40' H



OLEA EUROPAEA
18'-30' H



PARKINSONIA
20' H

GROUNDCOVER AND VINES



ACACIA REDOLENS
2' H

BOUGAINVILLEA
'CREAM DWARF'
1'-3' H

HEDERIA HELIX
'GOLD CHILD'
1' H

MYOPORUM PARVIFOLIUM
1' H



PHILODENDRON
12"-18" H

SEDUM
NASSBAUMERIANUM
1' H

BOUGAINVILLEA
'CALI GOLD'
20'-30' H

HARDENBERGIA VIOLACEA

PERENNIALS / SHRUBS



AGAVE 'BLUE FLAME'
2'-3' H

AGAVE 'BLUE GLOW'
1'-2' H

ALOE DAWEI
3'-4' H

ASPARGUS DENSIFLORUS
1'-2' H



CAESALPINIA GILLESII
4'-6' H

HESPERALOE PARVIFLORA
2'-3' H

JUNIPERUS CHINENSIS
2'-3' H

LAVANDULA 'HIDCOTE'
2'-3' H



MUHLENBERGIA
EMERSLEYI
1.5' H

MUHLENBERGIA
LINDHEIMERI
3'-5' H

MUHLENBERGIA RIGENS
4' H

OPUNTIA VIOLACEA
2'-5' H



PACHYCEREUS
MARGINATUS
12'-20' H

ROSMARINUS AFFINALIS
6' H

YUCCA RECURVIFOLIA
6'-8' H

HWY 111 PLANTING

OCTOBER 25, 2016

ELYSIAN LANDSCAPES

2340 W. Third Street, Los Angeles, CA 90057

THE SANDS HOTEL

75188 CA-111, Indian Wells, CA 92210

142

HIGHWAY 111 PLANTING



PROPOSED EASTERIOR VIEW FROM HWY 111



EXISTING EASTERIOR VIEW FROM HWY 111

HIGHWAY 111 PLANTING

PLANT PALETTE



Phoenix dactylifera 25'-60' H x 20'-40' W



Bougainvillea 'La Jolla' 4'-5' H x W



Caesalpinia mexicana 10' H x 8' W



Leucophyllum frutescens 'Compacta' 4'-5' H x W



Muhlenbergia lindheimeri 3'-5' H x 3'-4' W



Myoporum parvifolium 1' H x 10'-15' W



Nerium oleander 'Red' 8'-12' H x W



Yucca gloriosa 'Bright Star' 1'-2' H x 3'-5' W



Yucca recurvifolia 6'-8' H x 6'-8' W

ORANGE COAST TITLE CO.

RECORDING REQUESTED BY:

AND WHEN RECORDED RETURN TO:

LALIBERTE ENTERPRISE, INC.
75280 Highway 111, Suite 101
Indian Wells, CA 92210
Attn: .

DOC # 2016-0348788

08/15/2016 05:00 PM Fees: \$69.00

Page 1 of 19

Recorded in Official Records

County of Riverside

Peter Aldana

Assessor-County Clerk-Recorder

This document was electronically submitted to the County of Riverside for recording
Received by: MINDY #209

140-1720096-32

APN: 633-770-006; 633-770-007; 633-770-008; 633-770-009

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (the "Agreement") is made as of the Effective Date defined below, by LaLiberte Enterprise, Inc., a California corporation ("Grantor") and, for purposes set forth in Section 21 below, the City of Indian Wells ("The City").

RECITALS

A. Grantor is the owner of that certain real property located in the City of Indian Wells, Riverside County, California, described as Parcel 1 of Parcel Map 17335, in the City of Indian Wells, County of Riverside, State of California, as per parcel map recorded in Book 101, Pages 88 and 89, in the office of the County Recorder of said County ("Parcel Map 17335").

B. Said property is subdivided into Parcel 1, Parcel 2 and Parcel 3 (sometimes collectively referred to as the "Parcels" or the "Properties") by Parcel Map No. 36408, dated December, 2015, and recorded August 11, 2016 as Document No. 2016-0343421 ("New Parcel Map"), attached hereto as Exhibit "A". The properties are more particularly described in Exhibit "B". A present or future owner of a Parcel may be hereinafter referred to as a "Parcel Owner". Parcel 1 consists of a restaurant building (the "Restaurant Building"). Parcel 2 consists of a parking lot with two (2) covered parking structures. Parcel 3 consists of an office building and parking lot known as Indian Wells Professional Center ("IWPC").

C. The Sands Hotel of Indian Wells Vacation Club, a California non-profit mutual benefit corporation ("The Sands"), is the owner of that certain real property, located in the City of Indian Wells, Riverside County, California, more particularly described as Parcel 2 of Parcel Map 17335, and identified in Exhibit "A" ("Hotel Property"), as "Parcel 2 PMB 101/88-89 N.A.P.". The Sands and its successors are referred to in this Agreement as the Hotel Owner.

D. Collectively, the Grantor Property and the Hotel Property comprise all of the real property located between Desert Horizons Country Club to the north, west and east, and State Highway 111 to the south. The term "Owners" herein shall refer collectively to the Parcel Owners and the owner of The Sands Property, each being an "Owner".

E. The Grantor Property and The Hotel Property are subject to an easement agreement dated February 1, 1983, and recorded in the Official Records of Riverside County on August 23, 1983, as Instrument Number 171608 (the "1983 Easement"), incorporated herein by this reference. Among other terms, the 1983 Easement grants certain parking and access easements to The Sands

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LALIBERTE ENTERPRISE, INC.
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Property owners and allocates the maintenance costs and payment of taxes of the parking area, and the access area between the owners of parcel 1 and parcel 2 of the Original Parcel Map. This Agreement is not intended to replace or amend the 1983 Easement.

F. This Agreement is intended to provide for reciprocal parking and access easements benefiting the Parcels within the New Parcel Map and satisfy the conditions of approval for the New Parcel Map. The City of Indian Wells ("City") is a signatory to this Agreement as provided in Section 21 below.

NOW, THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Grantor declares as follows:

1. The Effective Date. This Agreement shall become effective upon the date it is recorded in the Official Records of Riverside County, California (the "Effective Date").

2. Grant of Easements. Grantor hereby grants to the owners of Parcels 1, 2 and 3, and each of their tenants, employees, contractors, agents, invitees, licensees and customers ("Users") the following easements (collectively, "Easements"), subject to the terms and conditions of this Agreement:

A. Access Easement. For all Users, a mutual and non-exclusive easement ("Access Easement") for pedestrian and vehicular access, ingress and egress over, through and across the entrance driveway (the "Entry Drives") located on Parcels 2 and 3 as designated on Exhibit "C" – Parking Lot Areas ("Parking Plan"), in order to access parking areas and Trash Enclosures designated in Section B and C below.

B. Parking Easements. The parking areas and spaces, and all drives and driveways to access such parking, designated on Parcel Map No. 36408 are hereby dedicated for the benefit of Parcels 1, 2 and 3 and the Hotel Property as follows ("Parking Easements"):

(1) Restaurant Parking. Users of Parcel 1 shall have exclusive use parking designated by rule or by lease, in Grantor's sole discretion, provided the Restaurant shall have the exclusive use of access and parking in such designated area during the restaurant hours for parking to serve the Restaurant Building. Initially such parking and access shall be 54 spaces, as required by the City, designated as Parking Lots C1, C2 and C3 on the attached Parking Plan.

(2) Hotel Parking. The 58 parking spaces, as required by the City, and the Drive Aisle located in Parking Lot A on the attached Parking Plan Parcel 2 are reserved at all times for exclusive use by the Hotel Property ("Hotel Parking Easement").

(3) IWPC Parking. All 112 parking spaces located on Parcel 3, designated as Parking Lot B East Portion and Parking Lot B West Portion are reserved for the exclusive use of IWPC and Parcel 3, except as may be granted by separate written agreement signed by the owner of Parcel 3.

C. Trash Enclosures. Two areas for the collection of trash and recycling are designated on Exhibit C ("Trash Enclosures"). Trash Enclosure #1 is for use by the Restaurant

Building and the Hotel Property. Trash Enclosure #2 shown on Exhibit C is for the exclusive use of IWPC.

D. 1983 Easement. Reference to the Hotel or the Hotel Property is intended solely to recognize the rights and obligations of the Hotel arising under the 1983 Easement, including but not limited to exclusive parking rights, nonexclusive rights of access and passage, and payment of expenses as more fully described in the 1983 Easement.

3. Character of Easements. Subject to the time, manner and place restrictions and other terms and conditions set forth in this Agreement, the Easements granted and reserved herein shall inure to the benefit of the present and future owners of the Parcels, representing a burden upon and running with the land.

4. No Obstruction of Easements.

A. No User shall block, obstruct or otherwise interfere with the use of the Easements granted herein (collectively, "Interference"), or use such Easements in a manner which is inconsistent with or detrimental to the use of such Easements for the purposes set forth in this Agreement. In the event of such Interference, any other Owner may serve a written notice and demand to cease the violation immediately upon service of notice. If such violation is not ceased or cured within twenty-four (24) hours of service of notice, any other Owner is authorized to take all necessary and appropriate action to remove any and all Interference (including towing vehicles parking without authorization in the spaces subject to the parking restrictions set forth in this Agreement) or to otherwise cure the violations of the Easements.

B. Notwithstanding the foregoing, the Easements may be subject to such reasonable traffic controls as may be agreed upon by the Owners, or required by the City in order to assure the orderly flow of traffic or fire protection. Sufficient turn radius shall be maintained at all times for fire truck and emergency equipment access. The only exception to this provision shall be for incidental and temporary encroachments which may occur, including but not limited to: (i) the use of ladders, scaffolding and similar objects resulting in temporary obstructions, which are permitted hereunder so long as their use is kept within reasonable requirements of construction work being expeditiously pursued to completion; (ii) Commercial vehicles serving or making deliveries for the benefit of any Parcel are permitted to enter portions of the parking lot of another Parcel that may be outside the Access Easement, as reasonably necessary to make use of the Access Easement and in such a manner as to avoid interference of other Users of the Parcels.

C. Grantor reserves the right to impose commercially reasonable written rules for the maintenance and use of the Easements by all Users upon thirty (30) days written notice.

5. Repair and Maintenance. Each Parcel Owner shall be solely responsible for the repair and maintenance of its respective Parcel(s).

A. Each Owner covenants and agrees that it will maintain those portions of its respective property and/or exclusive use easement in a state of good condition and repair, consistent with access and parking areas of other "Class A" business and office centers. Such obligations include but are not limited to maintaining, repairing, restriping, repaving and replacing the parking and access areas on its Parcel that are subject to the Easements. All parking spaces are to be

measured and configured in the manner that complies with all local codes, ordinances and regulations as applicable from time to time. Parking, Access Drive and Trash Enclosure areas are to be cleaned daily and kept free from refuse. Paved areas shall be maintained free from potholes or other hazards to pedestrian and vehicular access and provided with appropriate lighting, striping and traffic signage. Parking structures are to be maintained (and repaired or replaced as commercially reasonable) in first class condition, and shall retain comparable design, color, materials and construction with all other parking structures in the Property. Trash Enclosures shall be maintained in an orderly and sanitary condition, with all refuse placed in appropriate collection containers, and swept and washed on a regular basis by the Users of such areas, as is reasonably appropriate to prevent buildup of debris and odor.

B. Access Roadway. The East Entry Drive, as designated on Exhibit "C", shall be maintained in good condition by the owner of The Hotel Property pursuant to the 1983 Easement. The Hotel is responsible for 50% of the cost of such maintenance pursuant to the 1983 Easement. The remaining 50% shall be allocated amongst Parcel Owners pro rata based on number of parking spaces allocated to the respective Parcels.

C. Taxes; Utilities and Other Expenses. Except as set forth in this Agreement, each Parcel Owner is responsible for the property taxes, both real and personal, electricity, water, gas and other utilities, insurance, maintenance, repairs and other expenses attributable to or incurred on behalf of its own Parcel(s). The Hotel's reimbursement obligations are set forth in the 1983 Easement.

D. Lighting. Each Parcel Owner shall operate the floodlights located on its Parcel and shall maintain those flood lights and their components in good condition and repair. Each Parcel Owner agrees that the flood lights located on its Parcel shall be turned on continuously from dusk until at least 3:00 a.m. on every day in which the Restaurant is open for business.

E. Demand for Repair or Maintenance. If an Owner fails to repair and maintain those portions of the Easements located upon its respective Parcel or exclusive use easement, as required by this Agreement, any other Owner may serve a notice of defective maintenance and demand to cure (a "Demand") on the defaulting Owner. The Demand shall generally describe the defective condition and the appropriate remediation. The defaulting Owner shall have thirty (30) days from the date of service of the Demand to cure the defective condition in all material respects or state in writing the reasons it believes it is not in breach (an "Objection") and to serve the Objection on the other Owners. If the Owner receiving the Demand timely objects as provided herein, determination of whether the objecting Owner has defaulted in its repair and/or maintenance obligations and shall be resolved pursuant to Paragraph 20.B below.

If the defaulting Owner does not object as required herein or if it is determined that such Owner has defaulted in its repair and/or maintenance obligations, any other Owner (the "Curing Party") may take such action as is reasonable and necessary to cure the breach. The defaulting Owner shall reimburse the Curing Party within thirty (30) days of service of an invoice of the amount reasonably and necessarily incurred to cure the breach. If the invoice is not paid within thirty (30) days of service, the Curing Party may record a lien on the property of the defaulting Owner to secure payment of the invoice. The principal amount of the lien shall also include all costs to prepare and record the lien and the attorney's fees and costs necessarily incurred in connection with the breach and the lien. The principal amount of the lien shall accrue simple interest at the rate of ten percent

(10%) per annum, or the maximum rate permitted by California law in effect on the date of the lien, whichever is greater, from the recording date of the lien until the principal balance of the lien is paid in full.

6. Insurance/Indemnity. Each Owner and each grantee of an easement hereunder shall obtain and maintain in full force and effect, at its own expense, public liability and property damage insurance in amounts commercially reasonable and to cover claims and damages which may result from accidents and injuries upon each owner's respective Parcel(s) or easement area, and upon the other Parcels caused by a guest, agent, employee, customer, invitee, tenant or licensee. Furthermore, each Parcel Owner shall use commercially reasonable efforts to cause each such policy of insurance to name the other Parcel Owners as Additional Insureds with the right to advance written notice of failure to timely pay any insurance premium that is then due and payable, and to pay the premium to prevent the policy from lapsing. All premiums paid by a Parcel Owner for the benefit of another Owner shall be reimbursed pursuant to the provisions of Paragraph 8 of this Agreement. Furthermore, all Owners shall deliver, or cause to be delivered, to the other Owners a current Certificate of Insurance for each such policy showing the other Owners as Additional Insureds, if available. Each Owner shall defend, indemnify and hold the other Owners harmless from and against all liabilities, claims, actions, costs and expenses (including, but not limited to, attorneys' fees) of any nature, arising from or attributable to the use of the Easements by such Owner's guests, agents, employees, customers, invitees, tenants or licensees.

7. Binding on Successors. This Agreement and all of the easements, covenants and conditions herein contained shall be binding upon and inure to the benefit of the assignees and successors-in-interest of each of the Owners so long as such assignees and successors own all or any portion of the Parcels.

8. Expense and Reimbursement.

A. In the event any right of reimbursement for expenses provided in this Agreement, including but not limited to Sections 5 and 6, request for payment shall be delivered to the obligated Owner, itemized with documentation of the expense included. Payment shall be due upon receipt, and if not so paid within 30 days of the date of such request, will accrue interest at 10% per annum or the maximum rate allowed by law, whichever is less. Any dispute in the amount due shall be raised within such 30 day period or shall be deemed waived.

B. Without limiting the foregoing, the Grantor may annualize anticipated expenses and pay the same on a monthly or quarterly basis as "Common Area Maintenance" charges. In such case, Grantor shall prepare an annual budget in advance, and shall provide notice of the same not less than 30 days prior to the beginning of such annual period. In the event Grantor no longer owns any of the Parcels, the Owners may collectively prepare the annual budget and determination of periodic payments.

9. Authority to Execute. All persons signing this Agreement in a representative capacity warrant that they have full authority to bind such on whose behalf they are signing.

10. Amendment.

A. Any modification to this Agreement must be in writing, signed by the Owners

of the Properties, approved and signed by the City, and filed for record in Riverside County, California. The Owners will reasonably cooperate with respect to this Agreement and any amendment hereafter to accomplish the purposes set forth herein and for the mutual convenience of all Owners and Users of the various properties.

B. Notwithstanding the foregoing, the Grantor shall have the absolute right to amend this Agreement by relocating the easements described in Section 2, above, provided: (i) the area to which easements are relocated provide meets the requirements of the City in size, configuration and location; (ii) the number of parking spaces at least meets the minimum number and type of spaces required for use of the grantee by the City; (iii) the parking and/or Trash Enclosure areas retain access to a public street meeting the requirements of the City; (iv) the redesignated areas otherwise meet the requirements of the City. With respect to the Hotel Property, and without limiting any other provision herein, nothing in this Agreement is intended to limit in any way Grantor's rights under the 1983 Easement to relocate or redesignate any parking area for exclusive use by The Hotel and its authorized Users.

C. In any redesignation or amendment described in Subsection B above, the grantee(s) shall cooperate through prompt execution of any amendment or other agreement or instrument upon the request of Grantor, provided the effect of the same is limited in material terms to the changes described above and as may be required by the City or to retain the spirit or intent of this Agreement.

11. Notices. Any notice to any of the Owners required or permitted under this Agreement shall be delivered by facsimile transmission or electronic mail, together with delivery by a nationally recognized "overnight" delivery service, addressed to the recipient. Notice to shall be addressed to:

Grantor: LaLiberte Enterprise, Inc.
75-280 Highway 111, Suite 101
Indian Wells, CA 92210
(760) 341-5875

The City: The City of Indian Wells
Attn: Wade G. McKinney, City Manager
44-950 Eldorado Drive
Indian Wells, CA 92210
(760) 346-0407

The facsimile or email transmission shall be made on or before 4:00 p.m., Pacific Time, on a Business Day only. All notices served in the above manner shall be considered sufficiently given or served for all purposes under this Agreement on the same Business Day as the facsimile or email transmission is made. Any Owner may change its address for the purpose of this paragraph by giving written notice of such change to other Owners in the manner provided for notice.

12. Headings and Captions. Paragraph headings and captions contained in this Agreement are inserted only as a matter of convenience and for reference and shall in no way be construed to define, limit or extend the scope of this Agreement or the intent of any of its provisions. The singular or plural shall substitute for the other where appropriate by grammar or context.

13. Incorporation of Recitals. The above-stated Recitals are expressly made a part of this Agreement.

14. Term/Termination. The Easements granted herein are granted in perpetuity. Any termination or amendment of this Agreement must be in writing, signed by the respective Owners and by the City, and filed for record in Riverside County, California.

15. Attorneys' Fees. Except as provided in Paragraph 20, below, if an action or proceeding is commenced to enforce, interpret, or declare the effect of any provision of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party its reasonable attorneys' fees and other litigation costs. In addition to the foregoing award of attorneys' fees and other litigation costs to the prevailing party, the prevailing party in any lawsuit on this Agreement shall be entitled to attorneys' fees and other litigation costs incurred in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.

16. Compliance with Laws. The Owners each covenant and agree to comply with all laws and regulations relating to the use of the Easements described herein or the exercise of the rights herein granted.

17. Mutuality/Reciprocity/Covenants Running with Land. All conditions, covenants, easements and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part of the Parcels; shall create mutual, equitable servitudes and burdens upon each such Parcel in favor of the other Parcels; shall create reciprocal rights and obligations between and among the respective Parcels Owners and privity of contract and estate between and among all grantees of the Parcels, and their heirs, successors and assigns; and shall, as to each Owner, its successors and assigns, operate as covenants running with the land for the benefit of the Parcels. Except as set forth herein, this Agreement is made solely for the benefit of the parties to this Agreement, future Owners, Mortgagees under Section 18 and the City under Section 21, and their respective permitted successors and assigns, and no other person or entity will have or acquire any right by virtue of this Agreement.

18. Mortgagee Protection. No breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage or deed of trust made in good faith and for value, but the covenants, easements and conditions described herein shall be binding upon and effective against any Parcel, or portion thereof, or any Owner whose title is acquired through foreclosure, trustee's sale or otherwise. No subsequent owner of any Parcel shall have any liability for any breach of this Agreement occurring prior to the date upon which such party becomes an owner of a Parcel.

19. Waiver. The waiver of or failure to enforce any breach or violation of any covenant herein contained shall not be deemed to be a waiver or abandonment of such covenant, or any waiver of the right to enforce any subsequent breach or violation of such covenants.

20. Enforcement.

A. Injunctive Relief. Nothing herein shall limit the rights of an Owner to seek injunctive relief for breach of this Agreement.

B. Dispute Resolution. Subject to the provisions of 20.A above, any and all disputes, claims or controversies arising out of or relating to this Agreement shall be submitted to JAMS, or its successor, for mediation, and if the matter is not resolved through mediation, then it shall be submitted to JAMS, or its successor, for final and binding arbitration pursuant to the clause set forth in Subparagraph 4 below. Parties involved in such dispute shall be referred to in this Section 20 as a "Party" or collectively as "Parties".

1. Either Party may commence mediation by providing to JAMS and the other party a written request for mediation, noting the subject of the dispute and relief requested.

2. The Parties will cooperate with JAMS and with one another in selecting a mediator from the JAMS panel of neutrals and in scheduling the mediation proceedings. The Parties agree that they will participate in the mediation in good faith and that they will share equally in its costs.

3. All offers, promises, conduct and statements, whether oral or written, made in the course of the mediation by any of the Parties, their agents, employees, experts and attorneys, and by the mediator or any JAMS employees, are confidential, privileged and inadmissible for any purpose, including impeachment, in any arbitration or other proceeding involving the Parties, provided that evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation.

4. Either Party may initiate arbitration with respect to the matters submitted to mediation by filing a written demand for arbitration at any time following the initial mediation session or at any time following 45 days from the date of filing the written request for mediation, whichever occurs first ("Earliest Initiation Date"). The mediation may continue after the commencement of arbitration if the parties so desire.

5. At no time prior to the Earliest Initiation Date shall either side initiate an arbitration or litigation related to this Agreement except to pursue a provisional remedy authorized by law or by JAMS Rules or the Parties agreement. However, this limitation is inapplicable if the other Party refuses to comply with the requirements of Subaragraph 2.

6. All applicable statutes of limitation and defenses based upon the passage of time shall be tolled until 15 days after the Earliest Initiation Date. The Parties will take such action, if any, required to effectuate such tolling.

7. The arbitrator in such arbitration shall have no power or authority to award or assess punitive or exemplary damages. The Parties expressly agree and acknowledge that any award rendered in such arbitration shall be final, binding and conclusive, and judgment may be entered in any court of competent jurisdiction upon any such award. Such arbitration shall be held in Riverside County, California. The prevailing party in any such proceeding shall be awarded its reasonable attorney's fees and costs.

21. City as Party for Enforcement Only. The City is a signatory party to this Agreement for purposes of enforcement only. In the event of the City's enforcement of maintenance and repair obligations of one or more of the Parcel Owners with respect to the shared access and parking areas, the Parcel Owners shall have joint and several liability as to the City for any repair or maintenance

obligations on any of the Parcels, which shall be maintained to substantially similar standards. Nothing in the foregoing shall relieve any Parcel Owner of its obligation to perform or pay its share of maintenance or repair, or any right of collection or indemnification against any other Parcel Owner as provided elsewhere in this Agreement. The City shall bear no cost or financial obligation as a result of being a signatory to this Agreement for the limited purpose set forth herein. By signing below, the City indicates that it has reviewed, approved, and determined that this Reciprocal Easement Agreement satisfies Condition 12 of the Conditions of Project Approval for the New Parcel Map.

[signature page follows]

IN WITNESS WHEREOF, this Agreement has been executed by the undersigned parties as of the date set forth above.

Grantor:

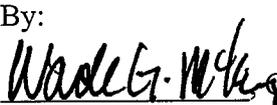
LALIBERTE ENTERPRISE, INC.,
a California corporation

By: 
Name: JUNE MULLENEAU
Title: Vice President, Tras. Sec.

This Agreement has been executed by the undersigned party solely for the purposes of Section 21 as of the date set forth above:

THE CITY OF INDIAN WELLS,
a California municipal corporation

By:


City Manager

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY:
BEST BEST & KREIGER, LLP



ATTEST:


Chief Deputy City Clerk



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

On June 20, 2016, before me, Julia A. Hilton, a notary public in and for said County and State, personally appeared June Mullencaux, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: *Julia A. Hilton*
Signature of Notary Public



(Notary Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

On _____, 2016, before me, _____, a notary public in and for said County and State, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Signature of Notary Public

(Notary Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

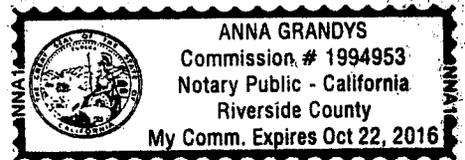
State of California
County of Riverside)

On July 18, 2016 before me, Anna Grandys, Notary Public
(insert name and title of the officer)

personally appeared Wade G. McKinney, City Manager
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature  (Seal)

LENDER SUBORDINATION

The undersigned, as successor of Beneficiary of the beneficial interest in and under the Deed of Trust among La Liberte Enterprises, Inc., a California corporation as Trustor, Santa Clara Corporation, a California corporation, as Trustee, and Bank of the West, as Beneficiary, recorded on October 24, 2014, as Instrument No. 2014-0405309, and Assignment of Rents recorded October 24, 2014 as Instrument No. 2014-0405310 in the Official Records of Riverside County, California (the "Deed of Trust"), hereby subordinates the Deed of Trust and its beneficial interest thereunder to the foregoing Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Magnesia Falls Plaza, as amended or restated (the "Declaration"), to any Supplemental Declaration, as amended or restated, and to all easements to be conveyed to the Association in accordance with the Declaration and any Supplemental Declaration. By executing this Subordination, the undersigned agrees that if the undersigned acquires title to all or any portion of the Project by foreclosure (whether judicial or non-judicial), deed in lieu of foreclosure or any other remedy in or relating to the Deed of Trust, the undersigned will acquire title subject to the provisions of the Declaration and any applicable Supplemental Declaration, which shall remain in full force and effect.

BANK OF THE WEST

By: [Signature]
Its: Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

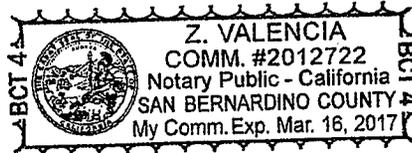
STATE OF CALIFORNIA)
) ss.
COUNTY OF San Bernardino)

On July 06, 2016, before me, Z. Valencia notary public, a notary public in and for said County and State, personally appeared Kenneth Hernandez, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Z. Valencia
Signature of Notary Public



(Notary Seal)

EXHIBIT A
NEW PARCEL MAP

PARCEL MAP NO. 36408

[See Attached]

COPY

RECORDER'S STATEMENT
 FILED THIS FILE ONLY OF **APRIL 27, 2016** AT
 11:50 AM IN BOOK **241** OF PARCEL MAPS AT PAGES
8-9 AT THE REQUEST OF THE CITY CLERK OF THE CITY
 OF INDIAN WELLS,
 NO. **2016-0343421**
 FEE \$ **14.00**
 PETER ALDUMA, ASSESSOR-COUNTY CLERK-RECORDER
 BY: **Heather Hansen** Deputy
 SUBSTITUTION GUARANTEE: **DRIVE COAST TITLE COMPANY**

SURVEYOR'S STATEMENT
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD
 SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYS ACT AND
 LOCAL ORDINANCE. AT THE REQUEST OF INDIAN WELLS PROCESSING CENTER, IN
 DECEMBER OF 2015, I HEREBY STATED THAT THE SET IN ACCORDANCE WITH
 THE MAP PROVISIONS INDICATED ON THIS MAP WILL BE SUFFICIENT TO
 OBTAIN TITLE TO THE PROPERTY TO BE REFERRED TO HEREON. I HEREBY STATE THAT THIS PARCEL MAP
 SUBSTANTIALLY CONFORMS TO THE APPROVED OR
 CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATE: **March 3, 2016**
Benjamin Daniel Egan P.L.S. 8756
 BENJAMIN DANIEL EGAN,
 CITY ENGINEER

CITY ENGINEER'S STATEMENT
 I HEREBY STATE THAT I HAVE EXAMINED THE THIS MAP OF PARCEL MAP NO. 36408
 CONSISTING OF 2 SHEETS, AND THE SECTION SHOWN HEREON IS SUBSTANTIALLY
 THE SAME AS THE PROVISIONS OF THE SUBDIVISION MAP AND ANY APPROVED ALTERATION
 THEREON. I HEREBY STATE THAT THE SUBDIVISION MAP ACT AND LOCAL
 ORDINANCES HAVE BEEN COMPLIED WITH.
 DATE: **3-7-16**
Ken Arelu Semualo, P.E. R.C.E. 56915
 CITY ENGINEER EXP. DATE 06/30/2017

CITY SURVEYOR'S STATEMENT
 I HEREBY STATE THAT THIS MAP HAS BEEN EXAMINED BY ME AND THAT I AM
 SATISFIED THIS MAP IS TECHNICALLY CORRECT.
 DATE: **July 8, 2016**
Eric R. Nelson, P.L.S. L.S. 5563
 ACTING CITY SURVEYOR EXP. DATE 9/30/2017

CITY CLERK'S STATEMENT
 I HEREBY STATE THAT THIS MAP CONSISTING OF 2 SHEETS BE, AND THE SAME IS, HEREBY
 RECORDED AS THE OFFICIAL MAP OF PARCEL MAP NO. 36408 AND THE CITY OF INDIAN
 WELLS, STATE OF CALIFORNIA, BY AND THROUGH ITS DULY AUTHORIZED OFFICERS
 HEREBY APPROVES SAID MAP. THE CITY CLERK IS HEREBY AUTHORIZED AND
 DIRECTED TO ATTEST SAID MAP BY SIGNING HER/HER NAME THEREON AS CITY CLERK
 OF THE CITY OF INDIAN WELLS, STATE OF CALIFORNIA AND TO AFFIX THE
 OFFICIAL SEAL OF THE CITY THEREON.
 I HEREBY STATE THE RESOLUTION NO. 2016-037 WAS ADOPTED BY THE
 CITY COUNCIL OF THE CITY OF INDIAN WELLS AT ITS MEETING
 HELD ON THE 23rd DAY OF **June**, 2016.
 DATE: **7-15-2016** BY: **Anna Grandis**
 ANNA GRANDIS,
 CITY CLERK
 CITY OF INDIAN WELLS, CALIFORNIA

PARCEL MAP NO. 36408
 IN THE CITY OF INDIAN WELLS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF PARCEL 1 OF PARCEL
 MAP NO. 17335, AS PER PARCEL MAP FILED IN
 BOOK 101, PAGES 88 AND 89 OF
 MAPS, OFFICIAL RECORDS OF SAND COUNTY.
 DATE OF SURVEY: DECEMBER 2015

TAX BOND CERTIFICATE
 I HEREBY CERTIFY THAT A TAX BOND IN THE SUM OF **\$93,000.00** HAS BEEN
 RECORDED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF
 RIVERSIDE, CALIFORNIA, IN CONFORMANCE WITH THE PAYMENT OF ALL TAXES, STATE,
 COUNTY, MUNICIPAL OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS
 TAXES WHICH AT THE TIME OF FILING OF THIS MAP WITH THE COUNTY RECORDER
 ARE A LIEN AGAINST SAID PROPERTY BUT NOT YET PAYABLE AND SAID BOND HAS
 BEEN DULY APPROVED BY SAID BOARD OF SUPERVISORS.
 DATED: **August 9, 2016**
Don Kent COUNTY TAX COLLECTOR
 COUNTY TAX COLLECTOR
 COUNTY OF RIVERSIDE, CALIFORNIA

TAX COLLECTOR'S CERTIFICATE
 I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS
 DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP FOR
 UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES, OR SPECIAL ASSESSMENTS
 COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES,
 WHICH ARE NOT YET PAYABLE, WHICH ARE ESTIMATED TO BE
\$93,000.00
 DATED: **August 9, 2016**
Don Kent COUNTY TAX COLLECTOR
 COUNTY TAX COLLECTOR
 COUNTY OF RIVERSIDE, CALIFORNIA

SIGNATURE OMISSIONS
 PURSUANT TO SECTION 66418 OF THE SUBDIVISION MAP ACT, THE SIGNATURE(S) OF
 THE FOLLOWING: OWNERS OF EASEMENTS AND/OR OTHER INTERESTS HAVE BEEN
 OMITTED AS THEY CAN NOT BE IDENTIFIED INTO A FEE.
 THE UNITED STATES OF AMERICA, HOLDER OF EASEMENT RIGHTS RESERVED IN THE
 PATENT RECORDED IN BOOK 7, PAGE 230 OF PATENTS.
 EDWARD E. MACDONALD, ET. AL, HOLDER(S) OF AN EASEMENT FOR PUBLIC UTILITY
 PURPOSES RECORDED OCTOBER 16, 1956 IN BOOK 1986, PAGE 81 OF OFFICIAL
 RECORDS.
 CALIFORNIA ELECTRIC POWER COMPANY, HOLDER OF AN EASEMENT FOR PALE LINES,
 CONDUITS AND INCIDENTAL PURPOSES RECORDED DECEMBER 7, 1962 AS INSTRUMENT
 NO. 115411 OF OFFICIAL RECORDS.
 THE SANDS HOTEL OF INDIAN WELLS VACATIONS CLUB, A NON-PROFIT MEMORIAL
 BENEFIT CORPORATION, HOLDERS(S) OF RIGHTS OUTLINED IN AN EASEMENT AGREEMENT
 RECORDED AUGUST 23, 1983 AS INSTRUMENT NO. 171608 OF OFFICIAL RECORDS.
 COMANELLA VALLEY WATER DISTRICT, HOLDER OF AN EASEMENT(S) FOR UNDERGROUND
 PIPELINES AND INCIDENTAL PURPOSES, RECORDED DECEMBER 10, 1983 AS
 INSTRUMENT NO. 482957, AND RECORDED NOVEMBER 21, 2007 AS INSTRUMENT NO.
 2007-100718 OF OFFICIAL RECORDS.
 SOUTHERN CALIFORNIA EDISON COMPANY, HOLDER OF AN EASEMENT FOR PUBLIC
 UTILITIES AND INCIDENTAL PURPOSES, RECORDED JULY 25, 2007 AS INSTRUMENT
 NO. 2007-468682 OF OFFICIAL RECORDS.
 VERIZON CALIFORNIA INC, HOLDER OF AN EASEMENT FOR PUBLIC UTILITIES AND
 INCIDENTAL PURPOSES RECORDED MARCH 10, 2008 AS INSTRUMENT NO. 2008-115570
 OF OFFICIAL RECORDS.

NOTARY ACKNOWLEDGMENT
 I, **Benjamin Daniel Egan**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **August 9, 2016**
 COUNTY OF RIVERSIDE

NOTARY ACKNOWLEDGMENT
 I, **Ken Arelu Semualo**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **July 8, 2016**
 COUNTY OF RIVERSIDE

NOTARY ACKNOWLEDGMENT
 I, **Eric R. Nelson**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **July 8, 2016**
 COUNTY OF RIVERSIDE

NOTARY ACKNOWLEDGMENT
 I, **Anna Grandis**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **7-15-2016**
 COUNTY OF RIVERSIDE

OWNER'S STATEMENT
 WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE
 SUBDIVISION SHOWN HEREON THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS
 NECESSARY TO SIGN A CLEAR TITLE TO SAID LAND THAT BE CONSISTENT TO THE
 MAKING AND RECORDING OF THIS SUBDIVISION MAP AS SHOWN WITHIN THE
 DISTINCTIVE BORDER LINE.
LALBERTIE ENTERPRISES INC., A CALIFORNIA CORPORATION
Joanne H. Mulleventy SIGNATURE
JOANNE H. MULLEVENTY PRINT NAME
VICE PRESIDENT PRINT TITLE

NOTARY ACKNOWLEDGMENT
 I, **Joanne H. Mulleventy**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **August 9, 2016**
 COUNTY OF RIVERSIDE

NOTARY ACKNOWLEDGMENT
 I, **Benjamin Daniel Egan**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
 WITNESS MY HAND AND SEAL:
 DATE: **August 9, 2016**
 COUNTY OF RIVERSIDE

NOTARY ACKNOWLEDGMENT
 I, **Ken Arelu Semualo**, a Notary Public for the State of California, do hereby certify that the foregoing instrument is true and correct.
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 COUNTY OF RIVERSIDE

SURVEYOR'S NOTES:

- DENOTES SET 1" IRON PIPE, UP 0.2" IN DIRT, WITH BRASS TAG STAMPED "LS 8756". UNLESS OTHERWISE NOTED.
- ⊙ DENOTES SET BRASS TACK AND TAG STAMPED "LS 8756". FLUSH IN CONCRETE OR ASPHALT SURFACE, UNLESS OTHERWISE NOTED.
- ⊚ DENOTES SET BRASS TACK AND TAG STAMPED "LS 8756". FLUSH IN TOP OF BLOCK WALL.
- ⊛ DENOTES LOCATION SEARCHED, NOTHING FOUND, NOTHING SET.
- DENOTES FOUND MONUMENT AS NOTED BELOW:
- ① FOUND RAILROAD SPIKE FLUSH, ACCEPTED PER R3.
- ② FOUND RAILROAD SPIKE FLUSH, ACCEPTED PER R3.
- ③ FOUND RAILROAD SPIKE FLUSH, ACCEPTED PER R3.
- ④ FOUND 1" P. IN GRASS, TAG MISSING. MONUMENT LIES ON WEST LINE OF PARCEL 2 OF R2. 0.46 FEET NORTHERLY OF SW CORNER, NOTHING SET.
- ⑤ FOUND 1" P. IN GRASS, TAG MISSING. MONUMENT LIES ON EAST LINE OF PARCEL 2 OF R2. 0.46 FEET NORTHERLY OF SW CORNER, NOTHING SET.
- ⑥ FOUND 1" P. UP 0.1" TAG MISSING, ACCEPTED AS THE COR. OF PARCEL 2 OF R2.
- ⑦ FOUND BRASS TACK AND TAG, SET IN CONCRETE, FLUSH, STAMPED "ICE 9507". ACCEPTED AS ANGLE POINT IN THE EASTERN LINE OF PARCEL 2 OF R2.
- ⑧ FOUND BRASS TACK AND TAG, SET IN CONCRETE, FLUSH, LEGIBLE, 0.15 FEET WESTERLY OF CORNER, NOT ACCEPTED.

EASEMENT NOTES:

- ⚠️ PORTION OF PROPERTY LINE DIVIDING PARCEL 1 AND 2 OF PARCEL MAP NO. 17335, FALLS ON EXISTING FIREWALL BETWEEN TWO BUILDINGS AS SHOWN ON SAID MAP.
- ⑨ RESERVATION IN THE PATENT FROM THE UNITED STATES, RECORDED IN BOOK 7 PAGE 20 OF PATENTS, (ITEMS ARE BLANKET IN NATURE AND CAN NOT BE PLOTTED).
- ⚠️ INDICATES AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF EDWARD E. MACADAM, ET AL., PER INSTRUMENT RECORDED OCTOBER 18, 1956 IN BOOK 1986, PAGE 81 OF OFFICIAL RECORDS.
- ⚠️ INDICATES AN EASEMENT FOR PIPELINES, CONDUITS AND INCIDENTAL PURPOSES IN FAVOR OF CALIFORNIA PIPELINE COMPANY, PER INSTRUMENT RECORDED DECEMBER 7, 1962 AS INSTRUMENT NO. 153411 OF OFFICIAL RECORDS.
- ⚠️ PARTY WALL AGREEMENT RECORDED MARCH 17, 1962 AS INSTRUMENT NO. 45091 OF OFFICIAL RECORDS.
- ⚠️ AN EASEMENT AGREEMENT FOR PARKING AND OTHER MATTERS RECORDED AUGUST 23, 1993 AS INSTRUMENT NO. 171809 OF OFFICIAL RECORDS. (ITEM IS BLANKET IN NATURE OVER THE PARKING AREAS).
- ⚠️ INDICATES AN EASEMENT FOR UNDERGROUND PIPELINES AND INCIDENTAL PURPOSES IN FAVOR OF COACHELLA VALLEY WATER DISTRICT PER INSTRUMENT RECORDED DECEMBER 10, 1993 AS INSTRUMENT NO. 492557 OF OFFICIAL RECORDS.
- ⚠️ INDICATES AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, PER INSTRUMENT RECORDED JULY 25, 2007 AS INSTRUMENT NO. 2807-082862 OF OFFICIAL RECORDS.
- ⚠️ INDICATES AN EASEMENT FOR PIPELINE AND INCIDENTAL PURPOSES IN FAVOR OF COACHELLA VALLEY WATER DISTRICT PER INSTRUMENT RECORDED NOVEMBER 21, 2007 AS INSTRUMENT NO. 2007-0709718 OF OFFICIAL RECORDS.
- ⚠️ AN EASEMENT IN FAVOR OF VERDON CALIFORNIA, INC., A CORPORATION, FOR PUBLIC UTILITIES PER INSTRUMENT RECORDED NOVEMBER 20, 2008 AS INSTRUMENT NO. 2008-115970. (ITEM IS BLANKET IN NATURE, EXCLUSIVE OF THE BUILDING SITES)

RECORD DATA:

- () R & M DENOTES RECORD AS NOTED & MEASURED
- () R1 DENOTES RECORD DATA PHB 55/15-17
- () R2 DENOTES RECORD DATA PHB 101/88-89
- () R3 DENOTES RECORD DATA CALTRANS MAP 204-466

DATE OF SURVEY: DECEMBER 2015

BENJAMIN DANIEL EGGAN, P.L.S. 8756

LEGEND:

- C/L CENTERLINE
- /○ CORNER
- /○ DOWN
- /○ EAST
- /○ EST. IP
- /○ EST. MON.
- /○ NORTH
- /○ REF. IP
- /○ REF. MON.
- /○ R/W
- /○ RS
- /○ S
- /○ SEC.
- /○ SEC.
- /○ WEST

SCALE: 1"=40'



PROJECT SITE



PARCEL 1

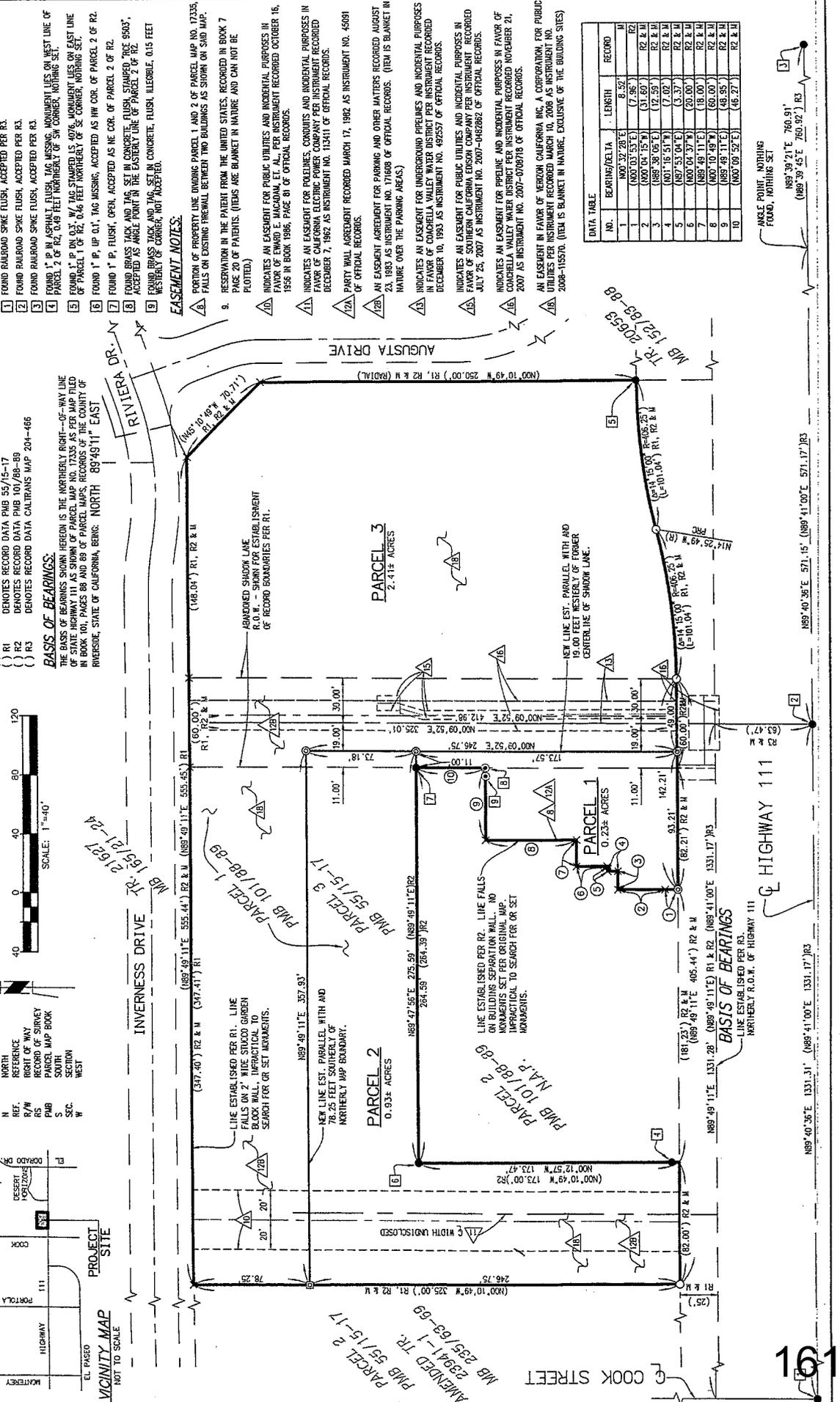
0.23± ACRES

PARCEL 2

0.93± ACRES

PARCEL 3

2.41± ACRES



DATA TABLE

NO.	BEARINGS/DISTANCE	LENGTH	RECORD
1	(N00°32'28"E	8.25'	R2
2	(N00°03'53"E	17.86'	R2
3	(N00°04'15"E	15.50'	R2 & M
4	(N89°38'09"E	13.00'	R2 & M
5	(N97°52'20"E	13.37'	R2 & M
6	(N00°03'37"E	30.00'	R2 & M
7	(N89°48'11"E	18.00'	R2 & M
8	(N89°40'49"E	60.00'	R2 & M
9	(N89°48'11"E	48.95'	R2 & M
10	(N89°09'52"E	48.27'	R2 & M

ANGLE POINT, NOTHING FOUND, NOTHING SET

(N89°39'21"E 760.91'
(N89°39'45"E 760.92') R3

(N89°40'36"E 571.15'
(N89°41'00"E 571.17') R3

(N89°40'36"E 1331.31'
(N89°41'00"E 1331.17') R3

MB 23941-1
PMB 55/15-17
PMB 101/88-89

AMENDED TR. 21827
MB 152/85-88

EXHIBIT B
NEW PARCEL MAP

LEGAL DESCRIPTION OF NEW PARCEL MAP

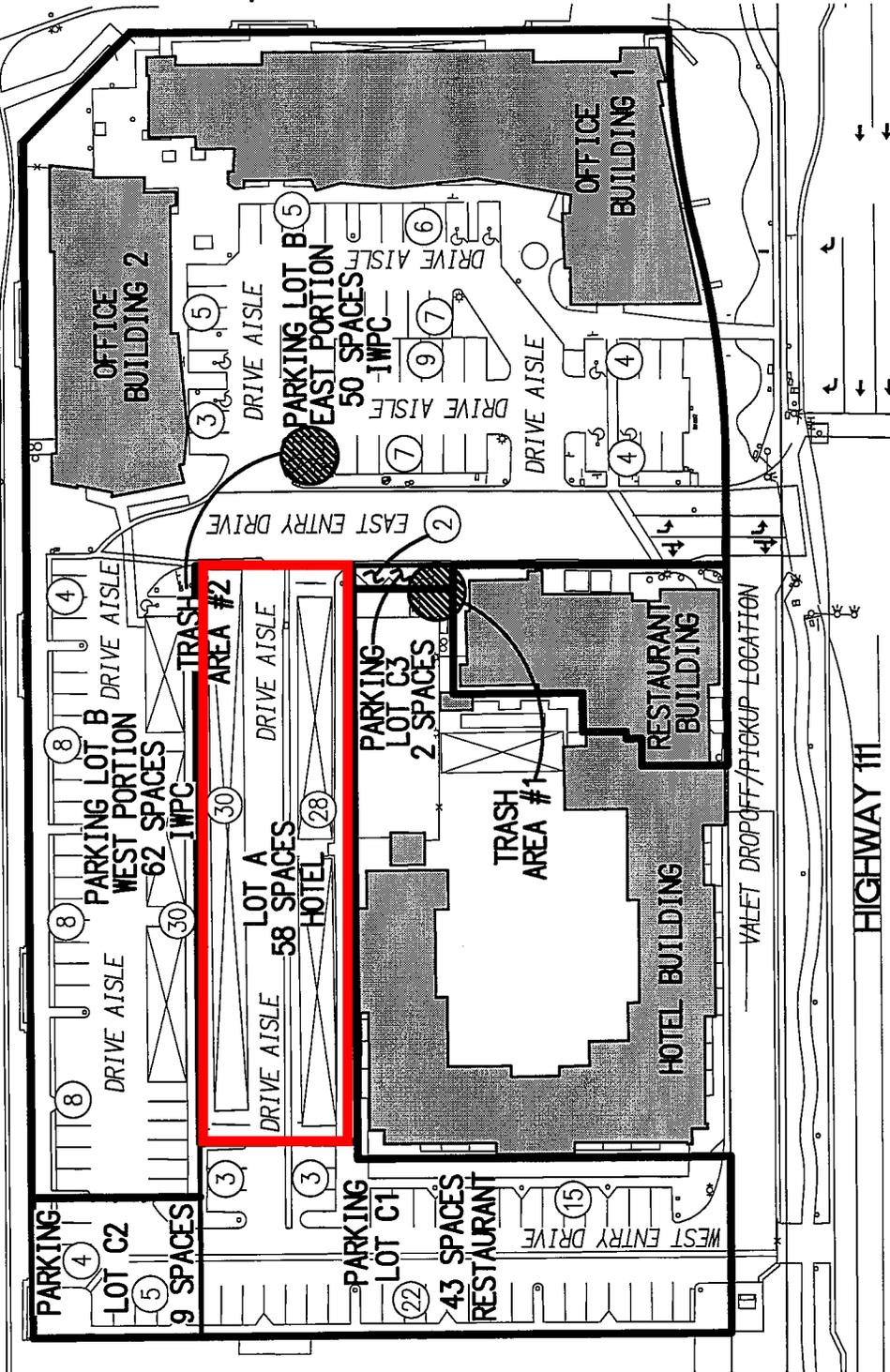
PARCEL MAP NO. 36408, FILED IN BOOK 241, OF PARCEL MAPS AT PAGES 8 AND 9, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING A SUBDIVISION OF PARCEL 1 OF PARCEL MAP NO. 17335, IN THE CITY OF INDIAN WELLS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER PARCEL MAP FILED IN BOOK 101 OF PARCEL MAPS, PAGES 88 AND 89, OF SAID COUNTY.

APN: 633-770-006; 633-770-007; 633-770-008; 633-770-009

EXHIBIT C
PARKING LOT AREAS

[See Attached]

EXHIBIT "C" - PARKING LOT AREAS
INDIAN WELLS PROFESSIONAL CENTER, THE SANDS HOTEL
AND THE NEST RESTAURANT
PARCEL MAP NO. 36408



PARKING SPACE TOTALS

PARKING LOT NAME	# SPACES	USER
PARKING LOT A	58 SPACES	HOTEL
PARKING LOT B	112 SPACES	IWPC
PARKING LOT C1, C2, C3	54 SPACES	RESTAURANT

DENOTES PARKING SPACE COUNT
 Sands Hotel Dedicated Parking →

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2016-01, ZONING MAP AMENDMENT NO. 2016-01, AND MODIFICATION TO CONDITIONAL USE PERMIT NO. 2-80-12 FOR THE RENOVATION AND RECONFIGURATION OF THE SANDS HOTEL, FOR WHICH THE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA"), PURSUANT TO CEQA GUIDELINES SECTION 15303

WHEREAS, PRG Sands, LLC (the "Applicant"), has filed an application with the City of Indian Wells (the "City") for approval of General Plan Amendment No. 2016-01, Zone Map Amendment No. 2016-01, and modification to Conditional Use Permit No. 2-80-12 for the renovation and reconfiguration of The Sands Hotel located at 75188 Highway 111; and

WHEREAS, on October 27, 2016, the Planning Commission held a duly noticed public hearing on the Project in conformance with Government Code §65854 and Indian Wells Municipal Code Section 21.06.020(c) and 21.06.100, and adopted Resolution No. PC 2016-[[?]] recommending approval of the Project; and

WHEREAS, notice of a public hearing of the City Council of the City of Indian Wells to consider the Applicant's request was given in accordance with applicable law; and

WHEREAS, on November 17, 2016, a duly noticed public hearing on the Project was held by the City Council; and

WHEREAS, after careful consideration of the staff report, public testimony and all of the information presented at the hearing, including all associated documentation and exhibits, the City Council finds as follows:

General Plan Amendment, Zoning Map Amendment, and Modified Conditional Use Permit:

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

FACT: The proposed GPA, ZMA and MCUP is consistent with the objectives of the Zoning Code and proposed Community Commercial General Plan and Zoning land use designation for the site. The subject property is currently designated Office Professional, and contains existing non-conforming uses which will be brought into conformance through adoption of the Community Commercial land use designation for the property.

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

FACT: The proposed Project will not adversely affect the public health, safety or welfare, or materially injure surrounding properties or improvements since the Project will bring existing non-conforming uses into conformance with the General Plan, and shall adhere to all applicable sections of the California Building Code, California Fire Code and Municipal Code thus precluding adverse impacts resulting from the Project.

3. The proposed Project will comply with each of the applicable provisions of the Zoning Code.

FACT: The proposed Project complies with each of the applicable provisions of the City's Municipal Zoning Code. Conditions of Approval are attached hereto as Exhibit "A" and incorporated herein by reference.

4. The proposed amendment to the General Plan complies with the City Municipal Code.

FACT: The proposed amendment is internally consistent with the General Plan, would not be detrimental to the public interest, health, safety, convenience, or welfare of the City, would maintain the appropriate balance of land uses within the City; and is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the proposed modifications to the existing use on-site. (Ord. 307 § 2, 1997)

Environmental Findings:

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

FACT: This Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed Project will have no significant effect on the environment and qualifies as being Categorical Exempt from the California Environmental Quality ("CEQA") pursuant to § 15303 (Class 3).

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

SECTION 1. The City Council **ADOPTS** Resolution No. 2016-___ approving General Plan Amendment No. 2016-01, Zone Map Amendment No. 2016-01, and modification to Conditional Use Permit No. 2-80-12 in support of the proposed Project subject to the Conditions of Approval listed on Exhibit "A" attached hereto and by this reference incorporated herein.

SECTION 2. This Resolution shall take effect upon adoption.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and shall mail by first class, prepaid, United States mail, a certified copy of this Resolution to the Applicant.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 17th day of November, 2016.

RICHARD BALOCCO
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2016-__

I, Anna Grandys, City Clerk 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 17th day of November, 2016, by the following vote:

AYES:

NOES:

ATTEST:

APPROVED AS TO FORM:

**ANNA GRANDYS
CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**

EXHIBIT "A"

Conditions of Approval

General Plan Amendment No. 2016-01, Zoning Map Amendment No. 2016-01, and modification to Conditional Use Permit No. 2-80-12

November 17, 2016

GENERAL:

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

7. Approval of this request shall not waive compliance with, and the Applicant shall at all times comply with, all applicable sections of the Indian Wells Municipal Code, all other applicable City ordinances, applicable resolutions, and applicable overlay areas.
8. Construction of the Project shall occur between the hours of 7:00 am and 5:00 pm, Monday through Friday, 8:00 am and 5:00 pm, Saturday and no construction on Sunday or national holidays per Municipal Code Section 9.06.047. The Community Development Director may grant a temporary waiver from these hours in limited circumstances where special need is demonstrated. Any such waiver request shall be made by the Applicant in advance.
9. Upon submittal of construction drawings to the Building Department for plan check review, all departmental conditions of approval for the Project shall be included on the sheet following the title sheet, or the first sheet of the plans. A site plan shall also be attached to all sets of construction drawings. This condition shall be a minimum requirement for acceptance of construction drawings for the Building Department plan check review.
10. The Applicant must obtain written verification from the Community Development Director, Public Works Director, Building Official and Fire Marshal, or designees, of compliance with all Conditions of Approval and Code requirements, prior to commencement of construction and occupancy of the Project.
11. Within fifteen (15) calendar days of final approval by the City Council, the Applicant shall submit in writing, a statement indicating that the Applicant has read and agrees to the conditions imposed herein. Approvals of land use and related applications hereunder shall become void, and any privilege, permit, or other authorization granted shall be deemed to have terminated; if compliance with this condition has not been completed within the specified time limits.
12. Unless modified by variance to the Community Commercial (CC) zone, all CC development standards shall be in effect.
13. All activities shall adhere to applicable noise regulations pursuant to Chapter 9.06 of the Indian Wells Municipal Code.
14. The Applicant shall obtain all applicable and required alcohol licenses issued by the California Department of Alcoholic Beverage Control (ABC). Restaurant and bar uses shall comply with all applicable regulations of the ABC, as well as all relevant portions of the Indian Wells Municipal Code.

15. Restaurant and bar uses shall comply with all applicable regulations of the Riverside County Department of Environmental Health, as well as all relevant portions of the Indian Wells Municipal Code.
16. Fifty-seven (57) parking spaces shall be maintained on the subject site, or by agreement approved by the City, for exclusive use by the hotel and associated secondary uses (bar, spa, restaurant, etc).
17. Hotel occupancy, when combined with the related secondary uses, shall not create a parking demand that exceeds the 57 allocated parking spaces; unless the Applicant enters into a City approved written agreement with adjacent property owner to provide additional parking for an individual event on such adjacent property, a copy of which agreement shall be filed with the Community Development Director for approval prior to such special events.
18. Chapter 3.12 of the Indian Wells Municipal Code, as amended from time to time ("Chapter 3.12"), shall be applicable at all times to the subject hotel, and the Applicant/Owner shall comply at all times with Chapter 3.12. All persons or transients having occupancy rights in the subject hotel, as those terms are defined in Chapter 3.12, shall be subject to, and shall be required to pay to the operator (as defined in Chapter 3.12) of the subject hotel, the tax set forth in Chapter 3.12. The operator of the subject hotel shall be required to collect such taxes at the time rent (as defined in Chapter 3.12) is collected from such persons, and to remit such taxes to the City as set forth in Chapter 3.12.
19. Any new or existing roof mounted, exhaust, solar or air conditioning equipment shall be fully concealed from view of the public right of way and adjoining properties by architecturally integrated means, and shall be treated to reduce noise levels generated toward surrounding properties.
20. Any and all signage for the hotel and/or other uses in the Project shall meet the standards of the "Sands of Indian Wells Planned Sign Program" established in Section 17.20.049 of the Indian Wells Municipal Code, unless otherwise amended through the City's formal Planned Sign Program modification process.
21. A Lot Line Adjustment Application shall be submitted, reviewed, and approved by the Public Works Department prior to issuance of the first Certificate of Occupancy. The Lot Line Adjustment shall correct a potential existing property line conflict between the Sands Hotel (Parcel 2, Parcel Map 17335), and the Nest Restaurant (Parcel 1, Parcel Map 36408). In the event all owners of the subject parcels agree that no property line conflict exists, a Lot Line Adjustment Application need not be submitted to the Public Works Department; however, the Applicant shall submit to the City a topographical

survey that verifies no conflict. Said topographical survey shall be prepared by a Licensed Surveyor or Registered Civil Engineer.

22. Deliveries to the uses within the Project (hotel, restaurants, shops, bar) shall be restricted to the following hours:
 - A. September 15th through June 14th – Monday through Friday, 7:00 am to 5:30 pm; Saturday and Sunday, 8:00 am to 5:00 pm.
 - B. June 15th through September 14th – Monday through Friday, 6:00 am to 7:00 pm; Saturday and Sunday, 6:00 am to 5:00 pm.

BUILDING:

23. Prior to the issuance of a building permit for construction, the Applicant shall first obtain permits and/or clearances from the following:

County Fire Marshal;
Public Works Department;
Planning Department;
Coachella Valley Water District; and
Riverside County Health Department

Evidence of said permit or clearance from the above agencies/individuals shall be presented to the Director of Community Development.

24. The Project shall comply with all applicable provisions of the Americans with Disabilities Act (ADA), including but not limited to modification of any existing vehicle parking spaces currently designated as ADA accessible parking spaces yet do not currently conform to California Building Code requirements. The Applicant shall provide an ADA Path of Travel from the ADA accessible parking spaces to building entrance(s). ADA Path of Travel may be shown on a separate plan, or combined with a Site Plan if deemed appropriate by the Building Department
25. The proposed Project shall be built according to Building and Safety Standards and shall comply with any and all applicable City of Indian Wells Municipal Code regulations.
26. Prior to issuance of any building permits, the Applicant shall provide to the City a "will serve letter" from Southern California Edison (SCE) that sufficient electrical supply is available to furnish said structures in that phase of development to be constructed.

27. Prior to issuance of any building permits, the Applicant shall provide to the City a “will serve letter” from Coachella Valley Water District (CVWD) that sufficient water supply is available to furnish said structures in that phase of development to be constructed.

FIRE:

28. Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, City of Palm Desert Municipal Code, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
29. Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, City of Indian Wells Municipal and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
30. Water Plans must be approved by the Fire Marshal and include verification that the water system will produce the required fire flow.
31. Fire protection measures shall be provided in accordance with Municipal Code, NFPA, CFC, and CBC or any recognized Fire Protection Standards.
32. The hotel building shall have illuminated addresses of a size and location approved by the City.
33. Conditions of approval are subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within twelve months.

ENVIRONMENTAL:

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

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

LANDSCAPING:

35. The irrigation system shall include provisions for design features that conserve water, such as controlled irrigation systems, which employ drip irrigation, soil moisture sensors, and automatic systems that minimize runoff and evaporation, the use of mulch on top of soil to improve water-holding capacity and the use of xeriscape (drought-tolerant species) for landscaping.
36. The landscape plan shall include the reintroduction of desert-adapted native and non-native plants. The use of potentially invasive plant species shall be avoided (see Table 4-113: Prohibited Invasive Ornamental Plants in the Coachella Valley Multiple Species Habitat Conservation Plan). The use of these low water-use plants would also conserve water and energy use in the built environment.
37. Detailed landscaping and irrigation plans shall be submitted for the Community Development Director's approval. The plans shall be certified by a landscape architect and shall provide permanent, automatic irrigation systems, which shall be installed on all landscaped areas requiring irrigation and be in full compliance with the adopted Landscape Guidelines and Design Specifications. Final landscape, hardscape and lighting plans shall be approved by the Community Development Director and Public Works Director or designees prior to their installation and issuance of a certificate of occupancy.
38. Above ground-mounted utility locations shall require approval by the Community Development Director. All detector check and backflow assemblies shall be located in planting areas.
39. The detector check/backflow devices shall be painted a neutral/earth tone color and any pipes extending above ground shall be finished and painted to match the device.
40. All ground-mounted utility appurtenances shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming and/or landscaping to the satisfaction of the Community Development Director.
41. All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the life of this approval.
42. Landscaping shall be located so as not to interfere with sight distance from driveways or adjacent roadways.

43. All landscaping and irrigation shall be installed in accordance with plans on file with the Community Development Department, and irrigation systems fully operational. Furthermore, all landscaped areas shall be free of trash and debris.
44. The Applicant shall retain the Project landscape architect to conduct a final field inspection and prepare a certificate of substantial completion, which shall be filed with the Community Development Director prior to issuance of a certificate of occupancy. The certificate of completion shall specifically indicate that all plant material was installed as specified by the landscape design plan, that the irrigation system was installed as designed, and that the irrigation system is fully operational. The certificate shall also include a list of any identified installation deficiencies, or changes subject to review and approval by the Community Development Director or designee.

LIGHTING:

45. Landscaping, consistent with the City's Highway 111 Beautification and Improvement Planning Area 12, shall be installed and maintained in perpetuity within the first 55-feet between the existing curb along Highway 111 and the hotel property.
46. Decorative lighting shall be provided within landscaped areas fronting Highway 111.
47. Landscape lighting shall be indirect, and shall include non-glare lights, positioned to light tree canopies, paths and walkways, or walls, as appropriate, and avoid light spillage outside of the Project area. Up-lights in turf areas shall be in light wells only. Up-lights in planters must have j-boxes below grade (or screened as approved by the Community Development Department), light fixtures must be screened with landscaping. Up-lights shall be placed on new palm trees fronting Highway 111 in similar manner as those existing within the City's public Right-of-Way (ROW) along Highway 111.

SITE IMPROVEMENTS

48. All improvements proposed on Parcels 1, 2, and 3 of Parcel Map 36408 shall comply with the terms of that Reciprocal Easement Agreement (REA), Document No. 2016-0348788. All improvements proposed on said Parcels 1, 2, and 3 shall be approved in writing in advance by the owners of said parcels regardless of the terms of the REA. Evidence of approval shall be submitted in writing to the City. Said proposed improvements requiring approval by owners of said Parcels 1, 2, and 3 shall include, but not be limited to carport removal, parking modifications, and landscaping.

49. Prior to issuance of a Building Permit for the new Spa building, a Precise Grading Permit shall be obtained by the Applicant. Said permit may be issued after submittal, review, and approval of a Precise Grading Plan. The Precise Grading Plan shall comply with Chapter 18 of the Indian Wells Municipal Code.
50. A Preliminary Geotechnical Investigation and Report shall be prepared by a competent Geotechnical Engineer, and submitted to and reviewed by the City, prior to commencement of any rough or precise grading activities. Said Report(s) shall be referenced on Rough Grading and Precise Grading Plans. Said Report shall comply with the City of Indian Wells Geotechnical Policy Guidelines. All grading shall conform to the recommendations contained in the Preliminary Geotechnical Investigation and Report, and shall be observed by the Geotechnical Engineer of Record.
51. Prior to construction on the site, a six foot (6') temporary chain-link fence shall be erected on any portion of the property that is exposed to public access and shall be connected to any block walls surrounding the property. This shall be installed so as to deter theft of and vandalism to construction materials and equipment on the property during construction. All construction fencing shall have a screen mesh so as to conceal construction activity from public view.
52. In the event this Project disturbs a total of one acre or more, the Applicant shall be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in compliance with the National Pollution Discharge Elimination System (NPDES) regulations. Said SWPPP shall be submitted to the Regional Water Quality Control Board (RWQCB) along with submittal of a Notice of Intent (NOI). Copies of said SWPPP and NOI (including WDID number assigned by RWQCB) shall be submitted to the City prior to issuance of a Grading Permit. All projects disturbing less than one acre are not required to prepare a SWPPP or file an NOI, but shall manage storm water drainage during construction by complying with one or more of the measures described in the Green Building Standards Code (CGBC). Implementation of Best Management Practices (BMP's) in accordance with IWMC 16.52.020 shall satisfy CGBC requirements.

53. All projects disturbing 5,000 square feet or more shall be required to prepare and submit to the City for approval a Fugitive Dust Mitigation Application and Plan. Dust and vehicular track-out shall be controlled in accordance with an approved Plan, including but not limited to daily cleaning of dirt and debris from of all adjacent streets. Dirt and debris shall not be permitted to enter any storm drain system. During periods of high winds or wind gusts exceed 25 mph, all grading shall cease and the site shall be continuously watered to prevent fugitive dust.
54. Separate Encroachment Permits from the City of Indian Wells Public Works Department shall be required for any improvement work within the public right-of-way of the City.

END OF CONDITIONS



11/17/2016

File #: RES-181-16 Item #: C.

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

Community Development Block Grant Program Application and Finding the Project Exempt Under CEQA

RECOMMENDED ACTIONS:

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

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

ADOPTS Resolution approving submittal of Fiscal Years 2017-18, 2018-19, 2019-20, 2020-21, and 2021-22 Community Development Block Grant program application; and

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

DISCUSSION:

Background:

Since Fiscal Year ("FY") 2009-10, the City received \$195,000 in Community Development Block Grant ("CDBG") funding for projects to benefit low and moderate income residents. This year the City is requesting funding for the next five years totaling \$75,000. Combining five years' worth of grants allows the City to complete a more substantial project. In order to obtain these funds, the City must agree to participate in the next two three-year Urban County Cooperation Cycles, 2018-2021 and 2021-2024.

Analysis:

The proposed project is American Disability Act (ADA) improvements for eight bus shelters along Highway 111. These updates will benefit disabled individuals who use the bus for public transportation.

The following bus shelter locations do not currently meet ADA requirements:

Bus Shelter Locations
1. Highway 111/Desert Horizon
2. Highway 111/Rancho Palmeras
3. Highway 111/Eldorado N
4. Highway 111 Indian Wells Lane N
5. Highway 111 Indian Wells Lane S
6. Highway 111/Manitou
7. Highway 111/Miles
8. Highway 111/Mountain Cove N

The project consists of demolishing and removing the current flagstone in and around the bus shelters and replacing it with four-inch thick concrete with a broom finish. The average square footage of concrete pad needed for each shelter is 200 square feet with a total approximate project cost of \$75,000.

CEQA:

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the guidelines - Existing Facilities, as the proposed ADA bus shelter improvement project is considered an improvement and not an expansion of the existing use.

FISCAL IMPACT:

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

ATTACHMENTS:

- 1. Resolution
- 2. CDBG Application

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING THE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY AGREEMENTS FOR THE FISCAL YEARS 2017/18 THROUGH 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, FOR WHICH THE PROJECT HAS BEEN FOUND EXEMPT FROM THE PROVISIONS OF CEQA

WHEREAS, the City of Indian Wells (the "City") must submit to the Riverside County Economic Development Agency (EDA) a project application for the Community Development Block Grant Funds for Fiscal Year 2017/18 through 2021/22 (the "Project"); and

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

WHEREAS, on November 17, 2016, the City Council held a duly noticed public hearing on the Project; and

WHEREAS, the City proposes to use the Fiscal Years 2017/18 through 2021/22 CDBG funding of approximately \$75,000 towards American Disability Act (ADA) improvements of eight bus shelters along Highway 111 in the City of Indian Wells; and

WHEREAS, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the guidelines – Existing Facilities, as the proposed ADA bus shelter improvement project is considered an improvement and not an expansion of the existing use; and

WHEREAS, the merits of the Project were openly discussed and considered.

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

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

SECTION 2. The City Council **ADOPTS** this Resolution approving the Project as proposed for FY 2017/18 through FY 2021/22 CDBG funding.

SECTION 3. The City Council **DIRECTS** and **AUTHORIZES** the City Manager to execute all necessary agreements associated with the FYS 2017/18 through 2021/22 CDBG programs.

SECTION 4. This Resolution shall take effect upon adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 17th day of November, 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 members of the City Council is five (5) and, that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells on the 17th day of November, 2016 by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

ANNA GRANDYS
CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

Does your Organization expend \$750,000 or more a year in federal funds? Y or N

Number of paid staff: 28

Number of volunteers: 1

Members/Board of Directors (*Attach*):

III. PROJECT ACTIVITY

A. Name of Project: ADA Bus Shelter Improvements

B. Specific Location of Project

(Attach Project Map - include street address; if a street address has not been assigned provide APN)

Street or APN: Highway 111

City: Indian Wells

Zip Code: 92210

C. CDBG Funds Requested: 75,000 *(total amount for the project only)*

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

The project encompasses eight bus stops along Highway 111 in Indian Wells; Desert Horizon Drive, Rancho Palmeras Drive, Eldorado Drive North, Indian Wells Lane North, Indian Wells Lane South, Manitou Drive, Miles Avenue, and Mountain Cove North.

E. In which City (ies)/Communities does the activity occur?

City (ies): Indian Wells

Community (ies):

NOTE: EDA will make the final determination of the appropriate service area of all proposals.

F. If this project benefits residents of more than one community or jurisdiction, have requests been submitted to those other entitlement jurisdictions? (i.e., County district(s) 1st, 2nd, 3rd, 4th, and/or 5th, City of Palm Springs, City of Moreno Valley, City of Riverside, etc.)

N/A

G. Check ONLY the applicable category your application represents.

- Public Service
- Homeless Activities
- Real Property Acquisition (Must consult with EDA prior to submitting application)
- Housing
- Rehabilitation/Preservation (please provide picture of structure)
- Public Facilities (construction)
- Infrastructure (i.e. Streets, Sewer, Sidewalk, etc.)
- Other: (provide description) _____

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

(a) Is this a NEW service provided by your agency? Yes No

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

IV. PROJECT NARRATIVE

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

The CDBG funds will be used to improve the bus shelters along Highway 111. The funds will go towards demolition of existing flooring and replacement with material that meet American Disability Act (ADA) requirements. Bus shelter locations and land uses as follows:

Bus Stop & Land Use

1. Highway 111/Desert Horizon: Residential Very Low Density (North) / HWY (South)
2. Highway 111/Rancho Palmeras: Residential Very Low Density (South) / HWY (North)
3. Highway 111/Eldorado N: Residential Very Low Density (North) / HWY (South)
4. Highway 111 Indian Wells Lane N: Resort Commercial (North) / HWY (South)
5. Highway 111 Indian Wells Lane S: Resort Commercial (South / HWY (North)
6. Highway 111/Manitou: Resort Commercial (North) / HWY (South)
7. Highway 111/Miles: Residential Very Low Density (South) / HWY (North)
8. Highway 111/Mountain Cove N: Residential Medium Density (North) / HWY (South)

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

Demolish and remove the flagstone in and around eight bus shelters in order to provide ADA accessibility. Form and grade same areas for new four-inch thick concrete with a broom finish. Average area of bus shelter is approximately 200 square feet. CDBG funds will be used for contractor installation services and material.

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

The objective of the project is to update and improve the bus shelters to incorporate ADA requirements. This will allow physically disabled individuals better access to using the bus as public transportation.

- D. Please identify the project milestones using an Estimated Timeline for Project Implementation:
Project will be completed by June 30, 2018

V. PROJECT BENEFIT

A. Indicate the number of people or households that will directly benefit from your proposal using CDBG funds: *Note: This is based on the expected number of clients to be served if the County funds your project for the requested amount.*

Unknown

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

Unknown

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

Project will be completed by June 30, 2018.

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

Men

Women

Children (Range of children's ages : _____)

Homeless (Number of beds at facility : _____)

Seniors

Severely Disabled Adults

Migrant Farm Workers

Families

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

Approval of the CDBG application is required to go through the public hearing process. At that time, residents and other interested parties have an opportunity to participate in the approval process. In addition, the bus stops are already established via the SunLine Transit Agency which currently services the entire Coachella Valley.

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

The city has requested funds for the next five years of the CDBG program. The amount requested is sufficient to cover the cost of the project. Once this project is completed, the improvements are permanent.

VI. National Objective

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

CATEGORY A: Benefit to low-moderate income persons (must be documented). Please choose either subcategory 1 or 2:

1. Limited Clientele:

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

2. Clientele presumed to be principally low- and moderate-income persons:
The following groups are presumed by HUD to meet this criterion. You will be required to submit a certification from the client (s) that they fall into one of the following presumed categories.

The activity will benefit (check one or more)

- | | |
|--|---|
| <input type="checkbox"/> Abused children | <input type="checkbox"/> Homeless persons |
| <input type="checkbox"/> Battered spouses | <input type="checkbox"/> Illiterate adults |
| <input type="checkbox"/> Elderly persons | <input type="checkbox"/> Persons living with AIDS |
| <input checked="" type="checkbox"/> Severely disabled adults | <input type="checkbox"/> Migrant Farm workers |

- a. Describe the clientele above to be served by this activity:

Any individual who needs to use the bus for public transportation will benefit from this improvement; in particular, disabled individuals.

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

This project will meet the requirements of the ADA which will benefit disabled individuals.

CATEGORY B: Area Benefit - The project or facility serves, or is available to, ALL persons located within an area where at least 51% of the residents are low/moderate-income. (Applicant is welcome to contact a County of Riverside, EDA CDBG Program Manager for Census Information)

2010 Census Tract and Block Group numbers:

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

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

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

Proposed Job Creation/Retention

Total Jobs Expected to Create: _____

Total Jobs Expected to Retain: _____

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

Proposed Assistance to Businesses

New Businesses expected to assist: _____

Existing Businesses expected to assist: _____

Enter Total Businesses expected to assist: _____

VII. FINANCIAL INFORMATION

A. Proposed Project Budget

Complete the following annual program budget to begin July 1, 2017. If your proposed CDBG-funded activity will start on a date other than July 1, 2017, please indicate starting date. *Provide total Budget information and distribution of CDBG funds in the proposed budget.*

The budgeted items are for the specific activity for which you are requesting CDBG funding - NOT for the budget of the “entire” organization or agency. (Note: CDBG funds requested must match amount requested in Project Activity, C above.)

(EXAMPLE: The Valley Senior Center is requesting funding for a new Senior Nutritional Program. The total cost of the program is \$15,000 and \$10,000 in CDBG funds is being requested for operating expenses associated with the proposed activity. The total Activity/Project Budget will include \$5,000 of other non-CDBG funding and \$10,000 in CDBG funds for a Grand Total of \$15,000).

	TOTAL ACTIVITY/ PROJECT BUDGET (Include non-CDBG Funds and CDBG Funds)	CDBG FUNDS REQUESTED-Only
I. Personnel		
A. Salaries & Wages	\$ _____	\$ _____
B. Fringe Benefits	\$ _____	\$ _____
C. Consultants & Contract Services	\$ _____	\$ _____
PERSONNEL SUB-TOTAL	\$ _____	\$ _____

II. Non-Personnel		
A. Space Costs	\$ _____	\$ _____
B. Rental, Lease or Purchase of Equipment	\$ _____	\$ _____
C. Consumable Supplies	\$ _____	\$ _____
D. Travel	\$ _____	\$ _____
E. Telephone	\$ _____	\$ _____
F. Utilities	\$ _____	\$ _____
G. Other Costs	\$ _____	\$ _____
NON-PERSONNEL SUB-TOTAL:	\$ _____	\$ _____
III. Other		
A. Architectural/Engineering Design	\$ _____	\$ _____
B. Acquisition of Real Property	\$ _____	\$ _____
C. Construction/Rehabilitation	\$ 75,000 <input type="checkbox"/>	\$ 75,000 <input type="checkbox"/>
D. Indirect Costs	\$ _____	\$ _____
E. Other	\$ _____	\$ _____
OTHER SUB-TOTAL:	\$ _____	\$ _____
GRAND TOTAL:	\$ 75,000	\$ 75,000

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

Federal:

State/Local:

Private:

Fees:

Donations:

Other:

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

The city is requesting funds for the next five years of the CDBG program. The amount requested is sufficient to cover the cost of the project.

- D. Provide a summary by line item of your organization's previous year's income and expense statement. (Attach)

- E. Does this project benefit residents of more than one community or jurisdiction, have requests been submitted to those other jurisdictions? Yes No

If yes, identify sources and indicate outcome.

If no, please explain.

The benefits from this project are within Indian Wells.

- F. Was this project or activity previously funded with CDBG? Yes No

If yes, when?

Is this activity a continuation of a previously funded (CDBG) project? Yes No

If yes, explain:

VIII. MANAGEMENT CAPACITY

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

The City managed CDBG funds from previous program years including an exterior lighting project. Currently, the City is managing a bathroom grab bar project and a concrete repair project at the City's senior affordable housing communities.

B. Management Systems

Does your organization have written and adopted management systems (i.e., policies and procedures) including personnel, procurement, property management, record keeping, financial management, etc.?

Yes.

C. Capacity

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

David Gassaway, Interim Community Development Director

Ken Seumalo, Public Works Director

Bondie Baker, Assistant Engineer II

Susan Leong, CPA, Senior Accountant

Jill Moon, Administrative Assistant

IX. APPLICATION CERTIFICATION

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

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

DATE: _____

Signature: _____

Print Name/Title

Authorized Representative: _____

CHECK-LIST:

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

Yes	No	ATTACHMENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Members/Board of Directors
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Articles of Incorporation and Bylaws
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Project Activity Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Project Benefit, Category B, Low Mod Area Maps (Attach if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Leveraging (Current evidence of commitment)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Income and Expense Statement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. Management Capacity (Detailed organizational chart)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Board Written Authorization approving submission of application



Indian Wells City Council Members

Dana Reed, Mayor

Richard Balocco, Mayor Pro Tem

Douglas H. Hanson, Council Member

Ted J. Mertens, Council Member

Ty Peabody, Council Member

BOARD OF SUPERVISORS
FILED
JUL 12 1967

FRANK M. JORDAN
SECRETARY OF STATE



DONALD D. SULLIVAN, Clerk
By W. R. PATTY Deputy

I, FRANK M. JORDAN, Secretary of State of the State of California, hereby certify:

That on the 7th day of July, 1967, pursuant to Section 34627, Government Code, this office filed a copy of Resolution adopted by the Board of Supervisors, County of Riverside, on July 3, 1967, certified by Donald D. Sullivan, Clerk of said Board, which said Resolution declares incorporation of the CITY OF INDIAN WELLS, and further sets forth:

That at an election duly called and held in the area of the proposed city on June 27, 1967, there were 185 votes cast for incorporation and 16 votes against incorporation and that NORRIS GOFF, GORDON LYONS, HUBERT L. CAVANAGH, DARRELL J. BOGARDUS and E. M. PETERSON were elected Members of the City Council.

Therefore, I further certify that a General Law City has been incorporated in the County of Riverside under the name:

"CITY OF INDIAN WELLS"



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 10th day of July, 1967.

Handwritten signature of Frank M. Jordan in cursive.

Secretary of State

77797-862 8-66 6M OSF

AFFIDAVIT OF COMPLETION

CITY OF INDIAN WELLS

(Section 34080 Government Code)

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STATE OF CALIFORNIA)
) SS
COUNTY OF RIVERSIDE)

I, DONALD D. SULLIVAN, County Clerk and ex officio Clerk of the Board of Supervisors of Riverside County, California, do hereby certify as follows:

That at a regular meeting of said Board of Supervisors held on July 3, 1967, a resolution and order was adopted declaring the City of Indian Wells incorporated, a true and correct copy of which is attached and marked Exhibit "A" and by this reference made a part hereof.

That all requirements of law pertaining to the incorporation proceedings have been complied with.

That attached hereto and marked Exhibit "B" and by this reference made a part hereof, is a map delineating the boundaries of the territory so incorporated.

That attached hereto and marked Exhibit "C" and by this reference made a part hereof, is the certificate of the Secretary of State describing the document on file in his office relating to the incorporation proceeding.

WITNESS my hand and Seal of the Board of Supervisors this 14th day of July, 1967.

DONALD D. SULLIVAN, CLERK

BY *[Signature]* DEPUTY

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RECEIVED from Donald D. Sullivan, County Clerk and ex officio
Clerk of the Board of Supervisors of Riverside County, California,
pursuant to the provisions of Section 34080 of the Government Code,
an affidavit of completion relating to the incorporation of the
City of Indian Wells.

DATED: JUL 14 1967 61277

TIME: 1:55 PM

WILLIAM D. BALOGH, COUNTY RECORDER

By *Arthur Vaughter*
Asst Recorder



Google earth





Google earth

feet
meters





Google earth

feet
meters

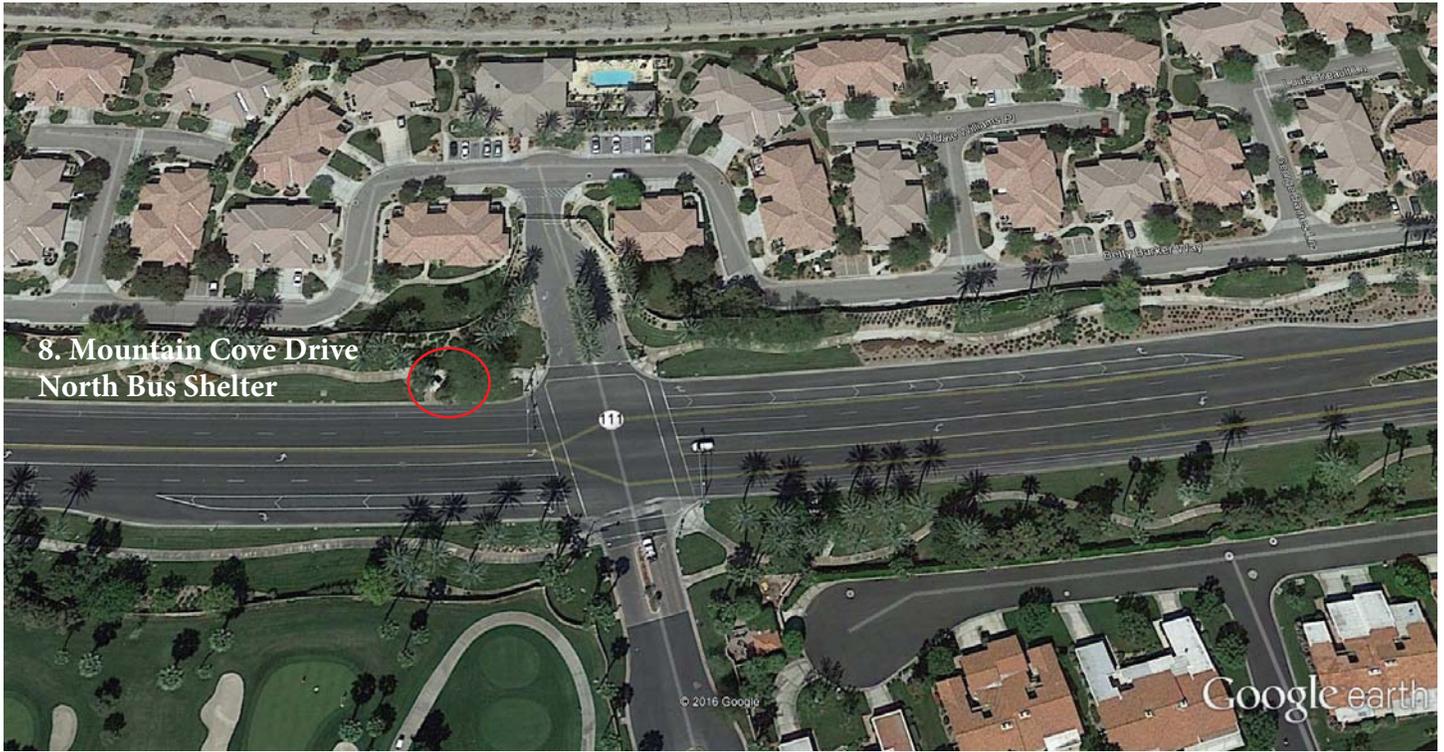




Google earth

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Table 4
General Fund Financial Summary

	2015	2014	\$ Change	% Change
Revenue				
Taxes	\$ 14,278,250	\$ 13,208,984	\$ 1,069,266	8.1%
Licenses and permits	476,892	425,848	51,044	12.0%
Intergovernmental	585,085	386,696	198,389	51.3%
Charges for services	526,340	428,907	97,433	22.7%
Interest income	94,150	117,377	(23,227)	-19.8%
Fines and forfeitures	42,166	52,631	(10,465)	-19.9%
Rental income	98,678	42,201	56,477	133.8%
Other income	646,686	560,328	86,358	15.4%
Total Revenues	16,748,247	15,222,972	1,525,275	10.0%
Expenditures				
General government	8,508,485	7,756,558	751,927	9.7%
Public safety	3,499,156	3,331,035	168,121	5.0%
Community development	1,001,104	1,020,148	(19,044)	-1.9%
Public works	1,833,952	1,800,306	33,646	1.9%
Total Expenditures & Uses	14,842,697	13,908,047	934,650	6.7%
Excess (Deficiency) of Revenues Over (Under) Expenditures	\$ 1,905,550	\$ 1,314,925	\$ 590,625	44.9%

General Fund revenues increased 10.0% during fiscal year 2014/15 compared to the prior year. Total taxes climbed 8.1% with property taxes, transient occupancy taxes and admissions taxes experiencing the lion's share of the growth. Licenses and permits revenues reached \$0.5 million increasing 12.0% compared to the prior year.

Intergovernmental revenues reached \$0.6 million primarily due to receipt of State Mandate reimbursements and increases in Vehicle License Fee comp in-lieu fees. Charges for services increased 22.7% over the previous fiscal year due to new residential construction and expansion of the Indian Wells Tennis Gardens.

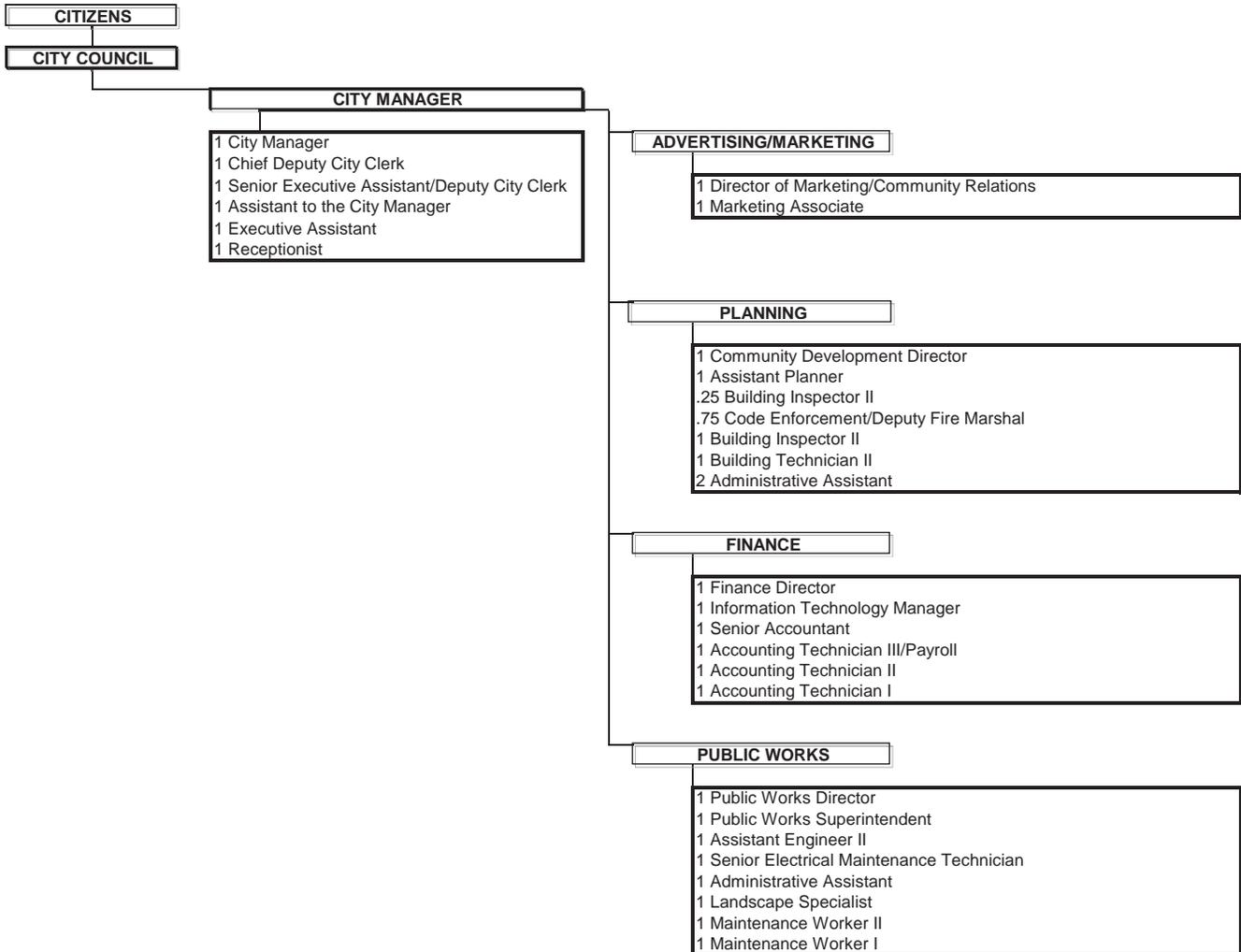
Interest income lagged compared to fiscal year 2013/14 collections primarily due to changes in market value at year-end. In contrast, rental income increased \$56,477 to reach \$0.1 million reflecting full tenant occupancy of the City's commercial building on Club Drive.

General Fund expenditures increased \$0.9 million (approximately 6.7%) during fiscal year 2014/15. City administrative costs, professional services, and public safety costs accounted for the increase.

See Fund Financial Statements tab page 24-29.

**CITY OF INDIAN WELLS
ORGANIZATION CHART**

JUNE 30, 2015





























































11/17/2016

File #: ORD-127-16 Item #: B.

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

Adopting by Reference 2016 Edition of California Building Standards Code and Other Uniform Codes

RECOMMENDED ACTIONS:

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

ADOPTS Ordinance amending Chapters 16.12, 16.16, 16.20, 16.24, 16.30, 16.32, 16.33, 16.35 and 16.38 of the Municipal Code; adopting by reference the 2016 Edition of the California Building Standards Code (California Code of Regulations, Title 24); together with certain additions, insertions, deletions and changes thereto; and adopting by reference the 2015 Uniform Swimming Pool, Spa & Hot Tub Code and the 2015 International Property Maintenance Code.

DISCUSSION:

The City Council at the last meeting introduced this Ordinance amending Chapter 16 of the City's Municipal Code pertaining to Building Code requirements; at this meeting the Council must open the public hearing, take public testimony, and then adopt the ordinance.

The State of California Building Standards Commission has adopted the 2016 triennial edition of the California Code of Regulations, Title 24, which is also known as the California Building Standards Code (the "Code"). The Code includes various code sections pertaining to different aspects of building regulations, such as building, plumbing, mechanical, and electrical.

State law mandates all California jurisdictions enforce the 2016 Code effective January 1, 2017, for all new building construction. Although jurisdictions may choose to do so, these codes do not have to be locally adopted to be in effect. State law also permits local jurisdictions to make modifications, referred to as "local amendments", that may be more, but in no event less, stringent than those requirements adopted by the State. To incorporate local amendments, jurisdictions must adopt the corresponding Code and the local amendments, as well as make findings that the local amendments respond to local needs, such as climatic, geologic, or topographical conditions. The City has adopted local amendments during each of the prior triennial Code adoption cycles. The City last adopted local amendments during the previous Code adoption cycle for the 2013 Codes. Local amendments

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must be re-adopted during each Code adoption cycle.

ATTACHMENT:

1. Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING CHAPTERS 16.12, 16.16, 16.20, 16.24, 16.30, 16.32, 16.33, 16.35 AND 16.38 OF THE INDIAN WELLS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24); INCLUDING THE 2016 CALIFORNIA BUILDING CODE (INCORPORATING AND AMENDING THE 2015 INTERNATIONAL BUILDING CODE); THE 2016 CALIFORNIA RESIDENTIAL CODE (INCORPORATING AND AMENDING THE 2015 INTERNATIONAL RESIDENTIAL CODE); THE 2016 CALIFORNIA ELECTRICAL CODE (INCORPORATING AND AMENDING THE 2014 NATIONAL ELECTRICAL CODE); THE 2016 CALIFORNIA MECHANICAL CODE (INCORPORATING AND AMENDING THE 2015 UNIFORM MECHANICAL CODE); THE 2016 CALIFORNIA PLUMBING CODE (INCORPORATING AND AMENDING THE 2015 UNIFORM PLUMBING CODE); THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND THE 2016 CALIFORNIA FIRE CODE (INCORPORATING AND AMENDING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE); TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO; AND ADOPTING BY REFERENCE THE 2015 UNIFORM SWIMMING POOL, SPA & HOT TUB CODE AND THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

WHEREAS, pursuant to Government Code Section 50022.1 *et seq.* the City may adopt by reference the California Building Standards Code, 2016 Edition as provided in Title 24 of the California Code of Regulations, and other codes, including, without limitation, the 2015 Uniform Swimming Pool, Spa & Hot Tub Code and the 2015 International Property Maintenance Code; and

WHEREAS, the California Building Standards Commission ("Commission") recently adopted the 2016 Edition of the California Building Standards Code; and

WHEREAS, California Health and Safety Code Section 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Indian Wells desires to adopt the California Building Standards Code; including the California Building Code, 2016 Edition, which incorporates and amends the International Building Code and Appendices, 2015 Edition; the California Residential Code, 2016 Edition, which incorporates and amends the International Residential Code and Appendices, 2015 Edition; the California Electrical Code, 2016 Edition, which incorporates and amends the National Electrical Code and Appendices, 2014 Edition; the

California Mechanical Code, 2016 Edition, which incorporates and amends the Uniform Mechanical Code and Appendices, 2015 Edition; the California Plumbing Code, 2016 Edition, which incorporates and amends the Uniform Plumbing Code and Appendices, 2015 Edition; the California Green Building Standards Code, 2016 Edition; and the California Fire Code, 2016 Edition, which incorporates and amends the International Fire Code and Appendices, 2015 Edition (collectively, the "Codes"); together with the necessary amendments to assure the Codes are tailored to the particular safety needs of the City as required by its unique climatic, geological and topographical conditions; and

WHEREAS, the Building Official has recommended that changes and modifications be made to the Codes, and has advised that certain changes and modifications to said Codes are reasonably necessary due to local conditions within the City of Indian Wells, and have further advised that the remainder of the said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code, or are reasonably necessary to safeguard life and property within the City of Indian Wells; and

WHEREAS, the Building Official has also recommended that changes and modifications be made to the Codes, which are necessary for administrative clarification and to establish administrative standards for the effective enforcement of the building standards of the City of Indian Wells and do not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5; and

WHEREAS, the City Council conducted first reading of this ordinance on October 12, 2016; and

WHEREAS, notice of a public hearing on this ordinance was published in the October 18, 2016 on October 25, 2016; and

WHEREAS, the City Council held a public hearing on November 17, 2016, as required by law, at which time the Council determined that the adoption of the Codes and amendments thereto are in the best interest of the City and are based on the findings required by law; and

WHEREAS, at least one copy of each of the Codes adopted by reference by this ordinance were available for public inspection at the office of the City Clerk fifteen (15) days preceding the public hearing pursuant to Government Code Section 50022.6.

NOW, THEREFORE, the City Council of the City of Indian Wells does ordain as follows:

Section 1. Authority. The City Council enacts this Ordinance under the authority granted to the City as follows:

A. California Government Code Section 50022.1 et seq. authorizes the City to adopt by reference the California Building Standards Code and authorizes the City to adopt other codes by reference;

B. California Health & Safety Code Section 17958.7 and 18941.5 authorize the City to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions

Section 2. Findings. To the extent that changes and modifications to the 2016 California Building Standards Code in this ordinance are deemed more restrictive than the standards contained in the 2016 California Building Standards Code thus requiring that findings be made pertaining to local climatic, geological, or topographical conditions to justify such modifications, the City Council hereby finds and determines as follows:

1. Extreme surface temperatures common in the lower desert areas, one hundred sixty (160) degrees Fahrenheit plus, deteriorates and dries out buildings' materials and our high winds create extreme fire conditions which are detrimental to the general public.

(Applicable to Amendments to Building Code Sections 907.2.8 thru 907.2.10 and 1505.1 and Fire Code Sections 903.1, 903.2, 907.1, 5608.1, and B105.1.

2. Notwithstanding the provisions of the 2016 California Electrical Code, the use of aluminum and copper-clad aluminum conductors, feeder conductors, branch circuit conductors, taps and service entrance cable is expressly prohibited, except where aluminum wiring sizes 1/10 and larger are used for main feed to sub-panels and are enclosed in a raceway. The coefficient of expansion of aluminum has created untold problems whereby outside ambient temperatures in sunlight reach one hundred sixty (160) degrees Fahrenheit. When load is applied, which generates additional heat, failure occurs and creates motor burnout, fires, electrical shock and hazards detrimental to the general public.

(Applicable to Amendments to Electrical Code Sections 230.1 and 310.106B)

Section 3. Chapter 16.12, of the Indian Wells Municipal Code, is amended and restated in its entirety to read as follows:

"Chapter 16.12

California Building Code

Sections:

16.12.000	Adoption by reference.
16.12.010	Amendment to Section 113—Board of Appeals.
16.12.020	Amendment to Section 105.5—Permits—Expiration.
16.12.030	Amendment to Section 109.2—Fees—Schedule of permit fees.
16.12.040	Addition to Section 110.1—Inspections—General.
16.12.050	Amendment to Section 1505.1—Fire Classification—General—Deleting combustible roofing materials from the list of permissible roofing materials for roofing a new structure except for re-roofs.
16.12.055	Reserved.
16.12.070	Amendment to Sections 907.2.8—Group R-1; 907.2.9—Group R-2 and R-2.1; and 907.2.10—Group R-4.

16.12.000 Adoption by reference.

A. The California Building Code, 2016 Edition, Volumes 1 and 2, which incorporates and amends the International Building Code, 2015 Edition published by the International Code Council, including Chapter 1 and Appendices, based on the International Building Code, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the building code of the City.

B. At least one copy of said codes are on file in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

16.12.010 Amendment to Section 113—Board of Appeals.

Section 113 of the California Building Code is amended to read as follows:

113.1 General. The City Council shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code. The City Council shall render all decision and findings in writing to the appellant with a duplicate copy to the Building Official.

113.2 Limitations and Authority. The City Council shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the City Council be empowered to waive requirements of this Code.

113.3 Procedure for Filing an Appeal. Any person desiring a review of a decision by the Building Official may file a request with the City Council for a hearing, upon the forms

provided by the Board within ten (10) days after the date of said decision. The effect of the decision to be reviewed is suspended until the termination of the hearing.

113.4 Hearing. The City Council shall fix the time and place of the hearing which shall be at a meeting of the City Council held not less than five (5) nor more than fifteen (15) working days after the date of filing of the request for hearing. The City Council shall give written notice of the time and place of the hearing to the applicant and the Building Official. Witnesses may be sworn and examined and evidence produced by the interested parties who shall appear in person only. The Board shall keep a record of the proceedings of each hearing.

113.5 Recommendation of the Board. The City Council shall make written findings and conclusions of its recommendations to the Building Official within five (5) days after the close of the hearing. The affirmative vote of not less than three (3) members shall constitute the recommendation of the Council.

16.12.020 Amendment to Section 105.5—Permits—Expiration.

Section 105.5 of the California Building Code is amended to read as follows:

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days, or if the building or work authorized by such permit is not completed within two (2) calendar years from the issuance date of the permit.

Before such work can be recommenced, a new permit, or a renewed permit as specified below, shall be first obtained. No permit shall be renewed more than once.

For permits where work has not commenced, a renewed permit may be obtained provided that: (1) no changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; and (3) a fee equal to one half the amount required for a new permit is paid.

For permits where work had commenced and was subsequently suspended or abandoned, a renewed permit may be obtained provided that: (1) No changes have been made or will be required in the original plans and specifications for such work; (2) the expiration has not exceeded two (2) years from the original issuance date; and (3) a fee equal to one half the amount required for a new permit is paid, except that where construction has progressed and has been approved to the point whereby only a final inspection is required, a fee equal to one quarter the amount required for a new permit shall be paid.

For permits where construction activities have exceeded two (2) years beyond the issuance date or any extension thereof, a renewed permit is required. The renewed permit shall not be issued unless the permittee signs an agreement committing to complete the building, or at a minimum to complete all exterior work including but not limited to painting and landscaping, within a reasonable period of time as determined by the Building Official. The permittee shall post a completion bond in the estimated amount of the work remaining to be done.

Any permittee holding an unexpired permit may apply for an extension of the time within which work under that permit may be continued when, for good and satisfactory reasons, he was unable to complete the work within the time required by this Section. The Building Official may extend the time for completion by the permittee for a period not exceeding six (6) calendar months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented completion of the construction the work. No permit shall be extended more than once. The Building Official may require the permittee to sign an agreement committing to complete the work within a reasonable period of time as determined by the Building Official and to post a completion bond in the estimated amount of the work remaining to be done.

If the permittee fails to complete the work of construction within the time required, the permittee is subject to a civil penalty in addition to any other legal or equitable remedy available to the City. The Building Official is authorized to abate any unsafe condition or nuisance created by such incomplete work. The amount of the civil penalty shall not exceed fifty dollars (\$50.00) per day for the first sixty (60) days, seventy-five dollars (\$75.00) per day for the next sixty (60) days, and one hundred dollars (\$100.00) per day thereafter. In setting the amount of the civil penalty, the following factors shall be considered: 1) whether the delay was beyond the control of the permittee, 2) any other justifiable reason for the delay, 3) the degree to which the construction site reduces property values, 4) the appearance of the construction site, 5) the estimated cost of the remaining work and the overall project cost, 6) any other reasonable factor that bears on the appropriateness of the amount of the civil penalty. Any permittee may appeal the imposition of a civil penalty to the City Council. The Council shall hold a public hearing and determine whether there is a justifiable reason for all or a part of the delay and whether the amount of the civil fine is reasonable.

16.12.030 Amendment to Section 109.2—Fees—Schedule of permit fees.

Section 109.2 of the California Building Code is amended to read as follows:

The fee for each permit shall be as set forth by fee resolution of the City Council.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment.

16.12.040 Addition to Section 110.1—Inspections—General.

The following sentence is added to Section 110.1 of the California Building Code to read as follows:

Survey stakes shall be provided prior to first inspection, and maintained so they are clearly visible until after the Certificate of Occupancy has been issued, except for repair or remodeling work which does not relate to setback requirements.

16.12.050 Amendment to Section 1505.1—Fire Classification—General—Deleting combustible roofing materials from the list of permissible roofing materials for roofing a new structure except for re-roofs.

Section 1505.1 is amended to read as follows:

Section 1505.1 The roof covering on any new residential structure regulated by this Code shall be a Class A roof covering as specified in Section 1505.2. All roof coverings on new structures shall be Class A roof covering as specified in Section 1505.2. The Class A roof covering shall comply with the test standard for determining fire retardancy of roof covering materials and comply with the Indian Wells Building Code.

(a) The roof-covering assembly includes the roof deck, interlayment, insulation, and the Class A covering.

(b) Re-roofing an Existing Structure. All re-roofings of existing structures, including partial re-roofings, shall be Class A fire retardant roof coverings that conform to California Building Code, 2016 Edition for Class A roof coverings.

16.12.055 Reserved.

16.12.070 Amendment to Sections 907.2.8—Group R-1; 907.2.9—Group R-2 and R-2.1; and 907.2.10—Group R-4.

The following is added to Section 907.2.8 of the California Building Code to read as follows:

When a permit is required for an addition, alteration or repair to a Group R-1 Occupancy or when one or more sleeping rooms are added or created in existing Group R-1 Occupancies, smoke detectors shall be installed in accordance with this Section.

EXCEPTION: Repairs to the exterior surfaces of a Group R-1 Occupancy are exempt from the requirement of this Section.”

The following is added to Section 907.2.9 of the California Building Code to read as follows:

When a permit is required for an addition, alteration or repair to a Group R-2 or R-2.1 Occupancy or when one or more sleeping rooms are added or created in existing Group R-2 or R-2.1 Occupancies, smoke detectors shall be installed in accordance with this Section.

EXCEPTION: Repairs to the exterior surfaces of a Group R-2 or R-2.1 Occupancy are exempt from the requirement of this Section.

The following is added to Section 907.2.10 of the California Building Code to read as follows:

When a permit is required for an addition, alteration or repair to a Group R-4 Occupancy or when one or more sleeping rooms are added or created in existing Group R-4 Occupancies, smoke detectors shall be installed in accordance with this Section.

EXCEPTION: Repairs to the exterior surfaces of a Group R-4 Occupancy are exempt from the requirement of this Section.”

Section 4. Chapter 16.16 of the Indian Wells Municipal Code is amended and restated in its entirety to read as follows:

“Chapter 16.16

California Mechanical Code

Sections:

16.16.000	Adoption by reference.
16.16.010	Section 104.5—Fees—Permit Fees.

16.16.000 Adoption by reference.

A. The California Mechanical Code, 2016 Edition, which incorporates and amends the Uniform Mechanical Code, 2015 Edition, published by the International Association of Plumbing and Mechanical Officials, including Chapter 1 and Appendices, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the mechanical code of the City.

B. At least one copy of said mechanical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

16.16.010 Section 104.5—Fees—Permit Fees.

Section 104.5 of the California Mechanical Code is amended to read as follows:

The fee for each permit shall be as set forth by fee resolution of the City Council.”

Section 5. Chapter 16.20 of the Indian Wells Municipal Code is amended and restated in its entirety to read as follows:

"Chapter 16.20

California Plumbing Code

Sections:

16.20.000	Adoption by reference.
16.20.010	Section 104.5—Fees.

16.20.000 Adoption by reference.

A. The California Plumbing Code, 2016 Edition and Appendices, which incorporates and amends the Uniform Plumbing Code, 2015 Edition, published by the International Association of Plumbing and Mechanical Officials, including Chapter 1, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the plumbing code of the City.

B. At least one copy of said plumbing code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

16.20.010 Section 104.5—Fees.

Section 104.5 of the California Plumbing Code is amended to read as follows:

The fee for each permit shall be as set forth by fee resolution of the City Council."

Section 6. Chapter 16.24 of the Indian Wells Municipal Code is amended and restated in its entirety to read as follows:

"Chapter 16.24

California Electrical Code

Sections:

16.24.000	Adoption by reference.
16.24.010	Amendment to Article 310.106(B)—Conductors—Conductor Material.
16.24.020	Addition to Article 230.1—Services—Scope.
16.24.030	Reserved.

16.24.000 Adoption by reference.

A. The California Electrical Code, 2016 Edition & Appendices, which incorporates and amends the National Electrical Code, 2014 Edition, published by the National Fire Protection Association, including Article 89, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the electrical code of the City.

B. At least one copy of said electrical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

16.24.010 Amendment to Section 310.106(B)—Conductors—Conductor Material.

The following shall be added to Section 310.106(B) of the California Electrical Code:

Aluminum conductor limitations. No aluminum wiring shall be used. Exception: Aluminum wiring in sizes 1/0 and larger may be used for main feed to sub-panels only and shall be enclosed in a raceway.

16.24.020 Addition to Section 230.1—Services—Scope.

The following shall be added to Section 230.1 of the California Electric Code:

Utility lines, including but not limited to electric communications, street lighting and cable television, shall be placed underground on all new buildings. When additions, remodeling or repairs exceeds fifty percent (50%) of fair market value of existing buildings, all overhead service entrances shall be placed underground. In every case where electric meter service panel is changed or altered, service entrance wiring shall be placed underground. Utilities, for the purpose of this Section shall include appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes, meter cabinets and ducting.

16.24.030 Reserved.”

Section 7. Chapter 16.30 of the Indian Wells Municipal Code is hereby amended and restated in its entirety to read as follows:

“Chapter 16.30

Uniform Swimming Pool, Spa and Hot Tub Code

Sections:

16.30.000 Adoption by reference

16.30.000 Adoption by reference.

A. The Uniform Swimming Pool, Spa and Hot Tub Code, 2015 Edition, published by the International Association of Plumbing and Mechanical Officials is adopted by reference by the City.

B. At least one copy of said code will be deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.”

Section 8. Chapter 16.32 of the Indian Wells Municipal Code is amended and restated in its entirety to read as follows:

“Chapter 16.32

California Fire Code

Sections:

16.32.000	Adoption by reference.
16.32.005	Express Findings.
16.32.010	General Authority and Responsibilities.
16.32.020	Definitions.
16.32.030	Amendments and Additions.
16.32.040	Nonconforming Storage Containers.
16.32.050	Appeals.
16.32.060	Outdoor Fire Prohibited.
16.32.070	Violations—Penalties.

16.32.000 Adoption by reference.

A. Except as stated in this Section or as amended below in Chapter 16.32.030 of this Ordinance, all of the provisions and appendices of the 2016 California Fire Code, inclusive of all of the inclusions and exclusions set for in each chapter's matrix, are hereby adopted and shall apply to the City of Indian Wells. In addition, the following provisions that are excluded in the 2016 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Section 103.2 and 108.3 are not adopted, and Chapters 3, 25, and Sections 403.12, 503, 510.2, and 1103.2 are adopted.

B. At least one copy of said fire code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.

16.32.005 Express Findings.

The Fire Department hereby finds that the proposed amendments to the Fire Code are reasonable and necessary because of local climatic, geological and topographical conditions within the City of Indian Wells. This finding is supported and based upon the following express findings which address each of these conditions and present the local situation which make the proposed amendments necessary.

1. The climate weather patterns within the City of Indian Wells include frequent periods of drought or low humidity adding to the fire danger. Fire season can be year-round in this region.
2. During the summer months the dry winds and existing vegetation mix to create a hazardous fuel condition which has resulted in large loss in vegetation and structure

fires. Summer temperatures exceeding one hundred twenty degrees (120°), and severe "Santa Ana" winds frequently occur and can move a fire quickly throughout areas of the City. Multiple shifting wind patterns throughout the canyon areas add to the difficulty in suppressing fires.

3. Because of weather patterns, the City of Indian Wells has experienced a need for water conservation. Due to the storage capacities and consumption, and a limited amount of rainfall (drought conditions), future water allocation is not fully dependable. While sound management of the water resources is possible, demands and possible critical depletions on an already stressed water supply can most assuredly be predicted.
4. Features located throughout the City of Indian Wells are major roadways, highways, freeways and flood control channels which create barriers and slow response times. Other unique factors which create barriers and slow response times are the multiple canyons located within the large country clubs.
5. The City of Indian Wells has within its boundaries active seismic hazards. Seismic activity within the District occurs yearly and a fire potential exists with these active faults. Existing structures and planned new development are at serious risk from an earthquake. This risk includes fire, collapse and the disruption of water supply for firefighting purposes. Areas can also become isolated as a result of bridge, overpass and road damage and debris.
6. Structures in close proximity to each other pose an exposure problem which may cause a fire to spread from one structure to another as well as to the wildland area.
7. For practical and cost reasons, many new structures are built of wood construction. Many existing structures also have shake roofs. The potential for a conflagration exists due to the design and density of current structures.
8. Electrical supply and telephone communication failures due to high winds as well as other reasons. Water supply pumps and early notification cannot always be counted on.
9. Narrow and winding streets with little circulation and streets designed as storm drains impede emergency vehicle access and evacuation routes.

California Health and Safety Code Section 17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table sets forth the 2013 California Fire Code sections that have been modified and the associated local climatic, geological and/or topographical conditions described above supporting the modification.

Code Section	Expressed Findings
104.3.2	Administrative
104.5	Administrative
104.12	Administrative
109.4	Administrative
202	Administrative
308.1.6.3	1, 2, 3, 6, 7
Code Section	Expressed Findings
404.2	Administrative
503.1.1	1-9
503.2.2	1-9
503.7	1-9
504.1	1-9
507.5.5	1-9
507.5.7	1-9
507.5.8	1-9
508.1	1-9
606.10.1.2	4, 5, 9
903.2	1-9
903.3.5.3	Administrative, 1-9
3204.2.1	Administrative, 1-9
4904.3	Administrative
5001.1	Administrative
5608.1	Administrative
B105.2	Administrative, 1-9
C102.1	Administrative, 1-9
App. Ch. D	Administrative
App. Ch. I	Administrative
App. Ch. J	Administrative
App. Ch. K	Administrative
16.32.030	Administrative
16.32.040	Administrative
16.32.050	Administrative
16.32.060	Administrative

16.32.010 General Authority and Responsibilities.

- A. Section 103.2 of the California Fire Code is not adopted.
- B. A new Section 104.3.2 is added to Section 104.3 of the California Fire Code to read as follows:

104.3.2. Authority of the Fire Chief and Fire Department

- 1. The Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the City Council.

- 2. The Fire Chief is authorized to administer, interpret and enforce this ordinance. Under the Fire Chief’s direction, the Riverside County Fire Department is authorized to enforce ordinances of City of Indian Wells pertaining to the following:
 - a. The prevention of fires.
 - b. The suppression or extinguishment of dangerous or hazardous fires.
 - c. The storage, use and handling of hazardous materials.
 - d. The installation and maintenance of automatic, manual and other private fire alarm systems and fire extinguishing equipment.
 - e. The maintenance and regulation of fire escapes.
 - f. The maintenance of fire protection and the elimination of fire hazards on land, in buildings, structures and other property, including those under construction.
 - g. The maintenance of means of egress.
 - h. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.

- 3. The following persons are hereby authorized to interpret and enforce the provisions of this ordinance and to make arrests and issue citations as authorized by law:
 - a. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
 - b. The Fire Chief and Designee(s), Peace Officers and Public Officers of the Riverside County Fire Department.
 - c. The Police Chief and any Police Officer of any city served by the Riverside County Fire Department.
 - d. Officers of the California Highway Patrol.
 - e. Code Officers of the City of Indian Wells.
 - f. Peace Officers of the California Department of Parks and Recreation.
 - g. The law enforcement officer of the Federal Bureau of Land Management.

C. A new Section 104.12 is added to Section 104 of the California Fire Code to read as follows:

104.12 Authority of the Fire Chief. Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period of more than fifteen (15) calendar days must be approved by the Board of Supervisors and/or City Council (as applicable) within fifteen (15) calendar days of the Fire Chief’s original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit

residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel.

D. Section 109.4 of the California Fire Code is not adopted.

16.32.020 Definitions.

A. Section 202 of the California Fire Code is amended to add the following definitions:

CALIFORNIA FIRE CODE. The 2016 Fire Code part of the California Building Standards Code, also known as California Code of Regulations, Title 24, Part 9.

CALIFORNIA RESIDENTIAL CODE. California Code of Regulations, Title 24, Part 2.5.

CORPORATION COUNSEL. Wherever the term “corporation counsel” is used in the California Fire Code, it means the attorney of the City.

FIRE PROTECTION ENGINEER. A professional engineer with the education and experience to understand the engineering problems related to safeguarding life and property from fire and fire-related hazards, to identify, evaluate, correct or prevent present or potential fire and fire related panic hazards in buildings, groups of buildings, or communities, and to recommend the arrangement and use of fire resistant building materials and fire detection and extinguishing systems, devices, and apparatus in order to protect life and property.

HAZARDOUS FIRE AREA. Private or public land not designated as state or local fire hazard severity zone (FHSZ) which is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazard Fire Area maps filed with the office of the Fire Chief.

JURISDICTION. Whenever the word “jurisdiction” is used in the California Fire Code, it means the City.

SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other lightweight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.

B. Section 202 of the California Fire Code is amended to revise the following definition:

FIRE CHIEF. The Fire Chief of Riverside County or the Fire Chief’s designee.

16.32.030 AMENDMENTS AND ADDITIONS.

A. Section 503 of the California Fire Code is adopted in its entirety with the following amendments:

503 FIRE APPARATUS ACCESS ROADS.

1. Section 503.3 of the California Fire Code is deleted in its entirety and replaced with the following:

503.3 MARKING.

Fire apparatus access roads, where required, shall be identified by curbs painted red on both the top and face along the entire length of the fire apparatus access road. Where no curbs exist or a rolled curb is installed, a six (6) inch wide red strip shall be applied the full length of the fire apparatus access road or approved posted signs shall be installed in accordance with the Riverside County Fire Department Standards.

Exception: On school grounds this requirement shall be implemented as approved by the fire code official.

1. A new Section 503.7 is added to Section 503 of the California Fire Code to read as follows:

503.7 LOADING AREAS AND PASSENGER DROP-OFF AREAS.

On private properties, where fire apparatus access roads are utilized for loading or unloading or utilized for passenger drop-off or pick-up, an additional eight (8) feet of width shall be added to the minimum required width for the fire apparatus access road.

507.5.5 CLEAR SPACE AROUND HYDRANTS.

A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, Fire Department connections, exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access, except as otherwise required or approved.

B. New Sections 507.5.7 and 507.5.8 are added to Section 507 of the California Fire Code to read as follows:

507.5.7 FIRE HYDRANT SIZE AND OUTLETS.

Fire hydrant size and outlets shall be required as determined by the fire code official.

1. Residential Standard—one (1) four (4) inch outlet, and one (1) two and one half (2 1/2) inch outlet.
2. Super Hydrant Standard—one (1) four (4) inch outlet, and two (2) two and one half (2 1/2) inch outlets.
3. Super Hydrant Enhanced—two (2) four (4) inch outlets, and one (1) two and one half (2 1/2) inch outlet.

507.5.8 FIRE HYDRANT STREET MARKER.

Fire hydrant locations shall be visually indicated in accordance with Riverside County Fire Department Std. 06-11. Any hydrant marker damaged or removed during the course of

street construction or repair shall be immediately replaced by the contractor, developer, or person responsible for the removal or damage.

C. Section 508.1 of the California Fire Code is amended as follows:

508.1 GENERAL.

Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, and buildings greater than 300,000 square feet in area, and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of the department vehicle access, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1 through 508.1.7.

D. Section 508.1.3 of the California Fire Code is amended to add the following Exception as follows:

Exception: When solely required due to building area greater than 300,000 square feet, the fire command center shall be a minimum of 100 square feet (30.48 m²) with a minimum dimension of 10 (3.048 m).

E. Section 508.1.6 of the California Fire Code is amended to add the following Exception as follows:

Exception: When solely required due to building area greater than 300,000 square feet, the fire command center shall comply with NFPA 72 and contains 5, 8, 10, 12, 13, & 14. All other features shall be provided only when the building contains the respective system/functionality.

F. Section 606.10.1.2 of the California Fire Code is amended to read as follows:

606.10.1.2 MANUAL OPERATION.

When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room, in a secure metal box or equivalent and marked as Emergency Controls.

G. Section 903.2 of the California Fire Code is deleted in its entirety and replaced with the following:

903.2 AUTOMATIC SPRINKLER SYSTEMS.

An approved automatic fire sprinkler system shall be installed in every building hereafter constructed for Group A, B, E, F, H, I, M, R, S and U (Fire Code definition) occupancies where the gross floor area is 3,000 square feet or more, regardless of stories. Fire resistive walls shall not be considered for reducing the gross floor area of the building for the purpose of this Code section. The floor area shall be calculated by the building footprint, including all areas which are normally fire sprinklered per NFPA 13. The floor area of additional stories

shall be added in for a cumulative total. All buildings over two (2) stories in height or exceeding thirty (30) feet in height shall install automatic fire sprinklers.

One- and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be installed in mobile homes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

H. A new Section 903.3.5.3 is added to Section 903.3.5 of the California Fire Code to read as follows:

903.3.5.3 HYDRAULICALLY CALCULATED SYSTEMS.

The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

I. A new Section 3204.2.1 is added to Section 3204.2 of the California Fire Code to read as follows:

3204.2.1 MINIMUM REQUIREMENTS FOR CLIENT LEASED OR OCCUPANT OWNED WAREHOUSES.

Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussion with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

J. A new Section 4904.3 is added to Section 4904 of the California Fire Code to read as follows:

4904.3 FIRE HAZARD SEVERITY ZONES.

In accordance with Government Code Sections 51175 through 51189, Very High Fire Hazard Severity Zones are designated as shown on a map titled Very High Fire Hazard Severity Zones, dated December 24, 2009 and retained on file at the office of the Fire Chief and

supersedes other maps previously adopted by Riverside County designating high fire hazard areas.

K. The following shall be added to Section 5001.1 of the California Fire Code:

5001.1 ABOVEGROUND STORAGE OF FLAMMABLE/COMBUSTIBLE LIQUIDS OR GASES.

No person shall install, keep, maintain, or fill any aboveground tank for the purpose of storing flammable/combustible liquids or gases, as regulated in Chapter 57 – Flammable and Combustible Liquids, Chapter 58 – Flammable Gases and Flammable Cryogenic Fluids, and Chapter 61 Liquefied Petroleum Gases, nor shall the filling of the tank be permitted without approval by the Fire Marshal and a valid storage permit from the City. This Section does not apply to emergency back-up generators utilizing fuel tank systems of five hundred (500) gallons or less located within any Public Owned/Controlled Lands (PF & PP) or Resort Commercial (CR) land use zones. All flammable/combustible liquids or gases storage tanks shall be installed in locations approved by the Fire Marshal, the Director of Building and Safety, and the County Health Department. Flammable/combustible liquids or gases may be stored in aboveground tanks at governmental facilities, emergency power plants and any golf course maintenance area located within a Commercial Resort (CR), Public Owned/Controlled Lands (PF & PP), Public/Private Golf Course (PPGC), Country Club Open Space (COS), and Public Owned Open Space (POS) land use zone or any agricultural operations. All locations must be approved by the Fire Marshal and Director of Building and Safety, provided that said flammable/combustible liquids or gases are to be used only as motor fuel operations and only so long as said liquids/gases are stored in approved, aboveground tanks limited to two thousand (2,000) gallon liquid capacity, and there is no threat of fire which may endanger life, safety, or threaten nearby improvements. All storage tanks shall be screened so as to preclude viewing of same from adjacent residences, public rights-of-way and golf courses (public or private). At no time shall aboveground storage tanks be installed in Residential Very Low Density (RVLD), Residential Low Density (RLD), Residential Medium Density (RMD), Residential Medium High Density (RMHD), Office Professional (OP), Commercial General (CG), Watercourse (WC) and Natural Preserve (NPR) Zones. All aboveground tanks shall meet the requirements of the current adopted editions of the California Fire Code, and the California Building Standards Codes set forth in Health and Safety Code Section 17922, as revised by City Ordinance, the City Fire Marshal, and shall also meet or exceed the California State Fire Marshal's Office regulations as they pertain to such installation(s). An annual inspection/ permit fee of one hundred dollars (\$100.00) shall be paid to maintain, fill, or operate tank systems.

L. Section 5608.1 of the California Fire Code is hereby deleted and replaced as follows:

5608.1 AMENDMENT TO SECTION 5608.1—FIREWORKS DISPLAY—GENERAL

The sale, offering for sale, discharge, storage, use or handling within the City of Indian Wells fireworks of any kind, nature or description, including those classified and registered as "safe and sane" by the State Fireworks Law, and any other devices defined as fireworks in the

Health and Safety Code of the State of California, Section 12500 et seq. or under 19 Cal. Code of Regs. § 979, et seq. is prohibited.

Exception: The use of fireworks for display is allowed as set forth in 19 Cal. Code of Regs. 979, et seq.

In all other respects, the sale, offering for sale, discharge, storage, use or handling within the City of fireworks, including those classified and registered as “safe and sane” by the State of Fireworks Law, is prohibited.”

M. The appendices to the California Fire Code are adopted in their entirety except as to the following:

APPENDIX B.

1. Table B105.2 of the California Fire Code is amended as follows:

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2)a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2)b	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

APPENDIX C.

1. Section C103.1 of the California Fire Code is deleted in its entirety and replaced with the following:

- 1. C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required

fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire hydrants shall be provided at street intersections

16.32.040 Nonconforming storage containers.

Should any aboveground storage system be in violation or non-compliance with this Chapter, a stop use order shall be given. The City may seek criminal or other enforcement penalties as permitted by law. Each day a system is in violation shall be deemed a separate offense. Storage systems taken out of service for less than one year shall be rendered safe by gas-freeing as approved by the Fire Marshal. Storage systems that are to be abandoned, by being taken out of service for more than a year, shall be rendered safe by gas-freeing and removed.

16.32.050 Appeals.

Whenever the Fire Code Official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code adopted by Section 16.32.000 do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the City Council within thirty (30) days from the date of the decision appealed.

16.32.060 Outdoor fires prohibited.

A. It is unlawful to burn any material, structure, matter, or thing in an outdoor fire or incinerator or by similar means unless within an approved and controlled area by the City Building and Safety Division, the Fire Marshall, and the Planning Division (for example, fire places, barbeques and fire pits). No other types of outdoor open fires are permitted unless approved as part of a project's Conditional Use Permit. Person violating this Section shall be subject to the penalties described in Section 16.32.060.

B. Any outdoor fire appliance is required to have a listing for product safety from a certified testing company, such as Underwriters Laboratories (UL) for the following, but not limited to, appliances: barbeque, fire place or fire pit. The applicant can submit a field test report as to the safety of the subject appliance to the City to prove the appliance meets safety rating qualifications.

16.32.070 Violations—Penalties.

Any person who violates any of the provisions of the code adopted by Section 16.32.000 or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed Statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein, is severally for each and every such violation and noncompliance respectively guilty of a

misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense."

Section 9. Chapter 16.33 of the Indian Wells Municipal Code is amended in its entirety to read as follows:

"Chapter 16.33

International Property Maintenance Code

Sections:

16.33.000 Adoption by reference.

16.33.000 Adoption by reference.

- A. The International Property Maintenance Code, 2015 Edition, published by the International Code Council is adopted by reference by the City.
- B. At least one copy of said code will be deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public."

Section 10. Chapter 16.35 of the Indian Wells Municipal Code is amended in its entirety to read as follows:

"Chapter 16.35

California Green Building Standards Code

Sections:

16.35.000 Adoption by reference

16.35.000 Adoption by reference.

- A. The California Green Building Standards Code, 2016 Edition & Appendices, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the green building standards code of the City.
- B. At least one copy of said green building standards code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public."

Section 11. Chapter 16.38 of the Indian Wells Municipal Code is amended in its entirety to read as follows:

“Chapter 16.38

California Residential Code

Sections:

16.38.000 Adoption by reference

16.38.000 Adoption by reference.

A. The California Residential Code, 2016 Edition & Appendices, which incorporates and amends the International Residential Code and Appendices, 2015 Edition, published by the International Code Council, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the residential code of the City.

B. At least one copy of said residential code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public.”

Section 12. Transmittal. The Building Official shall transmit a copy of this Ordinance to the California Building Standards Commission, pursuant to Health and Safety Code Section 17958.7.

Section 13. Recession. All former ordinances or parts conflicting or inconsistent with the provisions of this Ordinance or of the codes adopted by this Ordinance and any other ordinance in conflict herewith are hereby repealed.

Section 14. CEQA. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption with the County Clerk’s Office within five (5) working days of the approval of this Ordinance.

Section 15. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

Section 16. Certification/Summary. The Mayor shall sign this ordinance and the City Clerk shall certify to the passage and adoption of it. The City Clerk shall cause a summary of this Ordinance to be published as provided by California Government Code § 36933 (c)(1); a summary of this Ordinance shall be published in a newspaper of general circulation, printed, published, and circulated in the City of Indian Wells and a certified copy of the full text of this Ordinance shall be posted in the Office of the City Clerk at least five (5) days prior to the City Council meeting at which this Ordinance is to be adopted. Within fifteen (15) days after the adoption of the Ordinance, the City Clerk shall post in her office a full copy of this ordinance and cause a summary of this ordinance, together with the names of those voting for or against, to be published in a newspaper of general circulation, printed, published, and circulated in the City of Indian Wells.

Section 17. Effective Date. This Ordinance shall take effect upon the later of thirty (30) days following its adoption by the City Council or January 1, 2017.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 17th day of November, 2016.

DANA W. REED
MAYOR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF INDIAN WELLS)

CERTIFICATION FOR ORDINANCE NO. _____

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. _____, having been regularly introduced at the meeting of October 12, 2016, was again introduced, the reading in full thereafter unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on this 17th day of November, 2016, and said Ordinance was passed and adopted by the following stated vote, to wit:

AYES:
NOES:

and was thereafter on said day signed by the Mayor of the City of Indian Wells.

ATTEST:

APPROVED AS TO FORM:

**ANNA GRANDYS
CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**



City of Indian Wells

44-950 Eldorado Drive,
Indian Wells

11/17/2016

File #: RES-184-16 Item #: D.

Resolution Approving General Plan Amendment 2016-02, Re-designing City Bikeways and Making Associated Graphic and Text Changes to the General Plan Circulation and Open Space Elements and Finding the Project Exempt from CEQA [Continued to December 15, 2016 Council Meeting]



11/17/2016

File #: ORD-128-16 Item #: A.

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

Establish Regulations and Permit Procedures for Residential Indoor Marijuana Cultivation, and Finding the Project Exempt Under CEQA

RECOMMENDED ACTIONS:

Council **FINDS** the action does not constitute a project subject to the provisions of the California Environmental Quality Act (CEQA); and

INTRODUCES Ordinance by title only and waives further reading, amending Title 8 of the Indian Wells Municipal Code by adding Chapter 8.46 entitled "Residential Indoor Marijuana Cultivation;" and

ADOPTS Resolution authorizing use of Live Scan technology to assist the City in implementing its Residential Indoor Marijuana Cultivation Permitting Regulations.

DISCUSSION:

In October, the City Council adopted Ordinance No.696, modifying Chapter 21.90.020 of the Indian Wells Municipal Code to regulate personal, medical, and commercial use of marijuana in response to the likely adoption of the Adult Use of Marijuana Act ("AUMA"). Not included in the Ordinance were provisions for the regulation and permitting of indoor cultivation of marijuana for personal use.

AUMA made legal the ability of adults 21 years of age or older to cultivate up to six living plants of marijuana in their private residence. The City banned outdoor cultivation of marijuana, along with any commercial activity related to the cultivation, transport, sale, or distribution of marijuana. However, under AUMA it is illegal for the City to outlaw indoor cultivation, up to six plants, for personal use, but does allow for the City to "reasonably regulate."

ANALYSIS:

The proposed Ordinance (Attachment 1) regulates Residential Indoor Marijuana Cultivation ("RIMC") by requiring a City issued permit. The permit creates the following provisions for the indoor cultivation of marijuana:

- Allows any person aged 21 or older to legally engage in cultivation so long as they obtain a RIMC permit from the City;
- Establishes that a RIMC permit is only applicable to one person, and any households with more than one occupant wishing to engage in cultivation must apply for and obtain a separate permit for each occupant engaging in cultivation;
- Limits permits to one per person;
- Restricts areas within a residence where marijuana may be cultivated and requires obtainment of a building permit for any applicable modifications to a residence to establish a cultivation area as defined;
- Requires proof of fee title ownership of property, or notarized affidavit from landlord approving cultivation;
- Requires City inspection of a permittees cultivation area;
- Establishes annual permit renewal requirements, which additionally requires reinspection of permittees cultivation area; and
- Creates City authority to suspend or terminate permits for failure to comply with any applicable provisions of the Municipal Code and establishes fines for infractions as detailed in Municipal Code Sections 8.08.040 through 8.08.170.

The Ordinance additionally requires applicants to complete a Live Scan criminal background check with the California Department of Justice. Applicants are prohibited from issuance of an RIMC permit if they have felony convictions for controlled substances within prior five years. In order for the City to utilize Live Scan for criminal background checks, the Council must adopt a resolution authorizing the use of Live Scan (Attachment 2).

FISCAL IMPACT:

Staff reviewed similar permitting processes to estimate requisite fees to cover City costs. Staff believes the City's cost for issuance of a permit to be \$141.30. The cost is based on Staff time required to review application documents, inspection of a premises, and processing of permit documentation.

The proposed Ordinance provides Council authority to establish fees via separate resolution. At the second reading and approval of the proposed Ordinance, Staff will introduce a Resolution which establishes a fee structure for RIMC Permits.

Staff has no estimate for the total number of permits to be requested, and therefore has no estimate for the amount of revenue to be generated by the proposed Ordinance.

File #: ORD-128-16 **Item #:** A.

ATTACHMENTS:

1. Ordinance
2. Resolution

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING TITLE 8 OF THE INDIAN WELLS MUNICIPAL CODE BY ADDING CHAPTER 8.46 ENTITLED "RESIDENTIAL INDOOR MARIJUANA CULTIVATION"

WHEREAS, the City of Indian Wells, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and

WHEREAS, the City passed Ordinance No. 696 on October 12, 2016; and

WHEREAS, Ordinance No. 696 was adopted to bring the City into full compliance with Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") and to regulate the personal, medical, and commercial use of marijuana pursuant to local authority preserved in the AUMA; and

WHEREAS, the AUMA would make it lawful for those individuals to "possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants"; and

WHEREAS, the AUMA would authorize cities to "reasonably regulate" without completely prohibiting cultivation of marijuana inside a private residence or inside an "accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure"; and

WHEREAS, the AUMA would authorize cities to completely prohibit outdoor cultivation on the grounds of a private residence, up to and until a "determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law"; and

WHEREAS, many AUMA provisions took effect on November 9, 2016, including the ability to cultivate marijuana inside a private residence or accessory structure; and

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants; including structural damage to the building due to increased moisture and excessive mold growth which can occur and can pose a risk of fire and electrocution; additionally, the use of pesticides and fertilizers can lead to chemical contamination within the structure; and

WHEREAS, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing, and distribution uses; and

WHEREAS, the City believes a Recreational Indoor Marijuana Cultivation permit is a reasonable requirement to ensure that all marijuana grown in the City is grown in code-compliant structures that reduce the risk of fire, mold, or other structural damage and contamination;

WHEREAS, the City has determined a Recreational Indoor Marijuana Cultivation permit is necessary to the public health, safety, and welfare in the City; and

WHEREAS, this Ordinance would add Chapter 8.46 to the Indian Wells Municipal Code to establish permitting regulations to allow for indoor cultivation of marijuana in a private residence or accessory structure thereto in a manner that will ensure any cultivation is safe, secure, and does not create a public nuisance to others living in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.46 entitled “Residential Indoor Marijuana Cultivation” is hereby added to Title 8 “Health and Sanitation” of the Indian Wells Municipal Code, and shall read in its entirety as follows:

**“Chapter 8.46
RESIDENTIAL INDOOR MARIJUANA CULTIVATION**

Sections:

- 8.46.010 Purpose**
- 8.46.020 Definitions**
- 8.46.030 Applicability**
- 8.46.040 Review and Appellate Authority**
- 8.46.050 Application and Notice**
- 8.46.060 Findings**
- 8.46.070 Expiration and Renewals**
- 8.46.080 Suspension and Termination**
- 8.46.090 Subsequent Applications**
- 8.46.100 No Sale or Transfer**

8.46.010 Purpose.

The purpose of this chapter is to prescribe the requirements for Residential Indoor Marijuana Cultivation (“RIMC”) and detail the process and requirement for permitting such use. Hereafter referred to as an “RIMC Permit”, this Chapter is intended to serve as an instrument of the City’s reasonable regulation of residential indoor marijuana cultivation as provided by California Health and Safety Code, Section 11362.2(b)(1) and further detailed in this Municipal Code under Chapter 21.90.

8.46.020 Definitions.

“Cultivation” means the marijuana cultivation process including, but not limited to, planting, harvesting, drying, processing, or maintenance activities.

“Cultivation area” includes the area where marijuana plants are cultivated, cultivation-related materials and supplies are stored, and any marijuana processed from the cultivation in excess of 28.5 grams is kept in a locked space not visible from a public place.

“Day care” means a facility, center, or home requiring a license that is issued by the State of California which provides for the care, health, safety, supervision, or guidance of a child’s social, emotional, and educational growth on a regular basis, in a place other than the child’s own home, or any facility meeting the definition of California Health and Safety Code Section 1596.76

“Directly engage” in cultivation means to handle the marijuana plants in the cultivation process.

“Group Home” means any community care facility regulated and licensed by a Federal and/or State agency. Unlicensed community care facilities or those community care facilities the regulation of which is not otherwise preempted by State or Federal law shall not constitute group homes.

“Indirectly engage” in cultivation means to assist, even if not handling marijuana plants, in the cultivation process.

“Personal Use” means to possess, use, or give away to persons 21 years of age or older without any compensation whatsoever.

“Residence” means a private residence such as a house, apartment unit, mobile home, or similar dwelling.

“Youth Center” means any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities

8.46.030 Applicability.

(a) A person may directly or indirectly engage in residential indoor marijuana cultivation only after obtaining and maintaining a valid RIMC permit from the City of Indian Wells.

(b) An RIMC Permit authorizes:

1. Only one person,
2. To directly or indirectly engage in residential indoor marijuana cultivation for personal use,
3. At only one residence, and
4. Within only the authorized cultivation area at the residence.

(c) A RIMC Permit does not authorize:

1. Construction or improvements of any structure,
2. A property-at-large for marijuana cultivation,
3. The permit holder or any others to engage in any activity licensed by the State of California under Division 10 of the Business and Professions Code, or
4. The following people to directly or in directly engage in residential indoor marijuana cultivation:
 - (a) The permit holder’s family members,
 - (b) Cohabitants,
 - (c) Guests,
 - (d) Future residents, or
 - (e) Any other person other than the permit holder.

(d) A person may not hold more than one RIMC Permit at a time. Multiple permit holders may be authorized to engage in residential indoor marijuana cultivation at the same residence, but a residence must include no more than one cultivation area, and no residence may cultivate more than six plants in total, regardless of how many permit holders are present.

8.40.040 Review and Appellate Authority.

(a) Applications for a RIMC Permit will be processed and reviewed by the Community Development Director or his or her designee. The Community Development Director may approve or deny an application based on the findings provided in section 8.46.060.

(b) A decision by the Community Development Director may be appealed to the City Manager or his or her designee by the following parties within 15 days after receipt of the Community Development Director’s final decision:

1. The applicant,
2. Owners or residents of the property.

8.46.050 Application and Notice.

- (a) The Community Development Director may approve the forms and submittal materials required for a complete application.
- (b) The City Council may by resolution require an application fee.
- (c) The City will provide written notification of the complete application to the applicant, indicating whether the application has been approved or denied.

8.46.060 Findings.

The Community Development Director or his or her designee may approve an application for an RIMC Permit if the following findings are made:

- (a). Applicant:

The applicant must:

1. Be 21 years of age or older.
2. Complete a Live Scan with the California Department of Justice, at the applicant's own cost.
3. Have no felony convictions for the illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance within the last five years,
4. Have no pending code enforcement actions with the City, and
5. Have no outstanding payments due to the City.
6. Show proof of fee title ownership or other proof of ownership, or provide a signed, notarized affidavit of any landlord or property owner other than the applicant that acknowledges and grants permission for cultivation to occur on the property.

- (b). Residence:

1. The residence must be the primary dwelling of the applicant.
2. The residence must not include more than one cultivation area.
3. The residence must not be used for any of the following activities:
 - (i) Day care,
 - (ii) Youth center,
 - (iii) Group Homes, and
 - (iv) Any facility that does not allow cultivation of marijuana by law or policy.

(c). Cultivation Area:

1. Location and Use

- (i) The cultivation area must be located within the residence or within an accessory structure. The residence, accessory structure, and all plumbing, electrical, and other utilities must be properly permitted by the City or appropriate regulatory agency.
- (ii) The cultivation area must be used exclusively for residential indoor marijuana. The cultivation area may not be shared with any space used for sleeping, cooking, eating, bathing, or other residential activities.
- (iii) The cultivation area must not be used or prepared in a manner to cultivate more than six marijuana plants.
- (iv) The following chemicals may not be used or stored in the cultivation area, and if stored elsewhere in the home must be stored in leak and fireproof containers sufficient to provide storage up to required safety standards:
 - 1. Explosive gases, including, but not limited to: Butane, Propane, Xylene, Styrene, Gasoline, Kerosene, Oxygen (O₂), Carbon dioxide (CO₂) or Hydrogen (H₂).
 - 2. Dangerous poisons, toxins, or carcinogens, including, but not limited to: Methanol, Iso-propyl Alcohol, Methylene Chloride, Acetone, Benzene, Toluene, or Tri-chloro-ethylene.

2. Access and Security

- (i) The cultivation area must be accessible by only one lockable door. Any windows, skylight, ventilation, or other opening must be lockable.
- (ii) Access to the cultivation area must be restricted to the applicant or other permit holders authorized for the cultivation area.
- (iii) The cultivation area must not be visible from anywhere outside the residence. Any windows, skylight, ventilation, or other opening must be sufficiently covered or opaque as to obscure visibility of the cultivation area from any adjacent property.
- (iv) The cultivation area must not produce odors, sounds, or other emissions that are sensible from adjacent properties and may indicate marijuana cultivation.

3. Required Inspection
 - (i) Prior to the issuance or renewal of any RIMC Permit, an inspection of the cultivation area shall be conducted by City Staff including, but not limited to, Code Enforcement, Building, and Fire officials at the City's discretion.
 - (ii) A RIMC Permit expires, if not renewed, one year from the date of approval.

8.46.070 Expiration and Renewal.

- (a) A RIMC Permit may be renewed, if prior to the expiration, the permit holder:
 1. Completes forms and submittal materials for renewal as required by the Community Development Director or his/her designee;
 2. The permit holder passes an inspection approved by the Community Development Director; and
 3. Pays a renewal fee as approved by resolution by the City Council.

8.46.080 Suspension and Termination.

- (a) The City may suspend or terminate a RIMC Permit at any time for failure to comply with applicable governing regulations.
- (b) If a RIMC Permit is suspended, the suspension will be effective and the permit holder's marijuana crop may be impounded until the permit holder:
 1. Demonstrates compliance with the applicable governing regulations, and
 2. Pays a fine as set forth in section 8.46.080(d).
- (c) If a RIMC Permit is terminated, the permit holder's marijuana crop may be impounded. The permit holder may not apply for another RIMC Permit until the permit holder pays a fine as set forth in section 8.46.080(d).
- (d) Violations of any terms of an RIMC Permit is hereby deemed a violation of the Municipal Code and may be subject to Administrative Citation, that may escalate with successive violations, as detailed further in Chapter 8.08 of this Municipal Code.
- (e) A suspension or termination of a RIMC Permit may be appealed to the City Manager or his or her designee by the permit holder.

8.46.090 Subsequent Applications.

- (a) Application for a Different Residence
 1. If a permit holder applies for a RIMC Permit for a residence other than specified on the existing permit, the existing RIMC Permit will be suspended upon application for the new permit.

- (i) Where practicable, the address for the existing RIMC Permit residence will be inspected to confirm removal of cultivation.
 - 2. If the application is approved, the existing RIMC Permit is rescinded.
 - 3. If the application is denied, the existing RIMC Permit is reinstated.
 - 4. If the applicant appeals a denial of the application, the existing RIMC Permit remains suspended until a final decision is reached.
- (b) Application for a Different Cultivation Area in the Same Residence
- 1. If a permit holder applies for a RIMC Permit for the residence on the existing permit, but for cultivation area other than specified on the existing permit, the existing permit will terminate upon approval of the application.
- (c) Application for Same Cultivation Area in Same Residence
- 1. If another individual applies for a RIMC Permit for the same cultivation area, no permit will be issued if the existing permit has been terminated or suspended. An additional RIMC Permit for the same cultivation area shall only be issued if all Permits related to that cultivation area remain in good standing with the City.

8.46.100 **No Sale or Transfer.** An RIMC Permit may not be sold or transferred.”

SECTION 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force 30 days after passage.

SECTION 4. PUBLICATION. The City Clerk is directed to publish this Ordinance within the manner and in the time prescribed by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 17th day of November, 2016.

DANA W. REED
MAYOR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF INDIAN WELLS)

CERTIFICATION FOR ORDINANCE NO. _____

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. _____, having been regularly introduced at the meeting of November 17, 2016, was again introduced, the reading in full thereafter unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on this 15th day of December, 2016, and said Ordinance was passed and adopted by the following stated vote, to wit:

AYES:
NOES:

and was thereafter on said day signed by the Mayor of the City of Indian Wells.

ATTEST:

APPROVED AS TO FORM:

ANNA GRANDYS
CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY

RESOLUTION NO. 2016-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AUTHORIZING USE OF LIVE SCAN TECHNOLOGY TO ASSIST THE CITY IN IMPLEMENTING ITS RESIDENTIAL INDOOR MARIJUANA CULTIVATION PERMITTING REGULATIONS

WHEREAS, the City of Indian Wells, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts, and joint powers authorities to access state and local summary criminal history information for employment, licensing or certification purposes; and

WHEREAS, Penal Code Sections 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county, or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes; and

WHEREAS, the information is required to implement Ordinance No. ____, which expressly identifies specific criminal conduct and contains requirements or exclusions based upon that specified criminal conduct; and

WHEREAS, the City would utilize this data to implement the Residential Indoor Marijuana Cultivation permitting scheme contemplated in Ordinance No. 696 by determining whether applicants had been convicted of illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance within the last five years; and

WHEREAS, such convictions would render an applicant ineligible for a Residential Indoor Marijuana Cultivation Permit due to the risk to the public health, safety, and welfare inherent in allowing an individual with those recent convictions to cultivate and potentially distribute marijuana or marijuana products.

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

SECTION 1. Recitals. The City Council of the City hereby **FINDS** and **DETERMINES** that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

SECTION 2. Access to State and Federal Background Information. The City, and all necessary employees, are hereby **AUTHORIZED** to access state and federal level summary criminal history information for any applicant for a Residential Indoor Marijuana Cultivation Permit to determine whether they have been convicted of illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance within the last five years. Access to criminal history information is limited to these purposes and no employee may disseminate the information to a private entity.

SECTION 3. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 17th day of November, 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 special meeting of the City Council of the City of Indian Wells on the 17th day of November 2016, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**ANNA GRANDYS
CITY CLERK**

**STEPHEN P. DEITSCH
CITY ATTORNEY**



11/17/2016

File #: ORD-129-16 Item #: B.

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

Requiring Landscape-Related Businesses to Complete Water Efficiency Course

RECOMMENDED ACTION:

Council **INTRODUCES** Ordinance read by title only and waives further reading, amending Chapter 5.40 of the Municipal Code to add water efficiency curriculum to the educational prerequisites for landscape-related businesses for issuance of a City Business License.

DISCUSSION:

The Coachella Valley Association of Governments (CVAG) requests member agencies adopt requirements for landscape-related businesses to complete a course about water efficient landscaping. The new course would focus on water efficiency for professional landscapers, increasing their knowledge and use of best practices in water conservation.

Last fall, CVAG staff worked with the Coachella Valley Water District (CVWD) to create a program modeled after CVAG's existing Landscaper Overseeding Certification and the online "smart scalping" course. The smart scalping course is offered free of charge to landscape professionals, at no cost to CVAG member agencies, and is offered online by College of the Desert (COD). The new water efficiency course will be combined with the smart scalping course. By doing so, landscape professionals are certified in best practices to meet regional goals for air quality and water efficiency in a "one-stop shop" approach.

The proposed Ordinance (Attachment 1) will add a two-hour water efficiency training to the smart scalping requirement. The language for the Ordinance was approved by the CVAG Executive Committee in June. CVWD staff developed the curriculum and is currently working with COD to offer the course online. By combining course material on overseeding and water efficiency, participants are certified in one simple process. Thus, implementation of this program requires little to no staff time, and is being implemented by most all CVAG agencies.

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The City will enforce the Ordinance through the business licensing process. Landscape professionals certify to completion of the course prior to issuance of annual City Business License renewals. This is the same as with the smart scalping course requirement.

FISCAL IMPACT:

All costs associated with developing and offering the course is funded by CVWD. The City will not see any cost increase for implementation of the course requirement.

ATTACHMENT:

1. Ordinance

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF INDIAN WELLS, CALIFORNIA,
AMENDING CHAPTER 5.40 OF THE INDIAN WELLS MUNICIPAL
CODE TO ADD WATER EFFICIENCY CURRICULUM TO THE
EDUCATIONAL PREREQUISITES FOR ISSUANCE OF A BUSINESS
LICENSE TO LANDSCAPE-RELATED BUSINESSES**

WHEREAS, the City Council of the City of Indian Wells previously adopted Ordinance No. 628 requiring Landscape-Related Businesses to present proof that at least one employee has, within the preceding twelve-month period, completed a two-hour course on grass overseeding alternatives as a prerequisite to issuance or renewal of a business license; and

WHEREAS, air quality and water efficiency are among the most essential issues associated with public health and safety, which in turn is essential to the continued economic well-being of the Coachella Valley and to the needs of its residents; and

WHEREAS, the majority of water use in the Coachella Valley is for outdoor landscaping and our ability to meet water conservation goals and maintain the high quality of our water supply depends on water conservation best practices in landscaping; and

WHEREAS, one of the reasons for the failure to meet water conservation goals within the Coachella Valley is a lack of familiarity by landscape professionals with best practices in reducing water use in landscaped areas; and

WHEREAS, the Coachella Valley Water District (CVWD), in partnership with the Coachella Valley Association of Governments (CVAG), College of the Desert (COD), other local water districts, and local stakeholders, has developed a two-hour water efficiency course to provide guidance to Landscape-Related Business professionals regarding reduction of water use in turf and other landscape areas and encourage the use of water efficient desert landscaping; and

WHEREAS, by combining the existing two-hour educational course on overseeding alternatives and smart scalping with the recently developed two-hour course on water efficiency, landscape professionals can be certified in best practices to meet regional goals to improve our air quality and increase water efficiency in a "one-stop shop" approach; and

WHEREAS, the curriculum for the water efficiency course is high quality and appropriate for the Coachella Valley region; the course has been developed by professional staff at CVWD who hold licenses and certifications in irrigation efficiency, plant water use, horticultural practices, arboriculture, and landscape/golf course irrigation auditing; and the course has been reviewed by industry educators such as COD instructors and industry professionals; and

WHEREAS, the water efficiency course developed by CVWD has been reviewed and approved by the State Water Resources Control Board which requires urban water suppliers to reduce potable water use to meet state conservation standards and the implementation of the course will be monitored by the State Water Resources Control Board; and

WHEREAS, the water efficiency curriculum can be added to the existing course for the Landscape Certification Program; and

WHEREAS, the updated course for the Landscape Certification Program, which will include both the smart scalping curriculum and the water efficiency curriculum, will be available online and/or at a local testing center, and will be available in English and Spanish; and

WHEREAS, the most efficient and effective method of promoting the overseeding alternative and water efficiency is to require professionals in the landscaping installation, maintenance, design, and other landscape-related businesses, and their suppliers within the City of Indian Wells to, on an annual basis, complete the four-hour course covering both of these topics, with said course organized by CVAG, AQMD, COD, and CVWD; and

WHEREAS, the public health and safety is served by requiring completion of said course as a prerequisite for the issuance and renewal of business licenses for Landscape-Related Businesses within the City of Indian Wells.

NOW, THEREFORE, the City Council of the City of Indian Wells does ordain as follows:

SECTION 1. The City Council hereby finds and determines that the foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Indian Wells Municipal Code Chapter 5.40 is hereby **AMENDED** in its entirety to read as follows:

"Chapter 5.40 REQUIRED LANDSCAPER COURSES

5.40.010 Definitions.

"AQMD" means the South Coast Air Quality Management District.

"City" means the City of Indian Wells.

"CVAG" means the Coachella Valley Association of Governments.

"CVWD" means the Coachella Valley Water District.

“Landscape professional” means a business, whether operated by an individual or a business entity, which operates within the City and performs or provides services or sells nursery products related to or used in connection with landscape installation, maintenance, or design. (Ord. 628 § 1, 2009)

5.40.020 Purpose and intent.

The purpose of this Chapter is to promote the public health and safety by insuring that landscape-related businesses within the City understand and appreciate:

- A. That the overseeding alternative promoted by CVAG, AQMD and local stakeholders eliminates the need for turf scaling, serves as an air quality control measure and thereby enhances the local air quality. (Ord. 628 § 1, 2009).
- B. That the water efficiency course developed by CVAG, CVWD, and local stakeholders provides guidance regarding reduction of water use in turf and other landscape areas and encourages the use of water efficient landscaping.

~~The purpose of this Chapter is to promote the public health and safety by insuring that landscape-related businesses within the City understand and appreciate the overseeding alternative promoted by CVAG, AQMD and local stakeholders eliminates the need for turf scaling, serves as an air quality control measure and thereby enhances the local air quality. (Ord. 628 § 1, 2009)~~

5.40.030 Course requirement.

As a prerequisite to the issuance or renewal of a business license for any entity providing services or nursery products in the City of Indian Wells related to or used for landscape installation, maintenance, or design, the applicant shall present proof that at least one employee has, within the twelve months immediately preceding the application, completed a minimum four-hour course developed by CVAG, AQMD, CVWD, and local stakeholders, covering grass overseeding alternatives to traditional scalping and landscaping water efficiency.” ~~Effective September 1, 2009, when making an application for a City business license or an application to renew a City business license, a landscape professional operating within the City shall present proof that at least one employee of the business has, within the twelve (12) months immediately preceding the license or renewal application, completed a two (2) hour course developed by CVAG, AQMD and local stakeholders, on grass overseeding alternatives to traditional scalping. (Ord. 628 § 1, 2009)”~~

SECTION 3. Severability. If any provision, clause, sentence or paragraph of this Ordinance, or the application thereof to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable. This Ordinance amends, adds to, or deletes (as applicable) sections of the Indian Wells Municipal Code.

SECTION 4. Effective Date. This Ordinance shall take effect upon the later of thirty (30) days following its adoption by the City Council or January 1, 2017.

SECTION 5. Publication. The City Clerk is directed to publish this Ordinance in the manner and in the time required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 15th day of December, 2016.

RICHARD BALOCCO
MAYOR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF INDIAN WELLS)

CERTIFICATION FOR ORDINANCE NO. _____

I, Anna Grandys, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. _____, having been regularly introduced at the meeting of November 17, 2016, was again introduced, the reading in full thereafter unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on this 15th day of December, 2016, and said Ordinance was passed and adopted by the following stated vote, to wit:

AYES:
NOES:

and was thereafter on said day signed by the Mayor of the City of Indian Wells.

ATTEST:

APPROVED AS TO FORM:

ANNA GRANDYS
CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY



11/17/2016

File #: 1558-16 Item #: C.

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

Grants-in-Aid Committee Recommendations for FY 2016-17 Funding Cycle

RECOMMENDED ACTIONS:

Council **APPROVES** the Grants-in-Aid Committee funding recommendations for Fiscal Year 2016-17 funding cycle, except for Desert Arc; and

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

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

AUTHORIZES and **DIRECTS** the processing of the remaining Fiscal Year 2016-17 requisitions.

Separate discussion and motion:

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

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

AUTHORIZES and **DIRECTS** the processing of the Fiscal Year 2016-17 requisition for Desert Arc.

DISCUSSION:

Background:

The City recognizes the importance of community-based organizations and/or groups, and the vital role they play in providing essential services and education to the Coachella Valley. The City of Indian Wells Grants-in-Aids program is vetted each year through the City Council budget cycle. For Fiscal Year 2016-17, \$186,125 was approved for this year's funding. The Grants-in-Aid Committee ("Committee") is for a broad-based cross section of informed and dedicated residents that review and analyze requesting agencies' operations and performance in providing services, and make

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recommendations on annual allocation of funding to the City Council.

Analysis:

This year the Committee held an education session in June to review the guidelines and the application and answer any application questions. The City received 33 requests for funding totaling \$358,570.68. The Committee conducted a comprehensive analysis of each individual application based on the Grants in Aid eligibility requirements and policy guidelines. After reviewing all 33 applications, the Grants-in-Aid Committee recommends funding 20 of the applicants.

Recommended Organizations for Funding:

ACT for Multiple Sclerosis (MS): recommended funding **\$5,000** to expand their Circulation Therapy program that supports increase in mobility and can sometimes reverse disease progression.

Angel View Inc.: recommended funding **\$10,000** for a one-time purchase of a technology upgrade program.

Big Brothers Big Sisters of the Desert: recommended funding **\$8,850** to expand their Site-Based Youth Mentoring program to foster positive role models and productive citizens.

Boys and Girls Clubs of CV: recommended funding **\$8,000** for Diplomas 2 Degrees - a college-readiness program designed to prepare youth for further education in trade school, community college, or a four-year college or university.

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

Desert Arc: recommended funding **\$7,000** to expand recycling program through the purchase of shredders.

Desert Best Friends Closet: recommended funding **\$4,500** to fund the Warriors to Work program for Veterans to participate in their Interview Attire program and Bridge to Employment program.

Desert Cancer Foundation: recommended funding **\$7,500** for the Patients Assistance Program which provides financial assistance for uninsured/underinsured cancer patients who reside in the Coachella Valley.

Family YMCA of the Desert: recommended funding **\$4,310** for Youth sports for low-income youth.

Galilee Center, Inc.: recommended funding **\$10,000** for free food program through a weekly food distribution program.

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Habitat for Humanity: recommended funding **\$5,000** for no cost repair program to assist struggling, low-income residents with no-cost minor home repair and improvements.

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

Jewish Family Service of the Desert: recommended funding **\$10,000** for Senior Care Management Program and Emergency Assistance Program that provides emergency financial assistance to seniors in crisis.

John F. Kennedy Memorial Foundation dba Ophelia Project: recommended funding **\$5,250** teen mentoring program serving 700 teen girls in 8th through 12th grade.

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

Martha's Village & Kitchen: recommended funding **\$20,000** to support the Transitional Housing Program that offers 120 beds for homeless families and single adults.

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

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

Shelter from the Storm: recommended funding **\$5,000** to fund the Transitional Housing assistance to victims of domestic violence.

Well in the Desert: recommended funding **\$7,500** to support funding over 400 daily meals to people that are economically challenged.

FISCAL IMPACT:

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

ATTACHMENT:

1. Funding Allocation Spreadsheet

2016/17 Grants In Aids Funding Sheet
 Available funds \$186,125

Grants-in-Aids	Program Request	RECOMMENDATION
ACT for MS	Health Related: Circulation Therapy	\$5,000
Angel View Inc.	Health Related/Outreach/Other: Technology Upgrade	\$10,000
Big Brothers Big Sisters of the Desert	Youth Programs: Site Based Mentoring	\$8,850
Boys and Girls Clubs of CV	Youth Programs: Diplomas to Degrees	\$8,000
Coachella Valley Rescue Mission	Homeless Program: Emergency Overnight Annex Program	\$30,000
Desert Arc	Other: Recycle Program	\$7,000
Desert Best Friends Closet	Homeless Program/Other: Warriors to Work	\$4,500
Desert Cancer Foundation	Health Related: Patient Assistance Program	\$7,500
Family YMCA of the Desert	Youth Programs/School Programs:	\$4,310
Galilee Center, Inc	Other: Food Program	\$10,000
Habitat for Humanity	Other: Repair Program	\$5,000
Hidden Harvest	Health Related/Senior Program/Outreach Program: Free produce	\$5,000
Jewish Family Service of the Desert	Health Related/Senior/School Outreach: Senior Care Mgmt. Program	\$10,000
JFK dba Ophelia Project	Youth Program/Other: Ophelia Project	\$5,250
Loving All Animals	Animal Services: Trap, Neuter, Return	\$7,500
Martha's Village & Kitchen	Homeless Services: Traditional Housing	\$20,000
Mizell Senior Center of Palm Springs	Senior Program: Meals on Wheels	\$10,000
Operation Safehouse	Homeless Program/Youth/Outreach: Harrison House	\$10,000
Shelter from the Storm	Homeless Program: Healthy Children	\$5,000
Well in the Desert	Homeless/Youth/Health/Senior/Other: Food for Life	\$7,500
	TOTAL FUNDING	\$180,410



11/17/2016

File #: 1566-16 Item #: E.

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

Letter to Desert Recreation District Board Regarding General Manager's Comments at the November 2, 2016 Special Council Meeting

RECOMMENDED ACTIONS:

Council **CONSIDERS** the draft letter to the Desert Recreation District's Board of Directors relating to comments made at November 2, 2016 Special Council Meeting and any **AMENDMENTS** to the letter; and

AUTHORIZES and **DIRECTS** the Mayor to sign the letter, and **DIRECTS** Staff to send the letter to the Desert Recreation District Board of Directors and the Riverside County Board of Supervisors; and

RECEIVES and **FILES** the transcript of Desert Recreation District General Manager Kevin Kalman comments from the November 2, 2016 Special Council meeting.

DISCUSSION:

The Council directed Staff to prepare a draft letter (Attachment 1) to the Desert Recreation District's Board of Directors relating to the tone and adversarial position expressed by Mr. Kevin Kalman, General Manager of the Desert Recreation District at the November 2, 2016 Special Council Meeting. A transcript of Mr. Kalman's comments is attached.

As part of its strategic planning effort, the City Council has discussed the lack of service from the Desert Recreation District and the potential for providing more recreational opportunities for its residents in the City and at the Indian Wells Golf Resort. The City has not initiated detachment proceeding and is still investigating the various issues and impacts.

ATTACHMENTS:

1. Draft letter
2. Transcript of Mr. Kalman's comments

November 8, 2016

Joanne Gilbert, President
Board of Directors
Desert Recreation District
45-305 Oasis Street
Indio, CA 92201

RE: Public comments by Desert Recreation District representatives at Indian Wells
November 2, 2016 Special Council meeting

Dear Ms. Gilbert:

The City Council of the City of Indian Wells held a special meeting on November 2, 2016 to consider and respond to the Desert Recreation District's (the "District") October 13, 2016 letter regarding a potential violation of the Ralph M. Brown Act by Indian Wells at its September 15, 2016 Council meeting. An official response to the alleged Brown Act violation was sent to the District.

At the November 2, 2016 meeting Mr. Kevin Kalman, General Manager and Mr. Rudy Acosta, Board Member of the Desert Recreation District addressed the Council. It is the City's understanding per your General Counsel that the Board, in closed session, authorized Mr. Kalman's attendance at the Special Council Meeting and approved his comments in draft outline form.

The City Council desires to express its disappointment with the tone and adversarial position of Mr. Kalman's comments. The City Council was especially troubled by the Board's apparent approval of a personal attack against one of the City's Council Members. A transcript of Mr. Kalman's comments in their entirety is attached for your review.

The City Council is hopeful the Board's position on Indian Wells exploring how to provide recreational opportunities to its residents is more representative of Mr. Acosta's comments of working together to find solutions than Mr. Kalman's. The City Council looks forward to working with the District's Board toward a mutually beneficial resolution.

Very truly yours,

Dana Reed, Mayor
City of Indian Wells

Enclosed: November 2, 2016 - Mr. Kalman's public comments transcript

cc: Silvia Paz, Vice President, Desert Recreation District
Rudy Gutierrez, Division 2, Desert Recreation District
Rudy Acosta, Division 4, Desert Recreation District
Laura McGalliard, Division 5, Desert Recreation District
John Benoit, 4th District Supervisor
John Tavaglione, 2nd District Supervisor
Kevin Jeffries, 1st District Supervisor
Chuck Washington, 3rd District Supervisor
Marion Ashley, 5th District Supervisor

DRAFT

Honorable Mayor Reed and members of the City Council, thank you for having us here today.

First, The District has reviewed the city attorneys proposed response to our Brown Act claim and, frankly, find it disingenuous, self-serving, and probably legally ineffective. As we told your City Attorney, we sent the notice of a potential violation because of your consultants contacted the County of Riverside to start detachment negotiations and then the County called and informed the District of that action. When we researched your agendas, we found the September 15 item with the detachment recommendation buried as option number 3 as described in the General Manager's letter of October 13th.

As requested by your City Attorney, we repeatedly and carefully reviewed the video of the September 15, 2016 meeting. We strongly encourage the press and the public to do the same. What we heard was a follow-up discussion to the agenda item number 9 (which contained the detachment option exercised by your consultant) during Council member comments. In fact, Mayor Reed specifically acknowledged that. We saw at least three Council members who acknowledged a problem that they can't fix seeking a temporary fix by taking tax monies from the Park District to subsidize the private golfers and tourist facilities. We saw a fourth council member, who previously represented to the District staff, that the City was considering its own parks - something Indian Wells has repeatedly rejected instead requesting public park facilities be located in neighboring cities - state that the City wants to use the District's tax money to subsidize green fees and (according to his statements at the October 12, 3:00 p.m. public meeting) place card clubs in the vacant Ralph's. We heard four council members direct Council member Hanson and Wade McKinney to go forward. We can only assume that they directed your consultant to begin those negotiations.

We further suspect that the District's financial, legal and ethical objections - conveyed to Council member Hanson and to the city manager in May of 2016 - had not been fully conveyed to the Council until now. We are concerned that the City has no idea of the actual funds it would garner from an action that would intentionally harm current and future recreation programs and facilities in the Valley and impose burdens on neighboring cities and communities to subsidize Indian Wells recreational opportunities. We are concerned that the Council member working with the city manager has a personal agenda and it is the City representative on the LAFCO commission.

The City Attorney is correct that the September 15 discussion was a follow up of prior discussions. However, all of those discussions have been conducted without notice to the public. In essence, that is an admission in itself of past Brown Act violation not addressed in our current letter.

The bottom line is that no matter how presented (or how the City defends its action) the statements of at least four council members showed a pre-determined yet grossly uninformed support for a position which may be legally and financially inaccurate, has not been on any Indian Wells agenda and for which there has been no transparency and public input.

As a final note, since the District has sent that letter - and at the explicit direction of Supervisor Benoit - the District has repeatedly asked to meet with and discuss the

matter, but your City Attorney has refused to allow access to the elected officials. In fact, scheduled meetings were actually cancelled.

Viewing the video proves, rather than contradicts, the District's concern. Brown Act violation is one way to describe the egregious statements made; lack of good faith, transparency and fair dealing would be another.

Finally, I would like to reiterate, yet again, that the District is willing and eager to assist the City with its parks and recreation needs and that I am available to meet with you and or your staff at any time and anxiously await that opportunity.

Thank you.