

**RESOLUTION NO. 2023-22**

**A RESOLUTION OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADOPTING THE CITY OPERATING AND CAPITAL BUDGETS FOR THE CITY OF INDIAN WELLS FOR THE FISCAL YEAR 2023-24 AND FISCAL YEAR 2024-25, AND APPROVING A PROCEDURE FOR PAYMENT OF CLAIMS WITHOUT THE ISSUANCE OF WARRANTS PURSUANT TO GOVERNMENT CODE SECTION 53910 ET SEQ.**

**WHEREAS**, the City Council held a public Study Session on May 18, 2023, to review, consider, deliberate, and collect public input regarding the proposed biennial operating budget and capital improvement budget for the City of Indian Wells for fiscal year 2023-24 and fiscal year 2024-25; and,

**WHEREAS**, the proposed biennial operating budget and capital improvement budget submitted were modified by the City Council during the public Study Session; and,

**WHEREAS**, a proposed biennial operating budget and capital improvement budget for the City of Indian Wells was submitted to the City Council on May 18, 2023, and,

**WHEREAS**, the proposed biennial operating budget and capital improvement budget submitted have been reviewed by the City Council; and

**WHEREAS**, under Government Code Section 53910, the City's governing body may, by resolution, authorize practices concerning form, issuance, delivery, endorsement, and payment of warrants it deems convenient, efficient, and in the public interest, conforming substantially to those practices specified in Sections 53911, 53912, 53913, or 53914 of said Code; and

**WHEREAS**, Government Code Section 53912 authorizes a city's governing body to provide that when funds are available for the payment of approved claims, the approval of claims for payment shall, without the issuance of any warrant, be the authority to the custodian of its funds to pay the claims by check or electronic transfer, so long as related registers and transfers contain substantially the same information as required by law to be maintained for a warrant; and

**WHEREAS**, the City Council for the City of Indian Wells deems it convenient, efficient, and in the public interest to provide that when funds are available for the payment of approved claims, the approval of claims for payment shall, without the issuance of any warrant, be the authority to the Finance Director / Agency Treasurer to pay the claims by check or electronic transfer.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Operating and Capital Budget Approved for Adoption.** Pursuant to and in accordance with applicable provisions of the Charter of the City of Indian Wells, the biennial operating budget and capital improvement budget for fiscal year 2023-24 and fiscal year 2024-25, submitted by the City Manager to the City Council on May 18, 2023, is hereby approved for adoption.

**SECTION 2. Proposed Budget for Fiscal Year 2023-24 and Fiscal Year 2024-25**

There is hereby appropriated from the unappropriated fund balances anticipated to be available on July 1, 2023, and from the estimated revenues and transfers to be received during the Fiscal Year(s) beginning July 1, 2023, and ending June 30, 2025, the following amounts necessary to fund the operating programs of the City Departments and the Capital Improvements Program for the City of Indian Wells during said Fiscal Years:

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	<u>Fiscal Year</u> <u>2023/24</u>	<u>Fiscal Year</u> <u>2024/25</u>
101 General Fund	50,018,020	49,458,442
202 Traffic Safety	21,220	21,730
203 Public Safety 1/2 Cent Sales Tax	41,245	42,495
204 Measure "A"	356,268	361,828
209 F.A.M.D. #1	3,880,928	3,963,808
210 SCAQMD (VEHICLE REG.)	20,336	20,576
211 AB 3229 COPS Funding	188,147	192,697
214 Gas Tax 2103 Maintenance	47,383	49,383
215 Gas Tax 2105 Maintenance	33,206	33,996
216 Gas Tax 2106 Construct/Maint	25,789	26,389
217 Gas Tax 2107 Maintenance	42,519	44,019
218 Gas Tax 2107.5 Eng/Admin	2,070	2,070
219 Gas Tax RMRA	119,208	122,048
228 Emergency Upgrade Services	10,925,343	11,478,606
247 AB 939 Recycling Fund	412,054	288,017
248 Solid Waste	1,332,290	1,332,157
251 Street Lighting District 2001	16,713	16,953
271 Eldorado Drive LLMD	133,182	137,288
272 Montecito/Stardust LLMD	35,715	36,696
273 Casa Dorado LLMD	28,991	29,987
274 The Cove LLMD	24,386	25,227
275 SH111/IWGR (Entrance) LLMD	401,838	414,624
276 Club/IW Lane LLMD	57,660	59,426
277 Colony LLMD	151,913	139,044
278 Colony Cove Estates LLMD	60,473	50,699
279 Desert Horizons LLMD	532,320	549,996
280 Mountain Gate LLMD	142,870	136,386
281 Mountain Gate Estates LLMD	59,767	50,543
282 Villagio LLMD	358,923	346,759
283 Vaidya LLMD	38,205	31,871
284 Club, South of 111 LLMD	40,148	37,774
285 Montelena LLMD	162,000	155,616
286 Sundance LLMD	52,173	54,034
287 Province LLMD	281,330	289,371
288 Province DBAD	578,601	541,061
311 Transportation Facilities	153,075	154,685
312 Storm Drain Facilities	444,000	458,030
313 Receration Facilities	440,675	456,197
314 Park-in-Lieu Fees	(850,375)	(1,309,262)
315 Citywide Public Improvement Fee	150,331	154,181
316 Capital Improvement	22,552,513	19,711,922
319 Art In Public Places	361,595	136,975
321 Highway 111 Circulation Imp Fee	123,688	175,688
326 Buildings Capital Reserve	2,589,002	3,048,652
327 Bridges Capital Reserve	2,116,278	2,315,678
328 Medians & Parkways Capital Reserve	1,765,289	1,964,689
329 Storm Drains Capital Reserve	1,065,301	1,253,171
330 Traffic Signal Capital Reserve	933,721	1,117,231
331 Technology Capital Reserve	874,369	1,052,709
332 City Streets Capital Reserve	20,308,145	21,049,775
333 City Vehicles Capital Reserve	451,156	617,346
350 Disaster Recovery Reserve	448,341	601,341
253 Indian Wells Villas	1,170,485	1,196,485
254 Mountain View Villas	1,854,271	1,744,671
256 Housing Authority	5,004,406	7,464,190
453 Successor Agency Debt Service	(58,779,197)	(49,825,026)
456 Successor Agency Obligation Retirement Fund	9,404,376	7,353,954
460 IW Finance Authority	9,235,071	2,350,289
601 Retirement Benefit Fund	4,862,046	5,187,982
602 Compensated Absences Reserve	606,270	618,270
Total All Funds	<u>97,908,067</u>	<u>99,591,441</u>

**SECTION 3. Authorized Interfund Transfers for Fiscal Year 2023-24.** There are hereby authorized the transfers of the following amounts from one fund to another fund for Fiscal Year 2023-24.

<b>City FY 2024</b>		
Fund	Description	Amount
101	From General Fund to:	
256	Housing Authority	517,440
101	From General Fund to:	
316	Capital Improvements	1,000,000
101	From General Fund to:	
601	Retirement Benefit Fund	1,000,000
460	From IWFA Debt Service Fund to:	
316	Capital Improvements	7,375,782
311	From Transportation Facilities Fee to:	
460	IWFA Debt Service Fund	150,000
313	From Recreation Facilities Fee to:	
460	IWFA Debt Service Fund	433,438
315	From Citywide Public Improvement to:	
460	IWFA Debt Service Fund	150,000
256	From Housing Authority to:	
460	IWFA Debt Service Fund	86,855
228	From Emergency Services Upgrade to:	
460	IWFA Debt Service Fund	144,758
456	From RDA Obligation Retirement Fund to:	
453	Debt Service	10,668,062
Total Transfers		21,526,334

**SECTION 4. Authorized Interfund Transfers for Fiscal Year 2024-25.** There are hereby authorized the transfers of the following amounts from one fund to another fund for Fiscal Year 2024-25.

<b>City FY 2025</b>		
Fund	Description	Amount
101	From General Fund to:	
256	Housing Authority	550,000
101	From General Fund to:	
316	Capital Improvements	1,000,000
101	From General Fund to:	
601	Retirement Benefit Fund	1,000,000
332	From Streets Capital Reserve to:	
316	Capital Improvements	2,500,000
311	From Transportation Facilities Fee to:	
460	IWFA Debt Service Fund	150,000
313	From Recreation Facilities Fee to:	
460	IWFA Debt Service Fund	434,578
315	From Citywide Public Improvement to:	
460	IWFA Debt Service Fund	150,000
256	From Housing Authority to:	
460	IWFA Debt Service Fund	86,990
228	From Emergency Services Upgrade to:	
460	IWFA Debt Service Fund	144,983
456	From RDA Obligation Retirement Fund to:	
453	Debt Service	11,252,546
Total Transfers		17,269,096

**SECTION 5. Legislative Control.** The legislative format of the adopted budget shall be by Fund and Program for the operating budget and by Fund and Capital Project Group for the Capital Budget, as specified above in Section 1, and the change of any appropriation authorized above shall be subject to the approval of the City Council.

**SECTION 6. Administrative Budget Control.** It is hereby declared that, in addition to the legislative format, there is a need for administrative control over the adopted budget; and that the Finance Director, under the direction of the City Manager, shall detail the adopted budget to administrative control accounts; and that such detailing shall be consistent with the legislative format by the program for the operating budget and by project and expense item within a Capital Program Group for the capital budget.

**SECTION 7. Budget Carryovers.** It is hereby approved that all appropriations for prior fiscal years shall lapse at the end of Fiscal Year 2022-23. Any remaining amounts shall be credited to their respective fund balances, except for specific orders or encumbrances for operating and

capital budgets outstanding at the end of the year, and as deemed necessary by the Finance Director, may be carried over to the following fiscal year. The Finance Director shall carry over the appropriation without further City Council action.

**SECTION 8. Findings concerning City Charter.** The City Council finds that expenditures set forth in the biennial operating budget for official meetings/conferences and for community presentations as set forth in the City Council department budget do not constitute payment for or reimbursement by the City-to-City Council Members for their personal use or benefit, as generally outlined in Section 101 of the City Charter, but instead pertain to matters of City business.

**SECTION 9. Filing the Adopted Budget in the Office of the City Clerk.** The City Clerk is hereby **DIRECTED** to file the biennial operating budget and capital improvement budget for fiscal year 2023-24 and fiscal year 2024-25 as adopted by the City Council on May 18, 2023, in the Office of the City Clerk.

**SECTION 10. Use of Checks and Electronic Transfers in Lieu of Warrants.** It is hereby approved that when funds are available for the payment of claims, the audit and approval of said claims by either the Finance Director, when authorized in Section 2.16.020 of the Indian Wells Municipal Code, or by the City Council in all other cases, shall, without the issuance of a warrant, be the authority to the legal depository holding the funds in the City Treasury to pay the audited claims by check or electronic transfer as authorized by Government Code § 53912. Registers and transfers maintained by the Finance Director pertaining to said checks and electronic transfers shall contain substantially the same information as required by law or ordinance to be maintained in connection with the use of warrants for payment of claims.

**SECTION 11. Effective Date.** This resolution shall take full force and effect on July 1, 2023, after its adoption by the City Council.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Indian Wells, California, on this 18<sup>th</sup> day of May 2023.

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**DONNA GRIFFITH  
MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2023-22**

I, Angelica Avila, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 18<sup>th</sup> day of May 2023, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANGELICA AVILA**  
**CITY CLERK**

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**TODD LEISHMAN**  
**CITY ATTORNEY**