

# **CITY OF INDIAN WELLS**

Audit Report

## **SPECIAL GAS TAX STREET IMPROVEMENT FUND**

*July 1, 2007, through June 30, 2011*

## **TRAFFIC CONGESTION RELIEF FUND ALLOCATIONS**

*July 1, 2007, through June 30, 2011*



**JOHN CHIANG**  
California State Controller

April 2013



**JOHN CHIANG**  
**California State Controller**

April 4, 2013

The Honorable Mary T. Roche  
Mayor of the City of Indian Wells  
44-950 El Dorado Drive  
Indian Wells, CA 92210-7497

Dear Mayor Roche:

The State Controller's Office audited the City of Indian Wells' Special Gas Tax Street Improvement Fund—highway users tax—for the period of July 1, 2007, through June 30, 2011. We also audited the Traffic Congestion Relief Fund allocations recorded in the Traffic Safety Fund for the period of July 1, 2007, through June 30, 2011.

Our audit found that the city accounted for and expended its Special Gas Tax Street Improvement Fund and TCRF allocations recorded in the Traffic Safety Fund in compliance with requirements, and that no adjustment to the funds is required.

If you have any questions, please contact Steven Mar, Chief, Local Government Audits Bureau, at (916) 324-7226.

Sincerely,

*Original signed by*

**JEFFREY V. BROWNFIELD, CPA**  
Chief, Division of Audits

JVB/vb

# Contents

## **Audit Report**

<b>Summary .....</b>	<b>1</b>
<b>Background .....</b>	<b>1</b>
<b>Objective, Scope, and Methodology .....</b>	<b>1</b>
<b>Conclusion .....</b>	<b>2</b>
<b>Follow-Up on Prior Audit Findings .....</b>	<b>2</b>
<b>Views of Responsible Official .....</b>	<b>2</b>
<b>Restricted Use .....</b>	<b>3</b>
<b>Schedule 1—Reconciliation of Fund Balance .....</b>	<b>4</b>

# Audit Report

## Summary

The State Controller's Office (SCO) audited the City of Indian Wells' Special Gas Tax Street Improvement Fund—highway users tax—for the period of July 1, 2007, through June 30, 2011. We also audited the Traffic Congestion Relief Fund (TCRF) allocations recorded in the Traffic Safety Fund for the period of July 1, 2007, through June 30, 2011.

Our audit found that the city accounted for and expended its Special Gas Tax Street Improvement Fund and TCRF allocations recorded in the Traffic Safety Fund in compliance with requirements, and that no adjustment to the funds is required.

## Background

The State apportions funds monthly from the highway users tax account in the transportation tax fund to cities and counties for the construction, maintenance, and operation of local streets and roads. The highway users taxes derive from state taxes on the sale of motor vehicle fuels. In accordance with Article XIX of the California Constitution and Streets and Highways Code section 2101, a city must deposit all apportionments of highway users taxes in its Special Gas Tax Street Improvement Fund. A city must expend gas tax funds only for street-related purposes. We conducted our audit of the city's Special Gas Tax Street Improvement Fund under the authority of Government Code section 12410.

Government Code section 14556.5 created a Traffic Congestion Relief Fund (TCRF) in the State Treasury for allocating funds quarterly to cities and counties for street or road maintenance, reconstruction, and storm damage repair. Cities must deposit funds received into the city account designated for the receipt of state funds allocated for transportation purposes. The city recorded its TCRF allocations in the Traffic Safety Fund. We conducted our audit of the city's TCRF allocations under the authority of Revenue and Taxation Code section 7104.

## Objective, Scope, and Methodology

Our audit objective was to determine whether the city accounted for and expended the Special Gas Tax Street Improvement Fund and the TCRF allocations recorded in the Traffic Safety Fund in compliance with Article XIX of the California Constitution and the Streets and Highways Code. To meet the audit objective, we determined whether the city:

- Properly deposited highway users tax apportionments and other appropriate revenues in the Special Gas Tax Street Improvement Fund;
- Properly deposited TCRF allocations into an account designated for the receipt of state funds allocated for transportation purposes;

- Expended funds exclusively for authorized street-related purposes; and
- Made available unexpended funds for future expenditures.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We did not audit the city's financial statements. We limited our audit scope to planning and performing the audit procedures necessary to obtain reasonable assurance that the city accounted for and expended the Special Gas Tax Street Improvement Fund and the TCRF allocations recorded in the Traffic Safety Fund in accordance with the requirements of the Streets and Highways Code and Revenue and Taxation Code section 7104. Accordingly, we examined transactions, on a test basis, to determine whether the city expended funds for street purposes. We considered the city's internal controls only to the extent necessary to plan the audit.

## **Conclusion**

Our audit found that the City of Indian Wells accounted for and expended its Special Gas Tax Street Improvement Fund in compliance with Article XIX of the California Constitution and the Streets and Highways Code for the period of July 1, 2007, through June 30, 2010.

Our audit also found that the city accounted for and expended its TCRF allocations recorded in the Traffic Safety Fund in compliance with Article XIX of the California Constitution, the Streets and Highways Code, and Revenue and Taxation Code section 7104 for the period of July 1, 2007, through June 30, 2010.

## **Follow-Up on Prior Audit Findings**

Our prior audit report, issued on May 30, 2008, disclosed no findings.

## **Views of Responsible Official**

We discussed the audit results with city representatives during an exit conference on August 16, 2012. Kevin McCarthy, Finance Director, agreed with the audit results. Mr. McCarthy further agreed that a draft audit report was not necessary and that the audit report could be issued as final.

**Restricted Use**

This report is intended for the information and use of the City of Indian Wells' management and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

*Original signed by*

JEFFREY V. BROWNFIELD, CPA  
Chief, Division of Audits

April 4, 2013

**Schedule 1—  
Reconciliation of Fund Balance  
July 1, 2010, through June 30, 2011**

	Special Gas Tax Street Improvement Fund	
	Highway Users Tax Allocation <sup>1</sup>	Traffic Congestion Relief Fund Allocation <sup>2</sup>
Beginning fund balance per city	\$ 5,532	\$ 46,184
Revenues	<u>133,617</u>	<u>—</u>
Total funds available	139,149	46,184
Expenditures	<u>(83,200)</u>	<u>(46,184)</u>
Ending fund balance per city	<u>55,949</u>	<u>—</u>
Ending fund balance per audit	<u>\$ 55,949</u>	<u>\$ —</u>

<sup>1</sup> The city receives apportionments from the State highway users tax account, pursuant to Streets and Highways Code sections 2103, 2105, 2106, 2107, and 2107.5. The basis of the apportionments varies, but the money may be used for any street purpose. Streets and Highways Code section 2107.5 restricts apportionments to administration and engineering expenditures, except for cities with populations of fewer than 10,000 inhabitants. Those cities may use the funds for rights-of-way and for the construction of street systems. The audit period was July 1, 2007, through June 30, 2011; however, this schedule includes only the period of July 1, 2010, through June 30, 2011.

<sup>2</sup> Government Code section 14556.5 created a Traffic Congestion Relief Fund (TCRF) in the State Treasury for allocating funds quarterly to cities and counties for street and road maintenance, reconstruction, and storm damage repair. The TCRF allocations were recorded in the Traffic Safety Fund. The audit period was July 1, 2007, through June 30, 2011.

**State Controller's Office  
Division of Audits  
Post Office Box 942850  
Sacramento, CA 94250-5874**

**<http://www.sco.ca.gov>**