

**AGENDA
REGULAR MEETING
CITY OF BANNING
BANNING, CALIFORNIA**

November 12, 2013
5:00 p.m.

Banning Civic Center
Council Chambers
99 E. Ramsey St.

Per City Council Resolution No. 2010-38 matters taken up by the Council before 9:00 p.m. may be concluded, but no new matters shall be taken up after 9:00 p.m. except upon a unanimous vote of the council members present and voting, but such extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

I. CALL TO ORDER

- . Invocation – Rev. Dave Horning, Banning United Methodist Church
- . Pledge of Allegiance
- . Roll Call - Councilmembers Miller, Peterson, Welch, Mayor Franklin

II. REPORT ON CLOSED SESSION

III. PUBLIC COMMENTS/CORRESPONSENCE/PRESENTATIONS

PUBLIC COMMENTS – *On Items Not on the Agenda*

A five-minute limitation shall apply to each member of the public who wishes to address the Mayor and Council on a matter not on the agenda. No member of the public shall be permitted to “share” his/her five minutes with any other member of the public. (Usually, any items received under this heading are referred to staff for future study, research, and appropriate Council Action.) See last page. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

CORRESPONDENCE: Items received under the category may be received and filed or referred to staff for future research or a future agenda.

PRESENTATIONS:

1. Banning Stagecoach Days Committee – Bill Lamb
-Presentation of Sponsorship Plaques

The City of Banning promotes and supports a high quality of life that ensures a safe and friendly environment, fosters new opportunities and provides responsive, fair treatment to all and is the pride of its citizens.

IV. CONSENT ITEMS

(The following items have been recommended for approval and will be acted upon simultaneously, unless a member of the City Council wishes to remove an item for separate consideration.)

Motion: That the City Council approve Consent Item 1 through 8

Items to be pulled _____, _____, _____, _____ for discussion.

(Resolutions require a recorded majority vote of the total membership of the City Council)

1.	Approval of Minutes – Special Meeting – 10/22/13 (Closed Session)	1
2.	Approval of Minutes – Regular Meeting – 10/22/13	2
3.	Approval of Minutes – Special Meeting – 10/22/13	26
4.	Report of Investments for September	36
5.	Approval of Accounts Payable and Payroll Warrants for Month of September 2013	42
6.	Resolution No. 2013-105, Amending the Contract Amount for the Sunset Grade Separation Phase 1 – Pole Realignment Contract to Henkels & McCoy, Inc. of Pomona, California, in the amount of \$16,838.42 for a total contract amount not to exceed \$247,018.42 including taxes.	45
7.	Resolution No. 2013-108, Authorizing the Appropriations Related to the Fiscal Year 2013 State Homeland Security Program Grant	60
8.	Approval of Settlement of Litigation Matter Entitled Stephen J. Mascaro, et al. v. Banning Heights Mutual Water Company, et al. (San Bernardino County Superior Court Case No. CIVDS 1104447)	66

- **Open for Public Comments**
- **Make Motion**

V. PUBLIC HEARING

(The Mayor will ask for the staff report from the appropriate staff member. The City Council will comment, if necessary on the item. The Mayor will open the public hearing for comments from the public. The Mayor will close the public hearing. The matter will then be discussed by members of the City Council prior to taking action on the item.)

1.	Ordinance No. 1472 – 2 nd Reading: Adoption of the Latest Editions of California Building, Residential, Green Building Standards, Plumbing, Mechanical and Electrical Codes	
	Staff Report	68
	Recommendation: That the City Council: I) open the public hearing and receive public comments; and II) Adopt Ordinance No. 1472.	

Mayor asks the City Clerk to read the title of Ordinance No. 1472:

"An Ordinance of the City Council of the City of Banning, California, Amending Chapter 15.08 of the Banning Municipal Code by Adopting By Reference the entirety of the Latest California Building Code, Residential Code, Green Building Standards Code, Plumbing Code, Mechanical Code, Electrical Code and International Property Maintenance Code, All As Relative to Construction Codes."

Motion: I move to waive further reading of Ordinance No. 1472.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1472 pass its second reading and be adopted.

2. Ordinance No. 1470 – Amending a Section of the Zoning Ordinance Pertaining to Walls and Fences in the Business Park Zoning District.

Staff Report 74

Recommendation: That the City Council adopt Ordinance No. 1470.

Mayor asks the City Clerk to read the title of Ordinance No. 1470:

"An Ordinance of the City Council of the City of Banning, California, Approving Zoning Ext amendment No. 13-97504 Amending a Section of the Zoning Ordinance Pertaining to Walls and Fences in the Business Park Zoning District.

Motion: I move to waive further reading of Ordinance No. 1470.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1470 pass its first reading.

3. Ordinance No. 1474, Interim Urgency Ordinance Establishing Interim Development Regulations Regarding the Permitting Process for Certain Businesses that Currently Require Approval of a Conditional Use Permit to Operate in the Commercial and Industrial Zones.

Staff Report 88

Recommendation: That the City Council adopt Ordinance No. 1474.

Mayor asks the City Clerk to read the title of Ordinance No. 1474:

"An Interim Urgency Ordinance of the City Council of the City of Banning, California, Adopting Interim Development Regulations Regarding the Permitting Process for Certain Businesses That Currently Require a Conditional Use Permit to Operate in the Commercial Zones.

Motion: I move to waive further reading of Ordinance No. 1474.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1474 be adopted.

VI. REPORTS OF OFFICERS

1. Resolution No. 2013-91, Approving the Award of a Professional Services Agreement to Aragon Geotechnical, Inc. for Robertson's Mine Reclamation Plan Review and Inspection Services 105

Recommendation: That the City Council adopt Resolution No. 2013-91, Awarding a Professional Services Agreement to Aragon Geotechnical, Inc. of Riverside, California, in an amount “Not to Exceed” \$32,040.00 for Robertson’s Mine Reclamation Plan Review and Inspection Services.

2. Resolution No. 2013-98, To Become a Healthy Eating, Active Living (H.E.A.L.) City. **145**
Staff Report
- Recommendation: That the City Council adopt Resolution No. 2013-98. To Become A Healthy Eating, Active Living City.**
3. Resolution No. 2013-93, Updating the City of Banning’s Internal Renewable Portfolio Standard Enforcement Program and Renewable Energy Resources Procurement Plan. **149**
Staff Report
- Recommendation: That the City Council adopt Resolution No. 2013-93, Updating the City’s Internal Renewable Portfolio Standards Enforcement Program and Renewable Energy Resources Procurement Plan in response to the California Energy Commission’s recently adopted Enforcement Procedures for the Renewable Portfolio Standard for Local Publicly Owned Electric Utilities, to include and adopt the City’s Cost Limitations Policy and to allow for the optional compliance measure of Portfolio Balance Requirement Reduction.**
4. Resolution No. 2013-103, Update of City Council Manual of Meeting Procedures to Comport With Recent Case Law Pertaining to Restrictions on Public Comment at Legislative Body Meetings. **159**
Staff Report
- Recommendation: That the City Council adopt Resolution No. 2013-103, updating the City’s “Manual of Meeting Procedures” regarding regulations of public speech at legislative body meetings, such update conforming with recent changes in the law.**
5. Resolution No. 2013-104, 2013/14 Avoid the 30 Enforcement Program Grant. **200**
Staff Report
- Recommendations: That the City Council adopt Resolution No. 2013-104, Authorizing the City of Banning to Sign An MOU (Memorandum of Understanding) with the City of Riverside, Thus Allowing the Banning Police Department to Participate in the 2013/14 Avoid the 30 Enforcement Program.**

6. Ordinance No. 1468, Adoption of the Latest Edition of California Fire Code	203
Staff Report	

Recommendations: That the City Council introduce the first reading of Ordinance No. 1468 and schedule the second reading of the Ordinance for the February 11, 2014 City Council Meeting. This will allow the 90 days for the public comment period and then final reading and adoption.

Mayor asks the City Clerk to read the title of Ordinance No. 1468:

"An Ordinance of the City Council of the City of Banning, California, Repealing chapter 8.16 of the Banning Municipal code and Adopting The 2013 California Fire code as it is Amended in this Ordinance For: 1) Regulating and Governing the Safeguard of Life and Property From Fire and Explosion Hazards (Arising From the Storage, Handling and Use of Hazardous Substances, Materials and Devices) and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Banning, and 2) Providing for the Issuance of Permits and the Collection of Fees Therefor."

Motion: I move to waive further reading of Ordinance No. 1468.

(Requires a majority vote of Council)

Motion: I move that Ordinance No. 1468 pass its first reading.

VII. ANNOUNCEMENTS/REPORTS (Upcoming Events/Other Items if any)

- City Council
- City Committee Reports
- Report by City Attorney
- Report by City Manager

VIII. ITEMS FOR FUTURE AGENDAS

New Items – None

Pending Items

1. Schedule Meetings with Our State and County Elected Officials
2. Report on Moving Station 20 back to original firehouse. (*wait for new Battalion Chief*)
3. Discussion on how to handle loans or distributions to charities.
4. Discussion on how the City Council handles donations to the City.

IX. ADJOURNMENT

Pursuant to amended Government Code Section 54957.5(b) staff reports and other public records related to open session agenda items are available at City Hall, 99 E. Ramsey St., at the office of the City Clerk during regular business hours, Monday through Thursday, 7 a.m. to 5 p.m.

NOTICE: Any member of the public may address this meeting of the Mayor and Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda, but is of interest to the general public and is an item upon which the Mayor and Council may act. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and Council on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (951) 922-3102. **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II].

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

10/22/13
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Franklin on September 16, 2013 at 4:00 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Miller
Councilmember Peterson
Councilmember Welch
Mayor Franklin

COUNCIL MEMBERS ABSENT: Councilmember Botts

OTHERS PRESENT: Andrew J. Takata, City Manager
David J. Aleshire, City Attorney
June Overholt, Administrative Services Director
Colin Tanner, Deputy City Attorney
Marie A. Calderon, City Clerk

CLOSED SESSION

City Attorney said the items on the closed session agenda are three cases of potential litigation pursuant to the provisions of Government Code Section 54956.9; existing litigation pursuant to the provisions of paragraph (d) (1) of Section 54956.9 regarding Mascaro, et al. v. Banning Heights Mutual Water Company, et al.; real property negotiations pursuant to the provisions of Government Code Section 54956.8 regarding the Flume located in the Banning Water Canyon and Banning Airport & Adjacent Properties; and conference with labor negotiators pursuant to Government Code Section 54957.6 and the negotiations are with Banning Police Officers Association (BPOA).

Mayor Franklin opened the item for public comments. There were none.

Meeting went into closed session at 4:01 p.m. and reconvened at 5:08 p.m.

ADJOURNMENT

By common consent the meeting adjourned at 5:08 p.m.

Marie A. Calderon, City Clerk

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

10/22/2013
REGULAR MEETING

A regular meeting of the Banning City Council and a joint meeting of the Banning City Council and the Banning Utility Authority was called to order by Mayor Franklin on October 22, 2013 at 5:14 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Miller
Councilmember Miller
Councilmember Peterson
Councilmember Welch
Mayor Franklin

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Andrew J. Takata, City Manager
June Overholt, Administrative Services Dir./Deputy City Manager
David J. Aleshire, City Attorney
Duane Burk, Public Works Director
Bill Manis, Economic Development Director
Zai Abu Bakar, Community Development Director
Fred Mason, Electric Utility Director
Heidi Meraz, Community Services Director
Phil Holder, Police Lieutenant
John McQuown, City Treasurer
Marie A. Calderon, City Clerk

The invocation was given by District Elder Preston Norman Jr., Praise Tabernacle Community Church. Councilmember Welch led the audience in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

City Attorney reported that the Council met in closed session and discussed three matters of potential litigation and there was no reportable action taken. The item on Mascaro, et al. v. Banning Heights Mutual Water Company, et al. was not discussed nor the real property negotiations regarding the Banning Water Canyon. There was a status report given on real property negotiations involving the Banning Airport and adjacent properties and there was no reportable action taken. A status report was given on labor negotiators with the Banning Police Officers Association (BPOA) and no reportable action was taken.

PUBLIC COMMENTS/CORRESPONSE

PUBLIC COMMENTS – On Items Not on the Agenda

Inge Schuler resident of Banning addressed the Council commanding Mayor Franklin for getting started the Citizen Advisory Committee. She believes Councilmember Welch is involved with that also and she is impressed with the moving forward on this item that has been a concern to many citizens and anyone who hears this tonight or hears it on television contact Mayor Franklin or Councilmember Welch. There are some very good people running surveys, checking what is needed and setting up a plan for citizens from all areas of the city including the business community to get involved. This is a very positive development and thanks to all who were involved.

Joe Warren addressed the Council regarding the Banning Train Festival that was held this last Sunday. He stated that it turned out to be a real good event and a well-behaved crowd. He thinks that they put on a very good show and he believes that it may be consider doing it again.

Jack White resident of Banning addressed the Council asking why a City Councilmember is messing with a police officer. Is it because he is honest and just doing his job; his duty. If any of the Council would like to ask him any questions, please feel free.

Mayor Franklin said that because of the Brown Act the Council cannot engage in dialogue on anything during this time.

Susan Savolainen, 1610 W. Barbour addressed the Council brining to their attention an Opinion in Sunday's Press Enterprise regarding "Don't Let Developers Starve City of Parks". She said basically it is about what the City of Wildomar is encountering as far as parks and development impact fees and making sure that those fees are sufficient to cover the parks that need to be built when the city expands. She has an idea about parks and she is not sure that now is the right time to present it but maybe at a future Council meeting.

Jim Smith, 6034 Turnberry Dr. addressed the Council stating that he was here as a citizen and also as a father and his son Brandon is on the Banning Police Department. He said he had some questions based on some concerns that other people have and some comments and then would like to ask some rhetorical questions that may be answered at future Council meetings. A week ago at the Good Morning Beaumont Meeting and last night at Sun Lakes, Supervisor Ashley talked about public safety and also talked about the fact that the County was going to be at least at one officer per 1000 by the end of the year; the benchmark is 1.2 officers. He thinks that we currently have about 26 officers and we have 30,000 citizens which would make us well below the benchmark. The other thing he mentioned was the fact that the County has been giving the City about \$450,000 dollars a year for additional police officers and he doesn't know how we can call them additional police officers when we are not at the benchmark at this point in time. He believes that the community and the police department should know what the short, medium and long range goals of our police department are and he is hoping that at a future meeting two weeks, four weeks we would put a report on the agenda so that this community will know where the Council is going to take our people department in the future.

Shirley Armeda, 1425 Archer Ave. addressed the Council stating that she has been here for about 17 years and she is a retired congressional aid for Congressman Royce of Orange County, her son is an LA Sheriff and she has worked very closely with Chief Purvis for years with the Alzheimer and Dementia Club in Sun Lakes developing a security program specifically for assisting people who get lost and wander. She is very upset that we have lost our Chief and what can we do to get him back. She is particularly upset with Councilman Peterson and she thinks he is very wrong in asking our Chief to do something illegal in looking up a license plate number or something when you can go somewhere else and have it done and if any action should be taken, she thinks that he needs to be recalled.

Frank Burgess, 2021 W. Wilson Street addressed the Council stating that the scuttlebutt that he has been hearing is that we are negotiating or talking about negotiating with the Sheriff's Department. It disturbs him very much and if each one of you would say, yes or no at this point he would appreciate hearing what is going on. He said he has no intentions to sit back and allow this City to do what we did with our fire department some 12 years ago to give all of our equipment away and now rates are quite high of hiring police services from the Sheriff's Department. He wanted to know if there was a study going on and does the Council intend to negotiate about the Sheriff's Department taking over our police department. He stated that he spent 12 years on the City Council and sat there like Mr. Peterson with 4/1 or 3/2 votes and he commended Mr. Peterson for him asking questions and keeping us all aware of what is going on in this city and as far as any recall, he will oppose any recall they attempt on Mr. Peterson.

Mayor Franklin said that the Council will take it under advisement and cannot respond at this time.

Jim Price, President of Banning Pass Little League addressed the Council stating that he has 600 grandchildren that play ball and he could have 900 grandchildren that play down at Lions Park and that is baseball, softball and probably soccer as well. They have a huge amount of land just to the west of Lions Park and he is sure that everyone on this Council knows exactly what he is talking about. If in any way we need to act as soon as possible to get that developed for Banning because we are losing children from Banning to Beaumont because we don't have good facilities for them to play on and that is a tragedy. These are future leaders that we are talking about here; not four and five year old kids. We are talking about kids that have grown up in this community and will live in this community all of their lives and will certainly have input. Please consider doing something down at Lions Park. There are a lot of people a side from him that put a lot of effort into this that would appreciate it very much.

Rick Pippenger, resident of Banning addressed the Council and read from a prepared letter as follows: "Several months ago I requested that the City contact me regarding how to do a Neighborhood Plan as outlined in the City's General Plan. Chapter 3 of the General Plan says through the development of this General Plan the variety, the diversity of neighborhoods in the city has been clearly identified. These areas are bound together by tangible and intangible similarities including age of housing, lifestyles and a geographic isolation. The City wishes to support and enhance these neighborhoods and preserve the quality of life that represents the residents. In order to preserve and enhance their character, policy programs have been developed

for the preparation of city plans which will establish design standards and guidelines for each of these neighborhoods. In developing the General Plan several of the citywide standards discussed including the need for sidewalks, trails, the preservation of street trees, and the character of local streetscapes have been discussed. In these discussions developed it has become clear that each of these neighborhoods should have the opportunity to develop a community driven neighborhood plan which sets design parameters. In response to my request several months ago I have heard nothing from the City Manager, from the Community Development Director, or anyone else in the City except Mayor Franklin who tried to set up a meeting with the City's police department and we appreciated her effort and we need her support with the Planning Department. At the last Council Meeting, the Attorney said that the City does not have enough staff to do a Neighborhood Plan for the whole city. The General Plan does not say to do the whole city but to do a neighborhood and that is what we asked for. There are plans that the City is considering that would change the characteristics of our neighborhoods. We are also told that the City Attorney staff, who understand the citizens desires, to tell developers when they think a plan is not acceptable to the community, tell them and don't string them along. Our staff does not understand the desire of our citizens. Our staff needs to have time to meet with a developer but not with our citizens; that doesn't sound right and it was not even a completed plan that you were meeting with them on. So the citizens of south Banning would like to meet with City staff and get a Neighborhood Plan down there so that when some developer comes in and he submits something you can say, yes, that is what the citizens of this area want or you can say no."

Shawn Melvin addressed the Council saying what a wonderful job Banning Police Department is doing. Talk about an amazing force – Sgt. Diaz, Corporal Feola, and Lt. Holder were three major parts of putting the Neighborhood Watch together up on Lombardy. He knows it is little staff but what they are doing here is amazing in regards to patrolling and getting rid of 49 W. Repplier is his dream come true pretty much. Fine force and everybody is working their butt off and every now and then they need an "Atta boy" but they are magnificent people and those three men that he mentioned are his role models. Anybody that would come out and protect my family and do what they do for Banning need to be commended.

Barbara Hanna, Chair of the Banning Centennial Committee addressed the Council inviting the residents and business owners of Banning to the Centennial Gala to be held on Saturday, Nov. 2nd at the Morongo Casino Hotel and Spa Grand Ballroom. Check-in starts at 5 p.m. and dinner will start promptly at 6 p.m. Right after the welcome by the Mayor and by the Morongo Tribal Council they are going to have a performance artist, Gregory Adamson, who will be using a combination of painting, music and movement will create a large scale bold and expressive painting in less than 15 minutes. That art work will be auctioned off right after it is done along with some other unusual items and will be done by professional auctioneer John Kunkle, currently seen on the television series Container Wars. All of the funds from this event, as well as, the Centennial events will go to the creation of the Banning Community Fund an endowment when funded will help local non-profits in perpetuity. Then they will have a one-hour drama called "Arrivals" and it is a musical production depicting the history of Banning with many groups from Banning involved. The tickets are \$35.00 and you can buy them on-line at www.banning100birthday.com or from the Cultural Alliance at the Banning Women's Club.

Fred Sakurai resident of Banning addressed the Council stating that he is not complaining per say but asking some questions. You are going into negotiations with the police union with regard to an increase in wages for their efforts and he pointed out that there are about five cities in the state of California that have filed for bankruptcy mainly because of the excessive cost of protection and the two that have completed their bankruptcy filing are Stockton and San Bernardino and they were able to renegotiate their police contract so that they could allow some money in their budget for other things like schools, etc. Another question he would like to have answered when they negotiate is how many of our officers live here in Banning, how many of them shop at our markets, go to our schools, go to our restaurants and spend of their salary right here in the city of Banning. It would be nice if the money we the citizens pay out for their work comes back into the city coffers by way of taxes and profits for the companies that are doing business here in the city. We are not flush with money and there are monies that come in from the County and that is nice but again, we are not flush with money. It is a salary negotiation and it is with a union. He pointed out that during the campaign last year Councilmember Peterson said he used to be with a police department and he doesn't know what his reasons for departure from the department were but police departments have a very lucrative pension fund which starts out at 2% and sometimes 3% and they can start collecting that pension any time as soon as they leave the department. They don't have to reach age 65 or age 67 so there is a good chance that, and he doesn't know this for a fact, that Councilmember Peterson is currently drawing a police pension and wouldn't that cause reason for him to recuse himself from any negotiations or any vote for any salary negotiations with the union. Then that brings to fact how many Council Members are necessary to constitute a quorum or do you have to wait until a final member is selected for the Banning City Council to conduct these negotiations. So these are questions he would like to ask and hope that the City Council will consider them when they go into negotiations with the police union.

Steve Hobb, Banning Police Department addressed the Council stating that he was a Board Member for the Police Officers Association and would like to announce that this Saturday, October 26th the POA is hosting a "Clean-Up the City Day". They will start at 8 a.m. and finish at 2 p.m. and anyone is invited to come out and help and the City will provide access to the dump and materials and equipment to facilitate this effort. They will meet at the north parking lot of the police department.

CORRESPONDENCE: There was none.

CONSENT ITEMS

1. Approval of Minutes – Special Meeting – 10/08/13 (*Closed Session*)

Recommendation: That the minutes of the Special Meeting of October 8, 2013 be approved.

2. Approval of Minutes – Regular Meeting – 10/08/13

Recommendation: That the minutes of the Regular Meeting of October 8, 2013 be approved.

3. Approval of Minutes – Special Meeting – 10/15/13

Recommendation: That the minutes of the Special Meeting of October 15, 2013 be approved.

4. Resolution No. 2013-92, Adopting the American Public Power Association's Safety Manual (15th Edition) as the Official Safety Manual to be use by the City of Banning's Electric Utility.

Recommendation: That the City Council adopt Resolution No 2013-92.

5. Resolution No. 2013-99, Approving the Banning Electric Utility Power Content Label.

Recommendation: That the City Council adopt Resolution No. 2013-99.

6. Resolution No. 2013-101, Authorizing the Purchase of One (1) 2013 Glaval Universal CNG Powered Dial-A-Ride Bus from A-Z Bus Sales Utilizing the California Association for Coordinated Transportation (CALACT) Competitive Bid Award for a Total of \$112,487.

Recommendation: That the City Council adopt Resolution No. 2013-101, Authorizing the Purchase of one (1) 2013 Glaval Universal CNG Powered Dial-A-Ride bus from A-Z Bus Sales utilizing the California Association for Coordinated Transportation (CALACT) competitive bid award for a total of \$112,487. This purchase will be made through the State of California Contract 1-11-23-20.

7. Report of Investments for July 2013

Recommendation: That the City Council receive and file the monthly Report of Investments.

8. Report of Investments for August 2013

Recommendation: That the City Council receive and file the monthly Report of Investments.

Motion Welch/Miller to approve Consent Items 1 through 8. Mayor Franklin opened the item for public comments. There were none. **Motion carried, all in favor.**

PUBLIC HEARING

1. Ordinance No. 1472, Adoption of the Latest Editions of California Building, Residential, Green Building Standards, Plumbing, Mechanical and Electrical Codes
(Staff Report – Ron Espalin, Chief Building Official)

City Manager introduced Ron Espalin the City's Building Official who will be giving the staff report.

Mr. Espalin gave the staff report as contained in the agenda packet. He said if the City decides not to adopt them, we would adopt them by default. So we do have to enforce the current codes that were adopted by the State. He said the purpose of introducing the ordinance is that it gives the local jurisdiction the opportunity to make exceptions to the code. In this particular case we are not making exceptions to the published codes. If a City does make an exception to the code, it has to be equal or greater than the published code and it further restricts our ability to make restrictions to the code. The City has to have unique geographic conditions, unique climatic conditions and unique topographic conditions. Staff is recommending adoption of the codes based on the published criteria and we still have the opportunity during the three-year cycle or at any time if there is a special condition that you want to make an exception to the code, the City Council have that opportunity.

Mayor Franklin opened the item for questions from the Council. There were none. Mayor Franklin opened the public hearing on this item and seeing no one come forward, she closed the public hearing.

Mayor Franklin asked the City Clerk to read the title of Ordinance No. 1472. City Clerk read: An Ordinance of the City Council of the City of Banning, California, Amending Chapter 15.08 of the Banning Municipal Code by Adopting By Reference the Entirety of the Latest California Building Code, Residential Code, Green Building Standards Code, Plumbing Code, Mechanical Code, Electrical Code and International Property Maintenance Code, All As Relative to Construction Codes.

Motion Welch/Miller to waive further reading of Ordinance No. 1472. Motion carried, all in favor.

Motion Welch/Miller that Ordinance No. 1472 pass its first reading. Motion carried, all in favor.

REPORTS OF OFFICERS

1. Ordinance No. 1473, Repealing and Replacing Section 2.04.040 of the Banning Municipal Code Relating to City Council Vacancies.

City Manager reported on this item stating that the Council had a special meeting last week and this is the ordinance that would rescind our current election code in our Municipal Code and refer to it as the Government Code. This would allow the City Council 60 days to appoint a new Council Member. He said that applications will be available at city hall and on-line beginning Oct. 23rd and will be due back to the City Clerk on November 7, 2013 by 5 p.m. They are hoping to have interviews the second week of November.

Mayor Franklin opened the item for questions from the Council. There were none.

Mayor Franklin opened the item for public comments and seeing no one come forward she closed the item for public comments.

Mayor Franklin asked the City Clerk to read the title of Ordinance No. 1473. City Clerk read: An Ordinance of the City Council of the City of Banning, California, Repealing and Replacing Section 2.04.040 of the Banning Municipal Code Relating to City Council Vacancies in Order to Conform With California Government Code section 36512.

Motion Peterson/Welch to waive further reading of Ordinance No. 1473. Motion carried, all in favor.

Motion Peterson/Welch that Ordinance No. 1473 take effect immediately. Motion carried, all in favor.

2. Update from TMD (Transport Management & Design, Inc.) Regarding Transit.
(Staff Report – Heidi Meraz, Community Services Director)

Director Meraz gave the staff report as contained in the agenda packet. She introduced China Dungfelder with TMD who will be presenting the overview of the initial findings and the progress on the project.

Ms. Dungfelder addressed the Council stating that they started this project back in May and they have done a lot of things to date and what she will be presenting is kind of how they look at transit and there are two key factors and those are the market conditions, as well as, the service performance and evaluate service. She started her power-point presentation on this item (Exhibit "A") and stated that the City has not done a COA (Comprehensive Operational Analysis) in over ten years. She said that in regards to next steps they will wrap up their findings with the market and develop recommendation and plan to be brought back to the Council early next year with the final proposed recommendations.

Mayor Franklin opened the item for Council questions. There were none.

Mayor Franklin opened the item for public comments and seeing no one come forward she closed the item for public comments.

Mayor Franklin said that this is just a status report so the Council does not need to take any action on this item.

3. Resolution No. 2013-91, Approving the Award of a Professional Services Agreement to Aragon Geotechnical, Inc. for Robertson's Mine Reclamation Plan Review and Inspection Services.

This item was pulled from the agenda.

4. Resolution No. 2013-97, Awarding the Construction Contract for Project No. 2013-03, Construction of Parking Lot Improvements at Lions Park and Repllier Park and Rejecting all Other Bids.
(Staff Report – Duane Burk, Public Works Director)

Director Burk addressed the Council stating that at the last Council meeting this project was before the Council and the Council continued it until he met with the Parks and Recreation Commission regarding the project status as it relates to parking lots for Lions and Repplier parks. After the meeting with the Parks and Recreation Commission it appears that there is a different desire and need as it relates to building parking lots versus some other needs such as soccer fields or other events.

Director Burk at this time displayed a slide showing how Community Development Block Grant (CDBG) works. It is a grant request from the City to the County and is funded through HUD (Housing and Urban Development) and from 2007 the City application was for the Repplier Park Bowl Rehabilitation and with that money they funded an architect, Williams and Associates, some years ago to design a master plan for the Repplier Park Bowl. It is a very extensive amount of work and the estimated cost for the project is around \$3 to \$4 million dollars. As a result of having those plans and specifications completed the City applied for Proposition 84 money through the State twice to build that project because that was the desire at the time but unfortunately the City did not receive any money from Prop 84. He went over the slide (see Exhibit "B") showing the applicants from 2007 to 2013 and the money that was awarded. He explained why in 2013 there was a consideration to resubmit the Repplier Park Bowl's original application to Lions Park Improvements and explained how you are allowed to bank a certain amount of money for a certain amount of time. He said that basically this is not a lot of money to build Repplier Park Bowl and the application has a litany of requests in regards to the Bowl and staff picked out the idea of building the parking lot for access, repave the current parking lot, fix the parking as it relates to access to the community center and submitted that because there are plans and specifications ready to go. He said the City subsequently received an access/ADA complaint at Lions Park and what staff was trying to do because they changed the application to Lions Park, the thought was to build another parking park. When he brought that forward to the Council at the last Council meeting it was directed to keep it open until it went back to the Parks and Recreation Commission and at that time he did not have that ADA complaint. For the record staff received the complaint for access on May 28, 2013 to the City Clerk's office for Lions Park and it has to do with getting to and around the field and parking and signage, etc. Staff thought it fit well to update the Lions Park parking situation so it was presented as a dual project. Since they received this claim they have done an assessment through PERMA, our insurance agent, for all of the City's facilities and it has not been presented to the Council yet but normally on claims they are not shared with the Council because they go through the insurance handler and then they mitigate or settle the claim and we are working through that process now. At this time Director Burk displayed a letter (Exhibit "C") that he didn't have as a part of his presentation last time that says if you didn't use the money you would potentially lose it and technically when you are filling the application out, all applicants are saying they are going to follow the guidelines of the grantor and the grantor is the federal government. For the record Ms. Sterlon Sims is the Project Manager and what her letter states ultimately at the end is, "At this time the City has two options: 1) cancel the Repplier Park Bowl project and repay \$439,433.04 to the County; or 2) proceed with the phased improvements at Repplier Park so that the City can with the Nation Objective requirement and the project can be closed-out". What she means by that is that we received previous funding for the master plan design of the Repplier Park Bowl. We took our applications per that master plan and asked for more funding for that project and one of the items identified is parking. There is also grading, a concession stand, snack bar and all of those things

are part of the master plan of that facility so if you don't use it, you potentially could lose money for the project. So that is where that statement came from.

Director Burk said after the presentation to the Parks and Recreation Commission what he has is kind of a modified version of the resolution and what he is suggesting, after that long discussion and in speaking with the EDA today, is that we would just improve the parking situation and the parking lot at Repplier Park per the master plan and not do the Lions Park parking lot but hold that money and then come back with future applications and maybe look at the soccer field or other desires from the Parks Commission and/or the Council and other applications. He said that the Parks and Recreation Commission voted 4/1 reluctantly for the parking lots based on that letter but it was a long discussion but what he is recommending would be just to do Repplier Park and then then hold the rest of that money for a future discussion.

Mayor Franklin opened the item for questions from the Council.

There were Council questions and staff response in regards to evidence that we must spend the money, using the money or obligating the money by the end of the year, are other plans ready to do specific projects at Repplier Park Bowl, why do the parking lot out of all the possibilities, how much money would be available for Lions Park in the new plan, don't see anything specifically for a parking lot and what specifically made it a parking lot when there are benches that need repair and many other things that could have been fixed beside the benches, letters from the EDA, paying back the money or shelving the project, review of you City's 2013/14 CDBG proposal, ADA complaints and mitigation measures, looking at different parts of the project, the risk of having funds pulled or losing funds, effects on future funding

The following people spoke in favor or against or had some questions or concerns or general comments in regards to this item (*any written comments handed to the City Clerk will be attached as an exhibit to the minutes*):

Bill Dickson, Parks and Recreation Commission Member

Gary Hironimus, resident

Don Smith, resident

Shawn Melvin, resident

Mayor Franklin seeing no one coming forward closed the item for public comments.

There were further Council comments on this item in regards to making a decision at the last minute, spending the money now or losing it, what should we have done with this money, that in the future it comes to the Council in a timely manner for discussion and approval, the need to work together cooperatively as governmental bodies to make use of the facilities that we do have, the need to make the improvements at Repplier Park, crippling our ability to receive funds in the future if we do default on our current projects, move ahead and use the money and make the improvements and then start gathering money for further improvements, no evidence that our money is going to be taken away, not convinced this is the right project, funds could be better spent, concern with losing money, maximize what we have with joint use agreements with the school district and stand behind our Parks and Recreation Commission.

Mayor Franklin said she thinks the amended recommendation was that we are just looking at Repplier Park and that we are talking about only up to the monies that are already there and no borrowing on future funds which was approximately \$447,000. City Manager and Director Burk said that was correct.

Director Burk stated that the amended motion would be: I) adopt Resolution No. 2013-97, Rejecting Bid Schedule 1 for Lions Park, and adopt Bid Schedule 2 for Repplier Park in the amount of \$406,989.00 with a 10% contingency of \$40,699.00 for a total amount of \$447,688.00; II) Approving Professional Services Agreement with HP Engineering of Redlands, CA, for Engineering Staking Services for an amount "Not to Exceed" \$7,500.00 for Repplier Park; III) Authorizing the Administrative Services Director to make the necessary budget adjustments and appropriations for this project; and IV) The City Manager is authorized to execute the contract agreement with Avi-Con Inc., dba CA Construction of Riverside, CA, and the Professional Services Agreement with HP Engineering of Redlands, CA for Project No. 2013-03, Construction of Parking Lot Improvements at Repplier Park (5.BN26-12). This authorization will be rescinded if the contract agreements are not executed within forty-five (45) days of the date of this resolution.

Motion Councilmember Welch to move the motion as read by Director Burk.

Councilmember Miller asked why do we need the 10% contingency and why not just limit it to the amounts since we are not overly excited about this contract.

Director Burk said the contingency is based on all the things that are underground as it relates to moving forward with the project. It is at Council's discretion if you do not want the 10% contingency. Councilmember Miller said that he would second the motion with an amendment to remove the 10% contingency.

Director Burk clarified that the project not exceed \$406,989.00 less the 10% contingency. Councilmember Welch said this would be his amended motion seconded by Councilmember Miller.

Motion carried, with Councilmember Peterson voting no.

Mayor Franklin recessed the regular City Council Meeting and called to order a joint meeting of the Banning City Council and the Banning Utility Authority.

REPORTS OF OFFICERS

1. Resolution No. 2013-19 UA, Approving the First Amendment to the Professional Services Agreement for the Whitewater Flume Restoration Project with Roy McDonald, Environmental and Regulatory Consultant.
(Staff Report – Duane Burk, Public Works Director)

Director Burk stated that this is an amendment to a current contract with Roy McDonald, Environmental and Regulatory Consultant for the flume project. The flume is the 95% of the water for Banning Heights Mutual Water Company and the City of Banning's watershed in the Banning Water Canyon. Primarily for the last three years the City is the lead applicant for the flume restoration or surrender application for Southern California Edison and it actually dates back to 1998 but the application was just picked up as recent as 2010. There have been a lot of positive moving parts as it relates to the participating entities and those are Southern California Edison Company under the Surrender Application of FERC 344 which is their hydroelectric application, the Banning Heights Mutual Water Company, the San Gorgonio Pass Water Agency and the City of Banning. At this time Director Burk gave background information on Roy McDonald and his experience and wealth of knowledge in regards to this process. Director Burk also gave background information on the flume restoration project and the challenges involved. He said that if this water went away, you would not be able to replace it.

Mayor Franklin opened the item for questions from the City Council.

Councilmember Welch asked Director Burk to go over what is going to happen with our water supply.

Director Burk went over the pending negative impacts on the city's water supply and one is the Beaumont Basin adjudication and in 2014 the redetermination of the safe yield and the limited amount of water that you will be able to take out or how you will manage that resource in the future. The good news is that you will have the ability to spread water in a joint use facility with Beaumont Cherry Valley Water District currently you are buying water from the San Gorgonio Pass Water Agency to replenish that water. Percentage wise we receive 40% to 50% of the water from the Banning Canyon now and at one time it was up to 80%. If that water went away he doesn't know if you would be able to measure that but he would say at least a negative 20% of water supply coming down that feeds your watershed and how you would replace that 2000 acre feet of water would be a true struggle. In the City's Urban Water Management Plan you identify recycled water, drilling new wells in the Cabazon Basin and those things would have to be implemented and moved forward as development moves up with the city and/or the adjudication moves forward.

Councilmember Peterson asked if we had to remove the flume or not. Director Burk said we do not have to; Edison does.

Mayor Franklin said in regards to additional funds this is not for one person and what would this money be used for? Director Burk said that Mr. McDonald uses multiple different consultants in the environmental process he explained the additional studies that need to be done.

The following people spoke in favor or against or had some questions or concerns or general comments in regards to this item (*any written comments handed to the City Clerk will be attached as an exhibit to the minutes*):

Susan Savolainen, resident said that the LADWP fought the environmental folks and lost when it came to putting water back into Mono Lake. She is wondering how similar our situation is to the LADWP's situation and she is sure they had water rights from way back and lost or had to give

up a lot of their water for that and if that is the case, maybe we should have some kind of contingency plan ready.

Fred Sakurai resident said personally we are very fortunate that we have Mr. Burk to look out for our interests. He is well aware of all aspects of the water situation and knows the history and thinks we owe a great debt of attitude and continuation of the livelihood of the city to Mr. Duane Burk.

Mayor Franklin seeing no one coming forward closed the item for public comments.

There was further Council and staff discussion regarding working with the various entities cooperatively and alternate sources of getting water.

Motion Welch/Miller that the Banning Utility Authority adopt Resolution No. 2013-19 UA, to Approve the First Amendment to the Professional Services Agreement with Roy McDonald, Environmental and Regulatory Consultant in an amount of \$88,435.00 for additional professional services related to the Whitewater Flume Restoration Project for a total contract amount "Not to Exceed" \$168,035.00 as per attached Exhibit "J". Motion carried, all in favor.

Mayor Franklin adjourned the joint meeting of the Banning City Council and the Banning Utility Authority and reconvened the regular City Council meeting.

ANNOUNCEMENTS/REPORTS *(Upcoming Events/Other Items if any)*

City Council

Councilmember Miller—

- He stated that he would like to go back to the Council's discussion of the parks. He said the original proposal that was sent to the Council two weeks ago was to have parking lots in Repllier and in Lions Park and that is where all the money was going to be spent. He had a meeting this morning with Duane Burk, City Manager with the City Attorney coming in at the end and after that meeting he said very specifically that he was not going to vote for this because there was just too much parking area and he would absolutely not vote for it. That was at 1:00 this afternoon. At 5:00 p.m. today when the meeting started Mr. Burk came in with a new proposal where Lions Park would be spared from having its parking lot and presumably eventually we will have playing fields there. That change was done in four hours. As he said before, if things could be brought to the Council in advance so that the Council can discuss them, then we can end up with things that are much more desirable for the community, four hours certainly is not enough time to do that. He feels angry that he had to vote that way. If he went along with Mr. Peterson and voted against it, he would be angry that he voted that way also. There was no good solution because it was presented to the Council at such a late date. He said that he will not do this again. He will not be put on a timeline where if we don't vote for something, we are going to lose money. That is unacceptable and unacceptable to him.

Councilmember Welch—

- He thanked the Centennial Committee for the Train Festival that was held this past weekend. The train exhibits were absolutely outstanding. There was a very large contingency of Banning people that came out and took advantage of that event. He encouraged everyone to think about attending the Centennial Gala on Saturday, Nov. 2nd. He is very excited to be able to come out and help the police this next Saturday with the cleanup that is being planning. That is an excellent idea and a first step forward to start seeing some things in Banning that we would all enjoy seeing. Instead of talking about it, let's all come out and do something about it.

Mayor Franklin –

- She commended the Centennial Committee on the Train Festival that was held this past weekend. There was also a book signing by Bill Bell in regards to his book on Banning at the library and it was outstanding. Not only did they show and sell the book on Banning but you had a chance to hear some of the history and what he went through in trying to obtain all the information for the book and you can still purchase the book through the Record Gazette.
- She complemented the Little Broncos football team who had multiple games all day long on Saturday and it was also their homecoming.
- In regards to water she said that she had mentioned before that there is a San Gorgonio Pass Regional Water Taskforce and at their last meeting all the entities at the table of which there are 13, agreed to move forward with a Memorandum of Understanding and that they willing to work together to try to put forth not only short-term but long-term plans for water management for the Pass Area. This will come back to the Council because it is something that they actually have to take action on but every entity was asked to take it back to their Boards to review and hopefully approve the Memorandum of Understanding and also to contribute \$1,500 dollars per agency so that there is working capital to do some of the things that they want to do which would be mainly to apply through a partnership for possibly state or federal funding to be able to actually do some kind of water management plan and hopefully that will help not only Banning but every water agency in the Pass Area to be able to have adequate water for the needs of their districts.

City Committee Reports - None

Report by City Attorney – None at this time.

Report by City Manager

- Applications for the Council vacancy can be picked up as early as tomorrow or on-line and they are due back to the City by 5:00 p.m. on Thursday, Nov. 7th to the City Clerk.

Mayor Franklin encouraged everyone to vote. There are two positions on the Banning School Board and we have talked about joint use agreements so it is very important that people vote.

City Manager Takata said that he understands the frustration of the Council in regard to the timing in regards to the parks. Two weeks ago the Council did look at it and sent it back to the Parks and Recreation Commission. If you have that kind of frustration and you know what you want, if you could explain to staff at the meeting or later on so that they understand what you are really looking for because that is one of the things that staff has to find out that way also.

Mayor Franklin announced that there will be a Water Taskforce Technical meeting at 4:00 p.m. on Wednesday, October 23rd and they will be talking about what the actual projects would be possibly and then there will be another meeting on the same day at 5:30 p.m. and it is the Water Taskforce Administrative Sub-Committee and they will talk about how they will go about working together as a partnership to set best practices and by-laws.

City Manager said that there will be a Housing Element Workshop following the City Council meeting this evening.

ITEMS FOR FUTURE AGENDAS

New Items – None

Pending Items

1. Schedule Meetings with Our State and County Elected Officials (*Sept./Oct.*)
2. Let's Move – Healthy Initiative (*Nov. 12*)
3. Workshop Regarding Future of Airport
4. Report on Moving Station 20 back to original firehouse. (*wait for new Battalion Chief*)
5. Workshop on how appointments are made to City Commissions/Committees, attendance, and look at advisory boards/citizens review committee.
6. Open House: 5 to 7 p.m. – Wed. in October – Open to Public
7. Discussion on how to handle loans or distributions to charities.
8. Discussion on how the City Council handles gifts to the City.

ADJOURNMENT

By common consent the meeting adjourned at 7:42 p.m. in memory of Julie Martinez who was very active in our community and also in memory of Maurice Lyons who was very supportive of the City of Banning.

Marie A. Calderon, City Clerk

THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.

PASS Transit COA

Overview of Market and Service Findings
October 22, 2013



IMD

Exhibit "A"
16
reg.mtg.-10/22/13

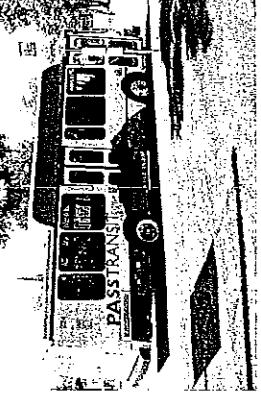
1. Project Overview
2. Market Profile
3. Service Profile
4. Next Steps

17

Project Overview

- Opportunity to:

- Engage the community
- Collect data about city transit usage
- Understand community transit needs
- Tailor PASS Transit service to efficiently and productively meet these needs

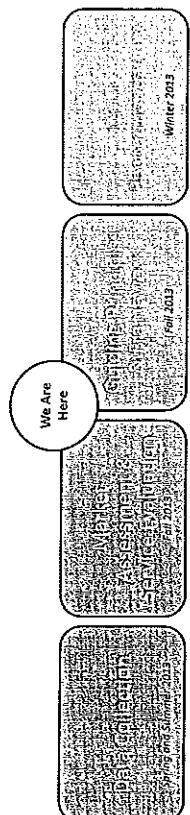


City of Banning PASS Transit Comprehensive Operation Analysis PASS TRANSIT IMD

COA Questions

- What are the city's priority mobility needs, and how does PASS Transit fulfill them?
- Are current service levels matched appropriately to the city's needs?
- What role does transit play in the city's future development?

- Data-driven analysis
- Industry best practices
- Inclusive, collaborative process



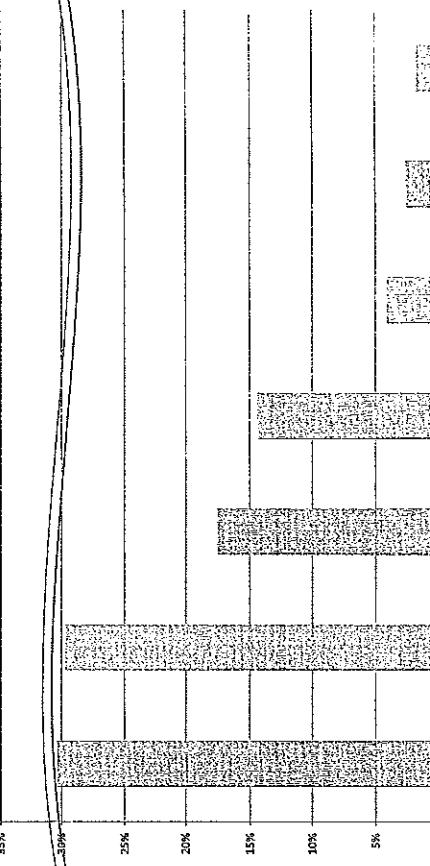
5 Exhibit "A"
17 reg.mtg.-10/22/13

- A way to help understand **who** in the community needs transit, and **where and when** they need it
- Indicators used:
 - Profile of Current Riders
 - Community Trip Patterns
 - Census Demographics
 - Residential and Job Density
 - The shape of land use patterns and street networks
 - Future Growth

18



7 Source: On-Board Survey (Spring and Summer 2013)



8 Source: On-Board Survey (Spring and Summer 2013)



city of Banning Pass Transit Comprehensive Operation Analysis FASTTRANSIT TMB

40%

33%

35%

28%

22%

18%

15%

10%

5%

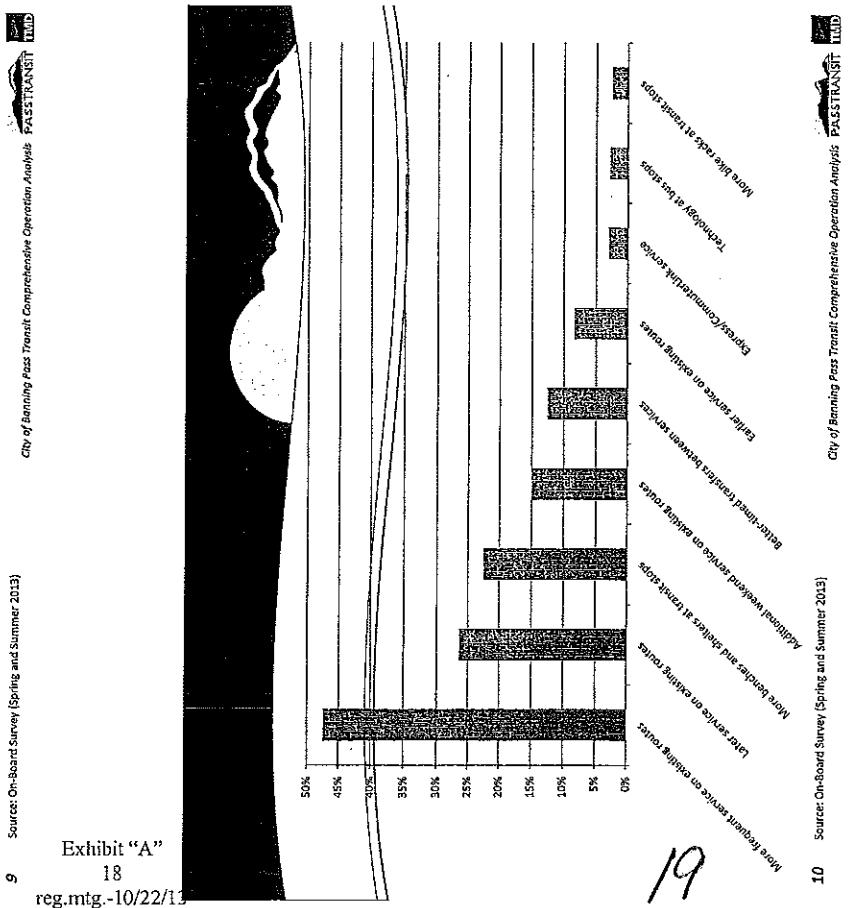
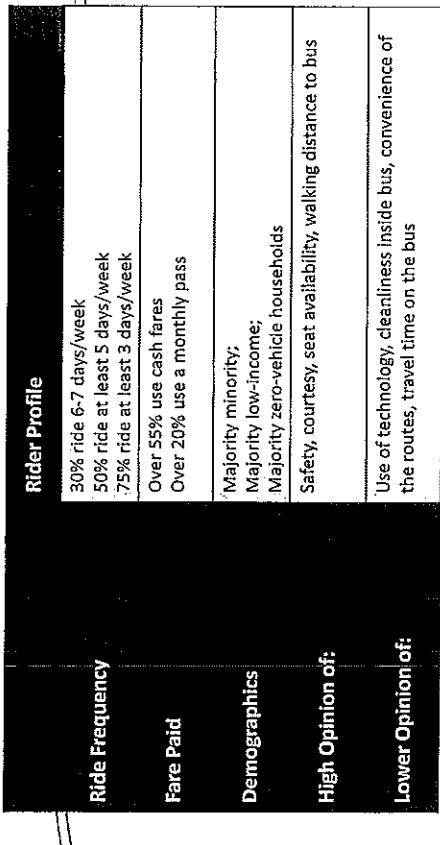
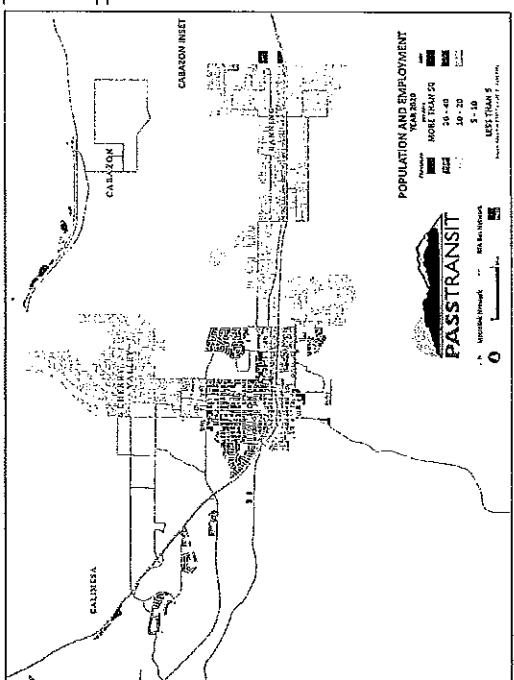
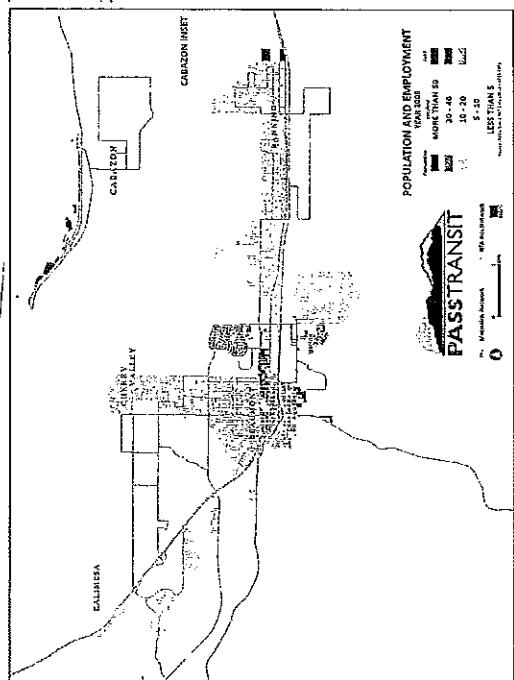
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Employed Unemployed tired Homeraker College Student K-12 Student Veteran

city of Banning Pass Transit Comprehensive Operation Analysis FASTTRANSIT TMB

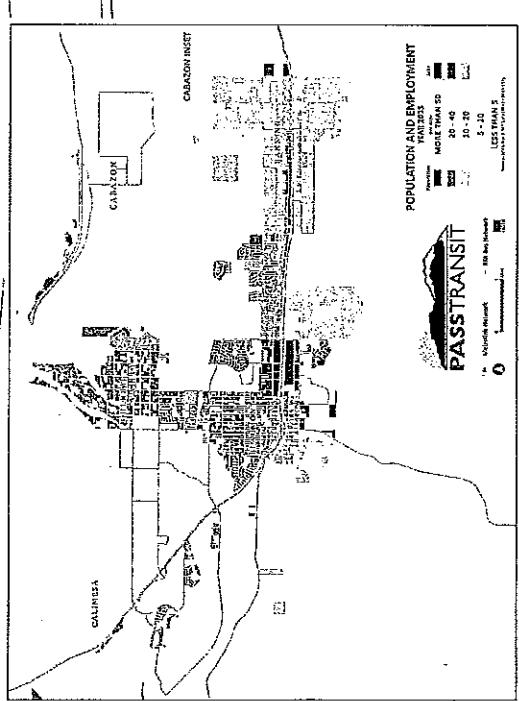
Ridership Breakdown

Project Priorities



8 Exhibit "A"
9 18
10 reg.mtg.-10/22/13

- A way to help understand **how** effectively PASS Transit delivers service, and how the service can better serve its current riders while potentially attracting new ones
- Indicators used:
 - Service delivery
 - Route structures
 - Route frequencies
 - Performance measures
 - Passenger boardings
 - Productivity of ridership (boardings / revenue hour)
 - Subsidy per Boarding



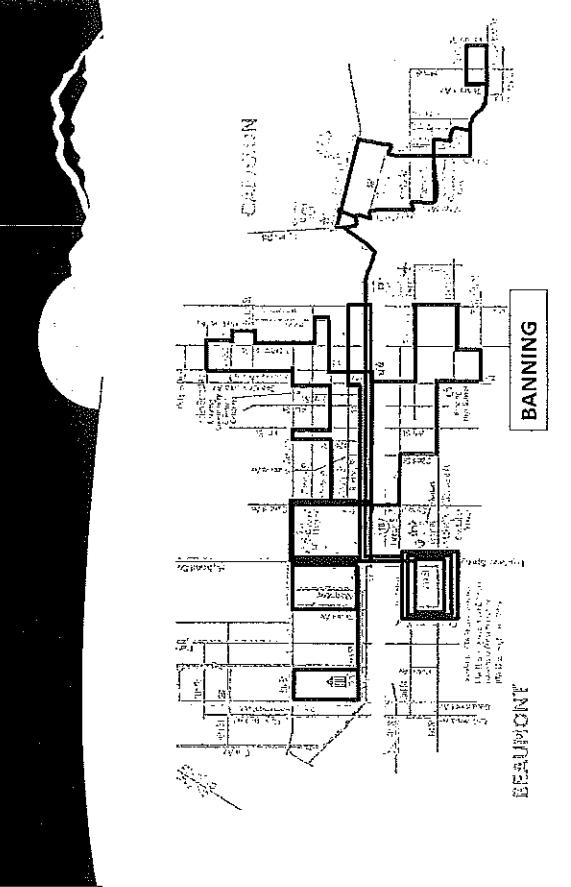
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Exhibit "A"

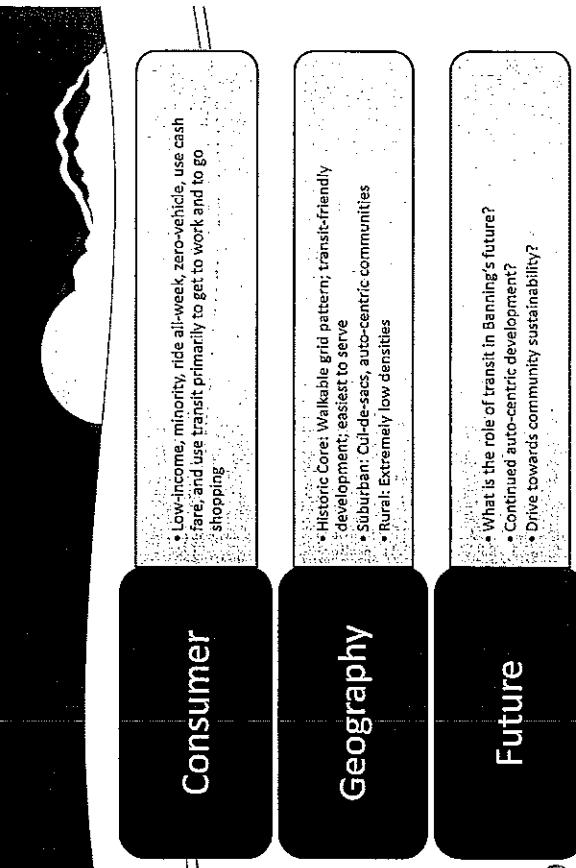
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Non-Linear Route Design:

- Greater complexity, making it harder for riders to understand the system
- Increase travel time for through riders, making people already on the bus wait longer
- Allow for fewer resources towards more frequent and reliable service

Service Frequencies:

- With buses arriving between every hour and every two hours, riders structure their trip around the schedule
- For many trips, walking and cycling offer more competitive travel times and reliability
- Routes operate between 75 and 120 minute headways

• Routes operate between 75 and 120 minute headways

Design

- Route structures are non-linear to minimize walk distances, but create complexity and increase travel times
- Routes are not bidirectional which can greatly increase travel times for passengers
- In frequent service leads passengers to plan their trips around bus schedules

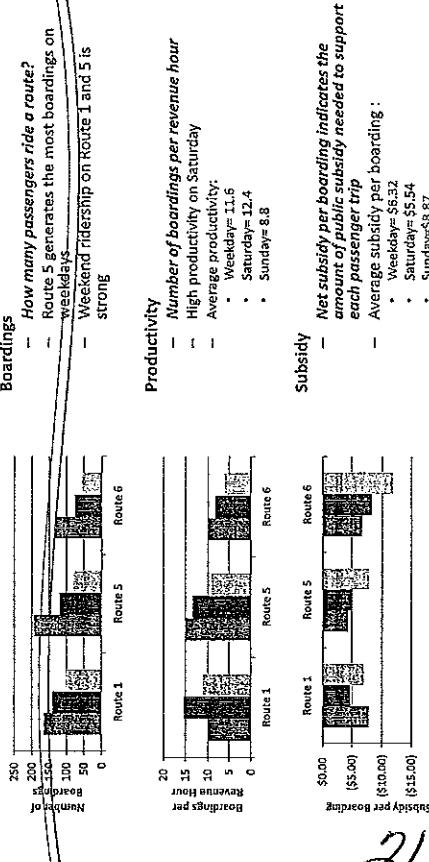
Metrics

- Generally, ridership is evenly split between the routes
- Higher productivity and lower subsidy on Saturday

Future

- How can we provide service more efficiently?
 - Exploration of different service types and options, including blending call and ride, flex-route, and fixed-route services

Exhibit "A"
20
reg.mtg.-10/22/13



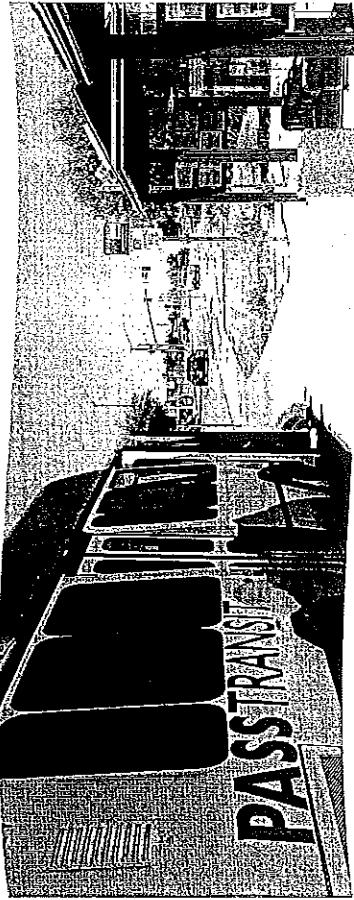


- Move forward with finalizing the market and service analyses to inform the subsequent recommendations phase of the project
- Present Recommendations Winter 2013

21



Thank you!



22

YEAR	APPLICATIONS	RESOLUTION NO.	CDBG PENDING	CDBG APPROVED	STATUS
2013	Non-Profits: Habitat for Humanity Boys & Girls Club San Gorgonio Child Care Consortium City: Repplier Park Bowl (original app) Lions Park Improvements (resubmitted 1/3/2013)	2012-84	PENDING (verbal denial received on 4/29/2013 from Sterion Sims)	PENDING	Letter received 2/7/13 from Sterion Sims of EDA stating that the CDBG fund cannot have a balance of more than 1.5 times or 150% or the County's total 2012-2013 CDBG allocation by April 30, 2013. If we do not comply then we are subject to EDA Admin Actions. Balance shows \$394,596.98 for Repplier Park Bowl Improvements.
2012	Non-Profits: Boys & Girls Club San Gorgonio Child Care Consortium City: Repplier Park Bowl Rehabilitation	2013-07 1/8/2013	2011-96 12/13/11	8/27/12 Awarded: \$9,828 \$9,827	Reso. 2012-71 Supplemental Agreement Approved and Executed 9/11/12
2011	Non-Profits: Boys & Girls Club CASA San Gorgonio Child Care Consortium City: Repplier Park Bowl Improvement	2010-77 11/9/10	8/00/11	Awarded: \$7,000 \$1,859 \$7,000 \$120,735	Reso. 2011-77 Supplemental Agreement Approved and Executed 9/13/11
2010	Non-Profits: Boys & Girls Club San Gorgonio Child Care Consortium Soroptimist House of Hope City: Repplier Park Bowl Rehabilitation	2009-105 12/8/09	8/25/10	Awarded: \$9,000 \$9,046 \$5,000 \$141,570	Reso. 2010-66 Supplemental Agreement Approved and Executed 9/14/10
2009	Non-Profits: Banning Police Activities League Program San Gorgonio Child Care Consortium Soroptimist House of Hope City: Repplier Park Bowl Improvement Project	2008-126 12/10/08	8/10/09	Awarded: \$10,000 \$10,000 \$4,004 \$140,612	Reso. 2009-40 05/26/09- Approved Contractor for "Project 2009-02 Design of New Repplier Park Playhouse Bowl" NTE \$457,388.00 Supplemental Agreement Executed 1/5/10

2008	Banning Police Activities League Program Scholarships for Youth with Special Needs	2008-21 2/12/08	7/18/08	Awarded: \$12,312 \$12,313	Resolution 2008-92 Supplemental Agreement Approved and Executed 8/12/08
2007	Non-Profits: Banning Woman's Club ADA Access Boys & Girls Club San Gorgonio Childcare Consortium Substance Abuse Recovery for Women City: Repllier Park Bowl Rehabilitation	2007-01 1/09/2007	05/27/07	Awarded: \$15,000 \$10,000 \$10,322 \$5,000 \$140,551	Resolution 2007-93 Supplemental Agreement Approved and Executed 10/9/07



October 16, 2013

Kahono Oei
City of Banning
99 E. Ramsey Street
P.O. Box 998
Banning, CA 92220

SUBJECT: City of Banning, CDBG Funded Projects - Repplier Park Bowl and Lions Park

Dear Mr. Oei:

On April 29, 2013, you met with EDA staff (Sterlon Sims and John Thurman) to discuss the CDBG funding and construction status for the Repplier Park Bowl project. As of this date, the City of Banning has expended \$439,433.94 of CDBG funds on the Repplier Park Bowl project for design, engineering, and other predevelopment expenses. However, construction of the improvements has not been implemented.

CDBG regulations require that all CDBG-funded activities or projects must meet a National Objective of the CDBG program. Because construction activities have not been completed, the City has not complied with the National Objective requirement. During the meeting with EDA staff, you indicated that the City was considering cancelling the project, or postponing indefinitely, because the City was not able to secure adequate funding for construction. EDA informed you that that option was completely unacceptable unless the City was prepared to pay back the \$439,433.94 to the County.

Also during this meeting, EDA staff suggested that the City phase-in the improvements at Repplier Park. There would be adequate CDBG funds to implement and complete a significant portion of the work, and the City would meet the National Objective requirement. It was our understanding that this was the option the City would choose because it provided a reasonable and cost-effective solution.

At this time, the City has two options: 1) cancel the Repplier Park Bowl project and repay \$439,433.04 to the County; or 2) proceed with the phased improvements at Repplier Park so that the City can with the National Objective requirement and the project can be closed-out.

Should you have any questions, please contact my office at (951) 955-3141.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sterlon Sims'.

Sterlon Sims
Program Manager

Administration
Aviation
Business Intelligence
Cultural Services
Community Services
Custodial
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Housing
Housing Authority
Information Technology
Maintenance
Marketing

Economic Development
Edward-Dean Museum
Environmental Planning
Fair & National Date Festival
Foreign Trade
Graffiti Abatement

Parking
Project Management
Purchasing Group
Real Property
Redevelopment Agency
Workforce Development

www.rivcda.org

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

10/22/2013
SPECIAL MEETING

A special meeting study session of the Banning City Council was called to order by Mayor Franklin on October 22, 2013 at 7:59 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Miller
Councilmember Miller
Councilmember Peterson
Councilmember Welch
Mayor Franklin

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Andrew J. Takata, City Manager
David J. Aleshire, City Attorney
Duane Burk, Public Works Director
Zai Abu Bakar, Community Development Director
Fred Mason, Electric Utility Director
Heidi Meraz, Community Services Director
Phil Holder, Police Lieutenant
John McQuown, City Treasurer
Marie A. Calderon, City Clerk

STUDY SESSION ITEM

1. 2013-21 General Plan Housing Element Update
(Staff Report – Zai Abu Bakar, Community Development Director)

Director Abu Bakar went over the recommendations as contained in the staff report. She said that the submittal to the California Department of Housing and Community Development is just a draft so that the City can receive comments from the State. The policies in the Housing Element are built upon the comments that the residents indicated during the previous Housing Element. One of them is to have high density housing in the downtown area. A policy that is included in the Housing Element is to increase the density up to 24 dwelling units per acre for any projects that meet the affordability criteria and that policy discussion is on page 20 of the agenda packet. Staff needs to hear from the Council this evening as to whether you want to proceed with that or give different direction because a majority of the parcels in downtown right now are zoned high density residential which allows a maximum of 18 dwelling units per acre. Only 3 parcels were rezoned during the past Housing Element and those 3 parcels were designated as 20 dwelling units per acre. The rest of the 90 acres in the downtown are 18 dwelling units per acre. So she needs to hear the direction from Council if they want to increase

the density up to 24 units per acre and then she will come back later and they will develop the ordinance and do another work session before moving forward any further. She said that John Douglas, the City's Housing Consultant will walk the Council through the Housing Element. She wanted to make the Council aware that once they submit the document to the State they have 60 days to respond and the actual Element is due to the State on February 12, 2014. So staff will have to come back to the Planning Commission and the City Council for adoption in the early part of 2014.

John Douglas addressed the Council stating that the purpose tonight is to hear from the Council and the public about the next Housing Element. You will recall going through the previous Housing Element Update just adopting it a few months ago and why are we doing this again is because the State or the Feds require cities to do certain things. With regard to the Housing Element the State law requires that every city within Riverside County and the broader Southern California area prepare a Housing Element Update for the next 8 years out to year 2021. So right on the heels of the adoption of the previous Housing Element which came at the end of what is called the "Fourth Housing Element Cycle" now we are kicking off the "Fifth Housing Element Cycle". What has changed is that a few years ago the State Legislature put some consequences into the law for being late so when Director Abu Bakar mentioned we have a due date of February 12th what that means is now cities that don't adopt their Housing Element by that deadline will be required to go through the Housing Element Update process on a four-year cycle rather than on an eight-year cycle. So it is their goal to successfully get through this process to have the Housing Element come back to the Council no later than early February in a form that you are comfortable with so that they can have it adopted and make the deadline and be in good stead for eight years.

Mr. Douglas said that he will go through and briefly summarize what the various requirements are in regards to the new Housing Element. They also want to talk tonight about the City's objectives and as Director Abu Bakar mentioned the one critical bit of information that they are asking direction on from the Council has to do with zoning in the downtown. He will have a chance for the Council to discuss various options, ask staff questions and so forth and at the end of the meeting tonight they will ask for authorization from the Council to submit this in draft form to State HCD. Every time you go through the Housing Element Update process we have to submit it to HCD and they have 60 days to review it, give us their comments back as to whether in their opinion the Housing Element complies with all of the requirements of State law and then it will come back to the Planning Commission for a public hearing and they anticipate early January and then to the Council for final consideration prior to that February 12th deadline. He said because you have just been through the Housing Element process over this past year what he will try to do is to focus on the things that are new and different in the Housing Element. The written staff report goes through some more lengthy background about what the law requires and what is in the Housing Element but he will try to keep his remarks brief so there is time for discussion and public comments. At this time Mr. Douglas started his power-point presentation of the 2013-2021 Housing Element (see Exhibit "A") going into detail on the various items.

Mayor Franklin opened the item for Council questions. There were none at this time.

There was staff discussion regarding the timeline on this item and whether it could be approved at a special meeting or a regular meeting, having time for public input and having enough time for the Council to ask questions and receiving staff responses.

City Manager said the last possible meeting is February 11th. He said he is looking at 60 days and if you turn it in tomorrow to HCD, then their 60-day clock starts at that point and that would put it at the 22nd of December so the Planning Commission could have their meeting on January 2nd and then it would go to the City Council right after that so then you would have three meetings prior to having it being submitted. He just wanted to make sure that we are going the right direction.

Mayor Franklin asked if it is appropriate also that if after discussion tonight and they make recommendation that if any Council Member has any additional questions before it goes anywhere or at any time between now and when we meet, that they are able to submit them to staff.

City Manager said yes and we will see changes, he is assuming, after that 60-day review.

Mr. Douglas said that we probably will see changes and the good thing that he would mention that in order to meet that deadline we don't have to have the State's blessing; we simply have to adopt the Element. If HCD has additional questions, we can sort those out after we have met the deadline by adopting it.

Mayor Franklin opened the item for public comments.

The following people spoke in favor or against or had some questions or concerns or general comments in regards to this item (*any written comments handed to the City Clerk will be attached as an exhibit to the minutes*):

Inge Shuler, resident addressed the Council in regards to home sales in Banning from Oct. 1, 2012 to Sept. 30, 2012 and her concerns in regards to very high density residential.

David Ellis addressed the Council in regards to increasing the density in the downtown and asked the Council to consider keeping the density at 18 units per acre at this point.

Susan Savolainen addressed the Council stating she read the plan very thoroughly and went over her concerns with certain parts of the plan, added that the Midway area should be considered as mixed use zoning and also went over her draft letter that she submitted to our State officials and two members of the Council regarding the law itself.

Linda Pippenger, resident addressed the Council stating that she has prepared maps and identified over 100 acres in the city of Banning that would be superior sites to the ones that have been identified especially the 26 acres south of Banning. She gave the City Clerk 5 copies for the City Council members.

Don Smith followed up on some comments that Inge Shuler made in regards to home sales. He also gave a map to the City Clerk for distribution to the Council, page B-9 of the report where he added a section called VHDR and explained to the Council what the last hearing did to this specific neighborhood at the corner of Sunset and Westward. He requested that the Council have

a hearing where the entire town is discussed as to where to put these and spread them all over town and not put 1137 low income houses on the corner of Westward and Sunset.

Mayor Franklin closed the public comment portion of the meeting seeing no one else coming forward. She asked if there were any staff comments on any of the comments that were made.

Mr. Douglas said in regards to the comments of there already being lots of affordable housing in Banning yes, that is true and many cities feel that the process and the law is not fair; it is what it is. The law requires that every city provide zoning for high density that can accommodate the RHNA numbers that have been assigned to them. There is not much that can be done about the law; you comply or you don't and we went through that discussion as part of the last Housing Element. It is important to keep in mind that there is no obligation for any of those high density sites to be developed with low income housing. The methodology that those numbers are derived through looks at the income levels of the community but then that gets translated into density and so in the State's eyes high density equals potential low income. One of the commenters mentioned that it is a planning target and not a developer quota or a mandate. There is no mandate that low income housing be approved on any of those sites. With regard to the actual RHNA numbers on the region wide basis for the entire SCAG (Southern California Association of Governments) region the number dropped substantially from 700,000 down to 400,000 in this new cycle but Banning's number did not drop that much. He thinks that you would probably have to ask the folks at SCAG why that is. The RHNA process looks at growth forecast, transportation routes and so forth and he cannot say exactly why Banning's number didn't go down more. With regards to the amount of high density zoning that the City has now based on the rezoning that was done as part of the previous Housing Element process yes, there is a substantial cushion, if you will, of excess high density compared to the RHNA. His recommendation would be not to make any changes at this point because as we talked previously the State has not yet certified our Housing Element and we are going to be submitting a new Housing Element and so he thinks the City would be on stronger ground to get the State's blessing in hand before any zoning changes are made. Also it is his understanding that a zone change application has been filed for the property that includes the site that was rezoned to very high density a few months ago so there is an application in process. The cushion that we have, the excess capacity in the high density and very high density, allows the City flexibility to change the zoning in the future without having to rezone someplace else to make up a shortfall. That same principle also applies to the sites that have that -20 after them. The HDR -20 where about 8 properties were rezoned last time with that designation and what State law requires is that you establish a minimum density, a minimum. You can't approve a project at a lower density than 20 if that is the zoning designation unless you have enough capacity someplace else to make up the shortfall. So if a developer walked in next week with an application for instance at 15 units per acre on one of those HDR -20 sites, the City would be able to approve it by pointing to other sites in that HDR -20 that have enough capacity to satisfy the City's RHNA numbers. So that excess provides the City flexibility. But as you know, zone changes are a policy matter and the City Council has the ability to change zoning when it is deemed appropriate and his point is that the existing zoning regulations that are in place provide the City flexibility because there is excess capacity.

Director Abu Bakar said in regards to the information about the HERO Program she will work with the Electric Utility to provide that information at different locations throughout the city. In terms of the audit for water and energy she will work with other departments to make that information available to everyone. The discussion about the fairness issue, equity issue, and disparity between the different regions in the State has been in discussions since 1990. But unfortunately the issue with Housing Element, RHNA and also affordable housing is not sexy enough for somebody at the State level to be able to take this and make it as legislative reform on the housing element and her suggestion is that maybe this is something that can be brought up at the Housing Element Subcommittee or RHNA Subcommittee at the SCAG level. In regards to the sales prices for our community staff did go through the entire Riverside County Tax Assessor's data base and looked at the assessed values of the homes in Banning and what they found is that 94% are below the \$350,000 dollar range and she would agree with Mrs. Shuler on that point but the unfortunate situation is that there is nobody that is willing to fight for the Inland communities. There is always disparity between the Beach cities and the Inland cities and it has always been like this since 1990. With regard to looking at zoning and rezoning other areas discussion can occur at any time but based on what Mr. Douglas mentioned we are in a better position if we get the Housing Element approved and then we can start discussion about the entire city in terms of what would be best for the City to do. In regards to the comments about the Midway area she wanted to ask the Council if they wanted that information included in the Housing Element because currently mixed use development is permitted in the general commercial which is the Midway area but the zoning ordinance did not define the density. So they can include the area and then as part of the continuing discussion on the Housing Element they can develop the density and all of that.

Councilmember Miller asked when will the Housing Element be available for the Council that you will send to the Planning Commission.

Mr. Douglas said based on Council's direction tonight they will make those changes immediately tomorrow and then based on Council's pleasure they will send it to HCD. Keep in mind that anything sent to HCD can be changed; it is a draft. Staff wants to make sure that it actually reflects Council's direction as best they can before they send it.

Councilmember Miller said basically the changes from the previous Element are the ones you proposed in regards to the density for the downtown area. And is that specifically to help develop the downtown or do we have to do that to satisfy any State requirement.

Mr. Douglas said the draft that the Council has in front of them has that language that would set the wheels in motion to process a future zoning amendment to make that change to the downtown. Also those sites in the downtown would be in addition to the adequate capacity that the City already has.

Councilmember Miller said his general feel, as Mr. Ellis said, is that Banning has a particular density that satisfies everyone that lives here and he doesn't see the need to extend that any further.

Councilmember Welch said we had conversation earlier tonight about things getting squeezed into a very tight schedule and if he has his numbers right if we do the draft and it goes in now

and it takes 60 days to return, that brings it back mid-December and it would give us almost two months to respond with public meeting and bringing it back to the Council. Are we giving ourselves and the community enough time?

City Manager said the way the schedule is we assume that is going to happen and we will turn it in on the 23rd and should receive it by December 23rd and then the Planning Commission has a public hearing meeting on January 2nd and the City Council will have three Council meetings in which you can make a decision from there.

Mayor Franklin said that she is actually going to a meeting tomorrow on RHNA numbers for SCAG so hopefully they will be listening. From talking to some other members on the committee this has been an issue for over 20 years and they haven't been able to really have a real impact on the State yet. The meeting tomorrow is supposed to talk about recommendations and it will not address numbers but recommendation on how SCAG might be able to request of HCD how to improve it. So she will report back what impact we are able to make. She said that right now she is more inclined to think more density downtown might be beneficial. We heard an earlier presentation regarding transit and people who do not have cars should be somewhere closer to transit, to facilities and to services and she doesn't think that necessarily means they have no income. She thinks it may mean they have less income and they might be able to get more bang for the buck if they are closer to the services that they actually have to use and if we are able to increase the density downtown and increasing it to what we have set for other areas, that may actually give us more flexibility in some of the other areas that we don't want to have more density in. She would actually in favor of recommending that we go forward with a higher density downtown and also looking at the zoning regarding mixed use through the Midway. That would be another area as we are talking about where to have people live and if we look at some of the other cities that have a more vibrant downtowns, more vibrant commercial areas you do see a lot more mixed use. Downtown Riverside is an example of where you are finding more mixed use where before it was more commercial and that would be another recommendation she would make.

Councilmember Welch asked if he heard someone say that mixed use does not have a formula for density.

Mr. Douglas said no. It is subject to the same density; in our case a minimum of 20 units per acre in order for the State to consider that meeting the standards for the low income RHNA.

Director Abu Bakar said what she thinks he is referring to is that she mentioned that the zoning ordinance currently for the general commercial allows for a mixed use development meaning residential and commercial but it doesn't specify the density for residential and this is something that they can look at as part of this process if the Council gives them direction to look at it. She also wanted to mention that she visited three different affordable housing projects that were developed eight years ago, a couple of years ago and most recently as of three months ago and she passed a flyer to the Council for their edification and she can also provide it to the public. She was surprised to see the level of quality and sustainability that the developer currently built. It is not like the public housing we used to see. She wanted to see the projects so that she could

have a feel for what the builders are building right now and the three projects that she visited are from Palm Communities located in Palm Desert, Thousand Palms and Fontana.

Mayor Franklin said that she also wanted to recommend and it probably not be in time for this particular part of the Element but that we look at our fee schedule when we talk about building and not just for this area but also look at all of our housing fee schedules.

Mayor Franklin asked if there were any further Council comments in regards to the recommendations.

Councilmember Miller said he thought the proposal was for 24 units per acre for the downtown.

Mr. Douglas said the draft is written to say that the City is moving forward to initiate a zoning amendment that would allow up to 24 units per acre in the downtown when certain affordability standards are met. This would provide for a few affordable units in the project.

Councilmember Miller said so that will not really be similar to the rest of the city. That would really be a higher density than anywhere else in the city.

Mr. Douglas said it would be the same as the very high density category with a maximum of 24 units per acre.

Mayor Franklin said that we do have some designated as 24 units per acre and are you making a recommendation not to move forward with the downtown up to 24.

Councilmember Miller said his feels is that 20 would be appropriate and he thinks that 24 is too high. As he understands it the reason we had the 24, the very high density, was the State required us to do so and the State does not require us to do so in the downtown so he doesn't see any necessity to do that.

Mayor Franklin said her reason for recommending it was so that we would have more flexibility with other areas and she explained further. Councilmember Miller said he can see the point for flexibility so that will be fine. There was consensus of the other Councilmembers in regards to the 24 units per acre.

Mayor Franklin said the second recommendation had to do with the Midway area to look at that area for mixed use and coming up with the density suitable for the area. There was Council consensus to this recommendation.

Mayor Franklin said the third item was in regards a fee study and there was Council consensus for the recommendation to have a fee study.

Mayor Franklin said that there was a recommendation to authorize staff to submit the Draft 2013-2021 Housing Elements to the California Department of Housing and Community Development for review. There was Council consensus to move forward.

Mayor Franklin said that there was one more recommendation to look at the information submitted by Linda Pippenger and Don Smith and hopefully we may be able to use it. There was Council consensus.

Mayor Franklin said after the Council gets a chance to review the information, let staff know at any time, if you have any questions or comments on the information provided.

ADJOURNMENT

By common consent the meeting adjourned at 9:00 p.m.

Marie A. Calderon, City Clerk

THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.



City of Banning

2013-2021 Housing Element

City Council workshop
October 22, 2013

Exhibit "A"
9
spec.mtg.-10/22/



State Housing Element Requirements:

- Review accomplishments for previous programs & make adjustments as necessary (Appendix A)
- Update the needs assessment based on current circumstances (Tech. Report Ch. II)
 - ♦ Demonstrate adequate sites for RHNA (Appendix B)
- Update resources & constraints (Tech. Report Ch. III & IV)
 - ♦ Loss of redevelopment agency
 - ♦ Completion of Code amendments & zone changes
- Update policies, programs & objectives (Housing Plan)
 - ♦ (2)

Regional Housing Needs Assessment

	Very Low Density Residential	Low Density Residential	Medium Density Residential	High Density Residential	Total
• Approved Projects (Table B-3)					30
• Approved projects - RA					1,036
• Approved projects - Very Low Density Residential					1,036
• Approved projects - Low Density Residential					3,032
• Approved projects - Medium Density Residential					2,607
• Approved projects - High Density Residential					2,607
• Subtotal - Approved Projects					6,705
• Vacant parcels (Table B-4)					
• Vacant parcels - Low Density Residential					513
• Vacant parcels - Medium Density Residential					1,088
• Vacant parcels - High Density Residential					395
• Vacant parcels - High Density Residential - 20					395
• Vacant parcels - Very High Density Residential					520
• Subtotal - Vacant Parcels					2,463
• Unidentified Parcels (Table B-5)					
• Downtown Commercial parcels					86
• Potential second units					5
• Total land inventory					5
• RHNA 2014- 2021					2,533
• Adequate Sites?					1,465
• Yes					Yes
• Yes					Yes

(3)

Source: City of Banning, Sept 2013

- ### Purpose of the workshop:
- Review state requirements for the 2013-2021 Housing Element
 - Review City objectives for the Housing Element
 - Discuss options & provide direction to staff
 - Direct staff to submit draft Housing Element to HCD for review
- (1)

(2)



Proud History
Prosperous Tomorrow

Appropriate Density to Accommodate RHNA

Banning	VHDR (19-24 units/acre)
Beaumont	MFR (22 units/acre) Specific Plan (no limit)
Hemet	VHDR (45 units/acre)
Moreno Valley	R-30 (30 units/acre)
Perris	Downtown (35 units/acre)
San Jacinto	VHDR (22 units/acre)
Yucaipa	RM-24 (24 units/acre)

(4)

Draft Housing Element

Downtown Commercial (DC) District:

- Residential or mixed-use currently allowed up to 18 units/acre, or 20 units/acre on 3 larger sites when affordable housing is provided
 - ◆ Program 7 includes:
 - Allow 24 units/acre for residential or mixed-use projects that include minimum affordable units (5% very-low or 10% low)
 - Provide lot consolidation incentive when 2+ parcels totaling 1/2 acre are combined



CITY COUNCIL AGENDA

Date: November 12, 2013

TO: City Council

FROM: June Overholt, Administrative Services Director/Deputy City Manager

SUBJECT: Report of Investments for September 2013

RECOMMENDATION: The City Council receive and file the monthly *Report of Investments*.

JUSTIFICATION: State law requires that a monthly report of investments be submitted to the Governing Legislative Body.

BACKGROUND/ANALYSIS: This report includes investments on hand at the end of September 2013. As of September 30, 2013, the City's operating funds totaled \$65,980,562. Included in Successor Agency operating funds is \$707,581 of restricted CRA bond proceeds that are on deposit with LAIF and reflected separately on the Summary Schedule.

As of September 30, 2013 approximately 41% of the City's unrestricted cash balances were invested in investments other than LAIF.

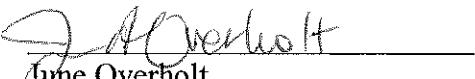
The September Investment Report includes the following documents:

- Summary Schedule of Cash and Investments
- Operational Portfolio Individual Investments
- Individual Investments with Fiscal Agent
- Investment Report Supplemental Information

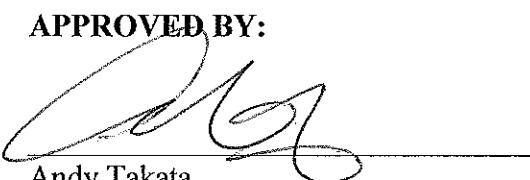
Responses to our request for proposal (RFP) are currently being reviewed to determine whether investment earnings could be improved enough to cover the administrative costs of an investment management firm. An investment management firm would provide input on updating the investment policy, provide quarterly reports to the city, and provide daily management of investments. Results of the RFP process will be presented to council as a separate matter.

FISCAL DATA: The latest reports from the State indicate that the average interest achieved by the Local Agency Investment Fund (LAIF) increased to 0.257% in September. The average rate for all investments in September was 0.313%.

RECOMMENDED BY:


June Overholt
Administrative Services Director/
Deputy City Manager

APPROVED BY:


Andy Takata
City Manager

Summary Schedule of Cash and Investments

Operating Funds		Amount
<i>Petty Cash</i>		2,805

<i>Bank Accounts</i>	Interest	
	Rate	Amount
Wells Fargo Bank	0.000%	738,088
Bank of America-Airport	0.300%	11,055
Bank of America-Parking Citations	0.300%	3,354
Bank of America-CNG Station	0.300%	17,495

Money Market and Bank Account Sub-Total 769,992

Government Pools

Account #1 Operating Amount	37,980,646	
Account #1 CRA Bond Cash Bal.	707,581	
Local Agency Investment Fund: Account #1	0.257%	38,688,227
Account #2 Successor Agency Cash Bal	0	
Local Agency Investment Fund: Account #2	0.257%	0

Government Pool Sub-Total 38,688,227

Operating Cash Balance **39,461,024**

Restricted Operating Funds at Riverside Public Utilities

Highmark U.S. Government Money Market Fund 0.010% 804,212

Other Investments

Investments-US Bank/Piper Jaffray - See Page 2 0.406% 25,715,326

Operating Funds Total **65,980,562**

Fiscal Agent

	Amount
US Bank	35,754,639

Fiscal Agent Total **35,754,639**

City of Banning Investment Report

September 30, 2013

Operational Portfolio Individual Investments

Government Pools

38,688,227 L.A.I.F. account #1
0 L.A.I.F. account #2

Investments—U.S. Bank/Piper Jaffray

2,000,000	Federal Home Loan Bks	n/a	0.375%	7/30/2015	1/30/2013	2,000,000	1,999,000
3,000,000	Federal Home Loan Bks	n/a	0.500%	4/11/2016	4/11/2013	3,000,000	2,990,100
1,000,000	FHLMC Mtn	n/a	0.570%	6/20/2016	6/6/2013	1,000,000	996,970
1,000,000	FNMA	n/a	0.750%	12/19/2016	6/19/2013	1,000,000	995,440
1,000,000	FNMA Deb	n/a	0.550%	6/6/2016	6/20/2013	1,000,000	995,870
3,000,000	FNMA	n/a	1.125%	1/30/2017	7/30/2013	3,000,000	3,013,980
3,000,000	Federal Farm Credits Bks	n/a	0.940%	7/15/2016	7/15/2013	3,000,000	3,006,690
11,717,276	Money Market	n/a	0.010%	daily	varies	11,717,276	0

IIS Bank/Piper Jaffray Average Rate =

25,715,326

Average Rate All= 0.313%

It has been verified that this investment portfolio is in conformity with the City of Banning's investment policy which was approved by the City Council on September 24, 2013. The Treasurer's cash management program provides sufficient liquidity to meet estimated future expenditures for a period of six months. The weighted average maturity of the pooled investment portfolio is 21.5 days and does not include Bond Reserve Fund Investments.

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City of Banning Investment Report

September 30, 2013

Individual Investments with Fiscal Agent

Bond Issue Description	Bond Maturity Date	Investment Description	Current Yield	Bond Maturity Date	Bond Reserve Requirement	Minimum Reserve	Interest Sep-13	Market Value	9/30/2013
COB IMPROVEMENT DISTRICT LIMITED OBLIGATION BONDS SERIES 2005A									
2005 Fair Oaks Ranch Estates									
2003 CRA Tax Allocation Bonds	2028	US Treasury Bill	0.040%	7/28/2011	188,943	7.71			188,032
		US Bank Mmkt 5-Ct							
		US Bank Mmkt 5-Ct	0.040%	daily					
		US Bank Mmkt 5-Ct	0.040%	daily					
		US Bank Mmkt 5-Ct	0.000%	daily					
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BANNING TAX ALLOCATION, SERIES 2003									
Redevelop Fund	2037	US Bank Mmkt 5-Ct	0.040%	daily					
Reserve Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Special Fund		US Bank Mmkt 5-Ct	0.050%	daily					
Surplus Fund		US Bank Mmkt 5-Ct	0.000%	daily					
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BANNING TAX ALLOCATION PARITY BONDS, SERIES 2007									
Interest Account		US Bank Mmkt 5-Ct	0.000%	daily					
Redevelop Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Reserve Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Special Fund		US Bank Mmkt 5-Ct	0.000%	daily					
Surplus Fund		US Bank Mmkt 5-Ct	0.000%	daily					
BUA - WASTEWATER ENTERPRISE REVENUE BONDS REFUNDING AND IMPROVEMENT PROJECTS 2005 SERIES									
Interest Account		US Bank Mmkt 5-Ct	0.000%	daily					
Principal Account		US Bank Mmkt 5-Ct	0.040%	daily					
		US Bank Mmkt 5-Ct	0.040%	daily					
BUA - WATER ENTERPRISE REVENUE BONDS REFUNDING AND IMPROVEMENT PROJECTS 2005 SERIES									
Interest Account		US Bank Mmkt 5-Ct	0.050%	daily					
Principal Account		US Bank Mmkt 5-Ct	0.040%	daily					
Reserve Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Project Fund		US Bank Mmkt 5-Ct	0.040%	daily					
BFA - ELECTRIC SYSTEM REVENUE BONDS 2007 SERIES									
Interest Account		US Bank Mmkt 5-Ct	0.030%	daily					
Principal Account		US Bank Mmkt 5-Ct	0.040%	daily					
Reserve Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Project Fund		US Bank Mmkt 5-Ct	0.040%	daily					
Total									
*Paid Semi-Annually-Deposited into Money Mkt Account									
1,182.55									
35,754.639									

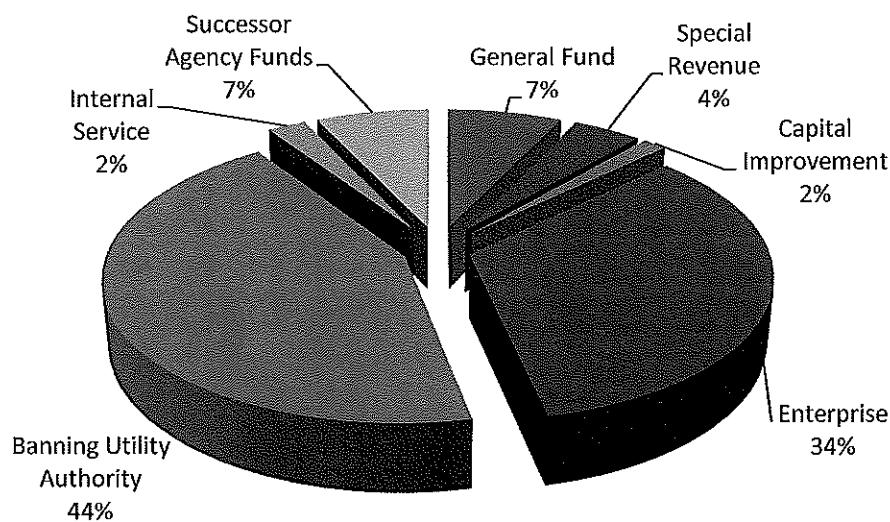
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City of Banning

Investment Report Supplemental Information

Pooled Cash Distribution

Investment reports for cities typically do not include the cash balance of the individual funds that make up the total pooled cash. This is primarily due to timing differences between when investment reports are prepared and when month end accounting entries are posted. Investment reports are usually prepared first. However, the pie chart below provides an understanding of the percentage distribution of the investments by fund type. The percentages were calculated using the average cash balances from the nine month period of July 2012 to June 2013. *(The percentages will be updated quarterly.)*



The Table below describes the funds that are included within the Fund Types used for the pie chart.

Fund Type	Description of funds
Governmental	General Fund
Special Revenue	Restricted Funds (i.e. CFDs, grants)
Capital Improvement	Development Impact Fee funds
Enterprise	Airport, Transit, Refuse, Electric
Banning Utility Authority	Water, Wastewater, Reclaimed water
Internal Service	Risk Management, Fleet, IT, Utility Services
Successor Agency Funds	Previously called Redevelopment Agency

Summary Schedule – Line item descriptions

Petty Cash –

The City maintains petty cash in various departments for incidental purchases. This line item includes the cash drawers for cashiering in utility billing.

Bank Accounts –

- Wells Fargo Bank – This is the City checking account. All cash receipts, payroll and accounts payables checks are processed through this account. Balances fluctuate based on activity and cash flow needs. As excess funds accumulate, they are transferred to LAIF to increase earnings.
- Bank of America – Airport – The City maintains a Trust account for credit card purchases made at the airport. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.
- Bank of America – Parking Citations – The City maintains a Trust account for the processing of parking citations through Turbo Data. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.
- Bank of America – CNG – The City maintains a Trust account for credit card purchases of CNG fuel made at the City yards. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.

Government Pools –

- Local Agency Investment Fund – Account #1
 - This account includes both City pooled funds and a restricted cash balance related to the CRA bonds. Investments in LAIF are limited to \$50M.
- Local Agency Investment Fund – Account #2
 - There is currently no balance in this account.
 - Note: When the State established the cutoff date of January 31, 2012 for the elimination of the Redevelopment Agency, LAIF staff recommended a transfer of the available balance from the CRA account to the City account to protect the funds from a rumored State raid or freezing of the funds.

Restricted Operating Funds at Riverside Public Utilities –

The City Electric operation has an agreement with Riverside Public Utilities (RPU) to purchase power for the City. Part of the agreement requires that the City maintain a balance in the trust account used by RPU. The City does not control the investments or earnings of the trust account.

Other Investments –

Currently the City works with a Piper Jaffray broker to make various investments per the City policy and in accordance with State guidelines. The Broker is not on retainer, nor do they receive a City paid fee with each investment. Funds in the Money Market fluctuate as securities mature or get called. Staff is in the process of investing the Money Market funds over several months. We will be adding an additional broker to provide more investment options.

Fiscal Agent / US Bank –

Unspent bond proceeds and required bond reserves are invested by the Fiscal Agent in accordance with the bond documents.

CITY COUNCIL AGENDA

Date: November 12, 2013

TO: City Council

FROM: June Overholt, Administrative Services Director

SUBJECT: Approval of Accounts Payable and Payroll Warrants for Month of September 2013

RECOMMENDATION: The City Council review and ratify the following reports per the California Government Code.

FISCAL DATA: The reports in your agenda packet cover "Expenditure Disbursements" and "Payroll Expenses" for the month of September 2013.

The reports are:

Expenditure approval lists	
September 5, 2013	789,933.59
September 12, 2013	349,349.58
September 19, 2013	648,276.52
September 26, 2013	457,897.37
November 4, 2013	2,652,025.63 (September Month End)
Payroll check registers	
September 6, 2013	5,400.02
September 20, 2013	3,506.38
Payroll direct deposits*	
September 6, 2013	262,524.58
September 20, 2013	260,627.44

42

As you review the reports, if you have any questions please contact the Finance Department so that we can gather the information from the source documents and provide a response.

Report Prepared by: Jenna Harrell, Accounts Payable

RECOMMENDED BY:



June Overholt
Administrative Services Director

APPROVED BY:



Andy Takata
City Manager



CITY of BANNING

Fund/Department Legend

Fund/Department Legend

0001 General Fund Departments

0001 – General
1000 – City Council
1200 – City Manager
1300 – Human Resources
1400 – City Clerk
1500 – Elections
1800 – City Attorney
1900 – Fiscal Services
1910 – Purchasing & A/P
2060 – TV Government Access
2200 – Police
2210 – Dispatch
2279 – TASIN – SB621 (Police)
2300 – Animal Control
2400 – Fire
2479 – TASIN – SB621 (Fire)
2700 – Building Safety
2740 – Code Enforcement
2800 – Planning
3000 – Engineering
3200 – Building Maintenance
3600 – Parks
4000 – Recreation
4010 – Aquatics
4050 – Senior Center
4060 – Sr. Center Advisory Board
4500 – Central Services
4800 – Debt Service
5400 – Community Enhancement

204 – D.A.R.E. Donation Fund
300 – City Administration COP Debt Service
360 – Sun Lakes CFD #86-1
365 – Wilson Street #91-1 Assessment Debt
370 – Area Police Computer Fund
375 – Fair Oaks #2004-01 Assessment Debt
376 – Cameo Homes
400 – Police Facilities Development
410 – Fire Facilities Development
420 – Traffic Control Facility Fund
421 – Ramsey/HIGHLAND Home Road Signal
430 – General Facilities Fund
441 – Sunset Grade Separation Fund
444 – Wilson Median Fund
451 – Park Development Fund
470 – Capital Improvement Fund
475 – Fair Oaks #2004-01 Assessment District
600 – Airport Fund
610 – Transit Fund
660 – Water Fund
661 – Water Capital Facilities
662 – Irrigation Water Fund
663 – BUA Water Capital Project Fund
669 – BUA Water Debt Service Fund
670 – Electric Fund
672 – Rate Stability Fund
673 – Electric Improvement Fund
674 – '07 Electric Revenue Bond Project Fund
675 – Public Benefit Fund
678 – '07 Electric Revenue Bond Debt Service Fund
680 – Wastewater Fund
681 – Wastewater Capital Facility Fund
682 – Wastewater Tertiary
683 – BUA Wastewater Capital Project Fund
685 – State Revolving Loan Fund
689 – BUA Wastewater Debt Service Fund
690 – Refuse Fund
700 – Risk Management Fund
702 – Fleet Maintenance
703 – Information Systems Services
761 – Utility Billing Administration
805 – Redevelopment Obligation Retirement Fund
810 – Successor Housing Agency
830 – Debt Service Fund
850 – Successor Agency
855 – 2007 TABS Bond Proceeds
856 – 2003 TABS Bond Proceeds
857 – 2003 TABS Bond Proceeds Low/Mod
860 – Project Fund

All Other Funds

002 – Developer Deposit Fund
003 – Riverside County MOU
100 – Gas Tax Street Fund
101 – Measure A Street Fund
103 – SB 300 Street Fund
104 – Article 3 Sidewalk Fund
110 – CDBG Fund
111 – Landscape Maintenance
132 – Air Quality Improvement Fund
140 – Asset Forfeiture/Police Fund
148 – Supplemental Law Enforcement
149 – Public Safety Sales Tax Fund
150 – State Park Bond Fund
190 – Housing Authority Fund
200 – Special Donation Fund
201 – Sr. Center Activities Fund
202 – Animal Control Reserve Fund
203 – Police Volunteer Fund

CITY COUNCIL AGENDA

Date: November 12, 2013
To: Honorable Mayor and City Council
From: Fred Mason, Electric Utility Director
Subject: Resolution No. 2013-105, Amend Contract Amount for Project No. 2013-02EL Sunset Grade Separation Phase 1 – Pole Realignment

RECOMMENDATION: Adopt Resolution No. 2013-105, amending the contract amount for the Sunset Grade Separation Phase 1 – Pole Realignment contract to Henkels & McCoy, Inc. of Pomona, California, in the amount of \$16,838.42 for a total contract amount not to exceed \$247,018.42 (Two Hundred Forty-Seven Thousand, Eighteen Dollars and Forty Two Cents) including taxes.

JUSTIFICATION: The relocation and realignment of the overhead utilities on Sunset Avenue between Lincoln Street and Interstate Freeway I-10 was required to accommodate the grade separation to be performed at this location on Sunset Avenue during Fiscal Year 2013-2014.

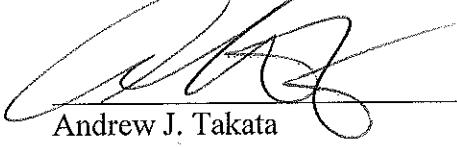
BACKGROUND: Staff solicited bids for the Sunset Grade Separation Phase 1 – Pole Realignment project and received three bid proposals, with a low bid amount of \$230,180.00 received by Henkels & McCoy, Inc. During the relocation of the utility poles, both Henkels & McCoy and City of Banning Electric Utility representatives identified unforeseen field issues which required additional labor and equipment hours to correct, resulting in a cost of \$16,838.42 above the original contract amount. The cost associated with this change is both fair and equitable per the City of Banning Electric Utility Department evaluation.

FISCAL DATA: An appropriation of funds in the amount of \$16,838.42 from the Electric Capital Improvement Fund Account to account 673-7000-473.93-02, Sunset Grade Separation is necessary to complete the Sunset Grade Separation Phase 1 – Pole Realignment.

RECOMMENDED BY:


Fred Mason
Electric Utility Director

APPROVED BY:


Andrew J. Takata
City Manager

REVIEWED BY:

June Overholt

June Overholt
Deputy City Manager/Administrative Services Director

Prepared by Brandon Robinson

RESOLUTION NO. 2013-105

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING
AMENDING THE CONTRACT AMOUNT FOR THE SUNSET GRADE SEPARATION
PHASE 1 – POLE REALIGNMENT CONTRACT**

WHEREAS, the City of Banning owns and operates its Municipal Electric Utility; and

WHEREAS, it is essential that the City of Banning continues to maintain and upgrade electric utility systems to accommodate projects within the city limits; and

WHEREAS, the City of Banning adopted Resolution 2013-52 which approved the construction contract for Project No. 2013-02EL Sunset Grade Separation Phase 1 – Pole Realignment to Henkels & McCoy of Pomona, CA; and

WHEREAS, the total cost for all changes associated with the 2013-02EL contract as shown on Exhibit "A" have been reviewed by the Electric Utility Department;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Banning as follows:

SECTION 1. Adopt Resolution No. 2013-105, approving the amendment of the Sunset Grade Separation Phase 1 – Pole Realignment contract to a total amount of \$247,018.42, and authorize the City Manager, or his designee, to execute the necessary documents to complete said agreement.

SECTION 2. Authorize the Administrative Services Director to complete the necessary account transfers as required for the completion of said project.

PASSED, ADOPTED AND APPROVED this 12th day of November 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire and Wynder, LLP

CERTIFICATION

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-105 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 12th day of November 2013 by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marie A. Calderon, City Clerk
City of Banning, California

Exhibit “A”

PROCEDURAL DOCUMENTS

CHANGE ORDER

Change Order No.: 2

Date: 10-14-13

Agreement Date: 10-8-13

Sheet: 1 of 2

Owner:CITY OF BANNING

Project: **PROJECT NO. 2013-02EL, "Sunset Grade Separation Phase 1 – Pole Realignment"**

Contractor: Henkels & McCoy

The following changes are hereby made to the Contract Documents:

JUSTIFICATIONS:

CHANGE TO CONTRACT PRICE

Original Contract Price	\$230,180.00
Current Contract Price adjusted by previous Change Order(s)	\$230,180.00
Contract Price due to this Change Order will be (increased) (decreased)	\$16,838.42
New Contract Price including this Change Order	\$247,018.42
Contract Change in Per Cent	7.3%

CHANGE TO CONTRACT TIME

Contract Time will be (increased) (decreased) 0
(Calendar Days)

Date for Completion of all Work 9-3-13

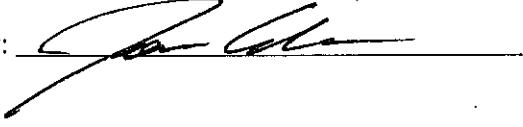
APPROVALS REQUIRED

To be effective, this order must be approved by the Owner, or as may otherwise be required by the Supplemental General Conditions.

Requested by: _____ Date: _____

Recommended by: _____ Date: _____

Approved by: _____ Date: _____

Accepted By:  Date: 10-16-13

52



Henkels & McCoy, Inc.
2268 Collection Center Drive, Chicago IL 60693
215-283-7600

ORIGINAL INVOICE

Page 1 of 1

INVOICE DATE: 10/16/2013 CUSTOMER NUMBER: 5786

INVOICE # CTYBAN-I1000

TO: BANNING
176 E LINCOLN
PO BOX 998
BANNING, CA. 92220

ATTN: BRAR, RASHPAL

IMPORTANT
PLEASE INCLUDE THE ABOVE NUMBER ON ALL
REMITTANCES SO PROPER CREDIT MAY BE MADE
TO YOUR ACCOUNT.
MAIL ALL REMITTANCES TO:
HENKELS & McCOY INC
2268 Collection Center Drive
Chicago IL 60693

UNIT CD	DESCRIPTION	QTY	PRICE	AMOUNT
Customer Reference Number: 2013-02EL				
CO-01	RELOCATE STRUCTURES/PIN PLACEMENT	1.000	3,715.51	\$3,715.51
CO-02	RELOCATION OF POLE 6431 CO#1	1.000	10,527.54	\$10,527.54
CO-04	JACK POLES TOGETHER	1.000	2,595.37	\$2,595.37
ITEM01	Project No. 2013-02EL, Sunset Grade Separation P1	1.000	230,180.00	\$230,180.00
Customer Reference Number: 2013-02EL Totals:				\$247,018.42

SUB TOTAL:	\$247,018.42
TAX:	\$0.00
INVOICE TOTAL:	\$247,018.42
RETAINAGE:	\$0.00
TOTAL DUE:	\$247,018.42

53



CHANGE ORDER REQUEST

(PM Aid 3.3.9.1)

Initiation
<input checked="" type="checkbox"/> Customer
<input type="checkbox"/> Henkels & McCoy
<input type="checkbox"/> Subcontractor

Initiation Date: 8/13

Change Order Request #
003-R2

Customer City of Banning	Project Sunset Pole Re-Location	Field Change Request# (Reference) 4917
Customer Work Order#:	Worksite Location	
H&M Work Order#: 1005		

Type of Change Order	
<input checked="" type="checkbox"/> Scope Change	<input type="checkbox"/> Schedule Change
<input type="checkbox"/> Differing Site Condition	<input type="checkbox"/> Other:
COR Title: Relocate Structure #6424 and 6427	

Scope of Work
Relocate structure #6424 sout 5' to compensate for original alignment. relocate structure # 6427 west 3.5' to compesate for original alignment.
Relocate 12kv Pin & insulator too allowable minimum to alleviate down guy infraction at conductor point of attachment on structure # 6428 & 6430

Schedule Impact
Date Start COR: 8/20/2013
Date COR valid through: 8/20/2013
New End Date (if applicable):

Unit Code	Unit Description	Rate	Quantity	Extended Amt
FM	FOREMAN	\$108.63	1.00	\$799.57
LM	LINEMAN	\$100.43	1.00	\$739.13
AP-4	APPRENTICE 4	\$69.68	0.00	\$0.00
GM	GROUNDMAN	\$79.13	1.00	\$512.81
EQ	EQ LS			\$1,664.00

Reference Documents/Drawings
Timesheet date 8/20/2013
RFI # 6

Cost	<input type="checkbox"/> Lump Sum	<input checked="" type="checkbox"/> T&M	<input type="checkbox"/> Units	\$3,715.51
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APPROVAL TO PROCEED			
H&M Representative Sam Harris Jon Askins	Submit Date	Customer Representative	Approval Date
H&M Representative Signature 		Customer Representative Signature	

Internal Use Only	Logged in WOS?	Status
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CHANGE ORDER REQUEST #003 REVISED

FCO 4917 (Revised Rates) 8/14/2013										
	Straight Time Cost			Double Time Cost			Union Subsistence Cost		OH	Subtotal
	ST Hrs	ST Rate	Extended Total	DT Hrs	DT Rate	Extended Total	\$50/day	Overhead Cost		
Forman	8	\$ 80.66	\$ 645.28	0	\$ 142.69	\$ -	\$ 50.00	\$ 104.29	\$ 799.57	
Journeyman	8	\$ 74.09	\$ 592.72	0	\$ 130.50	\$ -	\$ 50.00	\$ 96.41	\$ 739.13	
Groundman	8	\$ 49.49	\$ 395.92	0	\$ 83.95	\$ -	\$ 50.00	\$ 66.89	\$ 512.61	
Apprentice (4th Step)	0	\$ 58.00	\$ -	0	\$ 100.30	\$ -	\$ -	\$ -	\$ -	
	24	\$ 1,633.92		0	\$ -	\$ -	\$ 150.00	\$ 408.48	\$ 2,051.51	
								Original Total:	\$ 4,853.46	
								Delta:	\$ (2,801.95)	
Equipment @ Revised Rates										
FCO 4917 SUMMARY										
FCO Original Total: \$ 4,853.46										
FCO Reduction: \$ (1,137.95)										
Revised FCO Total: \$ 3,715.51										

CHANGE ORDER #003 SUMMARY
Change Order #003 \$ 4,853.46
Original Total:
Change Order #003 \$ (1,137.95)
Reduction:
Revised Change Order #003 Total: \$ 3,715.51

55



CHANGE ORDER REQUEST

(PM Aid 3.3.9.1)

2-3

Initiation	Initiation Date: 8/12/13	Change Order Request #
<input checked="" type="checkbox"/> Customer <input type="checkbox"/> Henkels & McCoy <input type="checkbox"/> Subcontractor		001-R2

Customer City of Banning	Project Sunset Pole Re-Location	Field Change Request# (Reference) 4918 & 4919
Customer Work Order#:	Worksite Location	
H&M Work Order#: 1005		

Type of Change Order <input checked="" type="checkbox"/> Scope Change <input type="checkbox"/> Differing Site Condition	<input type="checkbox"/> Schedule Change <input type="checkbox"/> Other:	COR Title: Remove and Re-Set Pole # 6431
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Scope of Work FCO-4918**** Mobbed EQ- Temporarily guyed str#6431 Removed & Reinstalled grounds. Lowered down 12 Kv circuit. Lowered down 2 circuits of transmission, Rigged to Crane, to keep conductors off ground. Rigged Line truck to #6430 Removed 12 KV and fiber double crossarms, detached street lite wire, tem supported all fiber & messengers, Removed four down guys & rebuilt extra length using backhoe dug out #6430, Piked Pole spun to 90 degrees move over to accommodate conductors, set pole to depth backfilled and temped plumbed began mag drilling new holes on pole for down guys installed down guys and tensioned. FCO-4919**** Complete Reconstruction #6431 Transferred 6x477 ACSR, Transmission Conductors to Deadend locations. Drilled Holes & Reconstructed Fiber Crossarms
--

Schedule Impact	Date Start COR: 8/15/2013
	Date COR valid through: 8/16/2013
	New End Date (if applicable):

Unit Code	Unit Description	Rate	Quantity	Extended Amt
FM	FOREMAN		1.00	\$2,255.52
LM	LINEMAN		3.00	\$6,235.67
AP-4	APPRENTICE 4		1.00	\$2,708.57
GM	GROUNDMAN		2.00	\$1,643.58
EQ	EQ LS			\$7,072.20
CREDIT	CREDIT 1		1.00	(\$9,388.00)

Reference Documents/Drawings

Timesheet date 8/15/2013 and 8/16/2013

RFI # 1 & 4

Cost	<input type="checkbox"/> Lump Sum	<input checked="" type="checkbox"/> T&M	<input type="checkbox"/> Units	\$10,527.54
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APPROVAL TO PROCEED

H&M Representative Sam Harris H&M Representative Signature 	Submit Date 10-16-13	Customer Representative	Approval Date
		Customer Representative Signature	

Internal Use Only	Logged in WOS?	Status
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CHANGE ORDER REQUEST #001 REVISED

FCO # 4918 (Revised Rates) 8/15/2013													
	Straight Time Cost			Double Time Cost			Union Subsistence Cost		OH				
	ST Hrs	ST Rate	Extended Total	DT Hrs	DT Rate	Extended Total	\$50/day	Overhead Cost	Subtotal				
Foreman	8	\$ 80.66	\$ 645.28	3	\$ 142.69	\$ 428.07	\$ 50.00	\$ 168.50	\$ 1,291.85				
J Journeyman	24	\$ 74.09	\$ 1,778.16	9	\$ 130.50	\$ 1,174.50	\$ 150.00	\$ 465.40	\$ 3,568.05				
Groundman	16	\$ 49.49	\$ 791.84	6	\$ 83.95	\$ 503.70	\$ 50.00	\$ 201.83	\$ 1,547.37				
Apprentice (4th Step)	8	\$ 58.00	\$ 464.00	3	\$ 100.30	\$ 300.90	\$ 50.00	\$ 122.24	\$ 937.14				
	56	\$	3,679.28	21	\$	2,407.17	\$	300.00	\$ 1,521.61				
									\$ 7,344.42				
									Original Total: \$ 9,869.32				
									Delta: \$ (2,524.90)				
Equipment @ Revised Rates													
				Pieces		Hours		Cost/HR	Subtotal				
				10		8		\$ 471.48	\$ 3,771.84				
								\$ 471.48	\$ 3,771.84				
								Original Total: \$ 4,242.24					
								Delta: \$ (470.40)					
FCO 4918 SUMMARY													
FCO Original Total: \$ 14,111.56													
FCO Reduction: \$ (2,995.30)													
Revised FCO Total: \$ 11,116.26													

FCO # 4919 (Revised Rates) 8/16/2013													
	Straight Time Cost			Double Time Cost			Union Subsistence Cost		OH				
	ST Hrs	ST Rate	Extended Total	DT Hrs	DT Rate	Extended Total	\$50/day	Overhead Cost	Subtotal				
Foreman	8	\$ 80.66	\$ 645.28	1	\$ 142.69	\$ 142.69	\$ 50.00	\$ 125.70	\$ 963.67				
J Journeyman	24	\$ 74.09	\$ 1,778.16	3	\$ 130.50	\$ 391.50	\$ 150.00	\$ 347.95	\$ 2,667.61				
Groundman	16	\$ 49.49	\$ 791.84	2	\$ 83.95	\$ 167.90	\$ 50.00	\$ 151.46	\$ 1,161.20				
Apprentice (4th Step)	8	\$ 58.00	\$ 464.00	1	\$ 100.30	\$ 100.30	\$ 50.00	\$ 92.15	\$ 706.45				
	56	\$	3,679.28	7	\$	802.39	\$	300.00	\$ 1,120.42				
									\$ 5,498.92				
									Original Total: \$ 7,374.17				
									Delta: \$ (1,875.25)				
Equipment @ Revised Rates													
				Pieces		Hours		Cost/HR	Subtotal				
				10		7		\$ 471.48	\$ 3,300.36				
								\$ 471.48	\$ 3,300.36				
								Original Total: \$ 3,711.96					
								Delta: \$ (411.60)					
FCO 4919 SUMMARY													
FCO Original Total: \$ 11,086.13													
FCO Reduction: \$ (2,286.83)													
Revised FCO Total: \$ 8,799.28													

CHANGE ORDER #001 SUMMARY	
Change Order #001	\$ 25,197.69
Original Total:	\$ (9,388.00)
Contract Credit:	\$ (9,388.00)
Change Order #001 Reduction:	\$ (14,670.15)
Revised Change Order #001 Total:	\$ 10,527.54

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CHANGE ORDER REQUEST

(PM Aid 3.3.9.1)

#4

Initiation
<input checked="" type="checkbox"/> Customer
<input type="checkbox"/> Henkels & McCoy
<input type="checkbox"/> Subcontractor

Initiation Date: 8/09/13

Change Order Request #
002-02

Customer City of Banning	Project Sunset Pole Re-Location	Field Change Request# (Reference)
Customer Work Order#:	Worksite Location	
H&M Work Order#: 1005		

Type of Change Order	
<input checked="" type="checkbox"/> Scope Change	<input type="checkbox"/> Schedule Change
<input type="checkbox"/> Differing Site Condition	<input type="checkbox"/> Other:
COR Title: Jack three Poles together	

Scope of Work Jack three poles together
--

Schedule Impact	Date Start COR: 8/14/2013
	Date COR valid through: 8/14/2013
	New End Date (if applicable):

Unit Code	Unit Description	Rate	Quantity	Extended Amt
FM	FOREMAN		1.00	\$328.19
LM	LINEMAN		3.00	\$900.45
AP-4	APPRENTICE 4		1.00	\$193.09
GM	GROUNDMAN		2.00	\$230.69
EQ	EQ LS			\$942.96

Reference Documents/Drawings
Timesheet date 8/14/2013
RFI # 3

Cost	<input type="checkbox"/> Lump Sum <input checked="" type="checkbox"/> T&M <input type="checkbox"/> Units	\$2,595.37
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APPROVAL TO PROCEED			
H&M Representative Sam Harris	Submit Date 10-16-13	Customer Representative	Approval Date
H&M Representative Signature 	Customer Representative Signature		

Internal Use Only	Logged in WOS?	Status
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CHANGE ORDER REQUEST #002 REVISED

RFI #003 (Revised Rates) 8/14/2013															
	Straight Time Cost			Double Time Cost			Union Subsistence Cost		OH						
	ST Hrs	ST Rate	Extended Total	DT Hrs	DT Rate	Extended Total	\$50/day	Overhead Cost	Subtotal						
Foreman	0	\$ 80.66	\$ -	2	\$ 142.69	\$ 285.38		\$ 42.81	\$ 328.19						
J Journeyman	0	\$ 74.09	\$ -	6	\$ 130.50	\$ 783.00		\$ 117.45	\$ 900.45						
Groundman	0	\$ 49.49	\$ -	2	\$ 83.95	\$ 167.90		\$ 25.19	\$ 193.09						
Apprentice (4th Step)	0	\$ 58.00	\$ -	2	\$ 100.30	\$ 200.60		\$ 30.09	\$ 230.69						
	0	\$ -	\$ -	12	\$ -	\$ 1,436.88	\$ -	\$ 359.22	\$ 1,652.41						
								Original Total:	\$ 2,122.16						
								Delta:	\$ (469.75)						
Equipment @ Revised Rates															
Pieces				Hours		Cost/HR		Subtotal							
10				2		\$ 471.48		\$ 942.96							
						\$ 942.96		Original Total: \$ 1,050.56							
								Delta: \$ (117.60)							
FCO 4918 SUMMARY															
FCO Original Total: \$ 3,182.72															
FCO Reduction: \$ (587.35)															
Revised FCO Total: \$ 2,595.37															

CHANGE ORDER #002 SUMMARY
Change Order #002 \$ 3,182.72
Original Total:
Change Order #002 \$ (587.35)
Reduction:
Revised Change Order #002 Total: \$ 2,595.37
Order #002 Total:

59

**CITY COUNCIL AGENDA
CONSENT**

DATE: November 12, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Doug Clarke, Assistant Fire Marshal

SUBJECT: Resolution No. 2013-108 Authorizing the appropriations related to the Fiscal Year 2013 State Homeland Security Program Grant

RECOMMENDATION: That the City Council adopt Resolution No. 2013-108 authorizing the acceptance of the grant and the necessary budget appropriations related to the Fiscal Year 2013 State Homeland Security Program Grant that is offered by Homeland Security for the use of Emergency Management Programs.

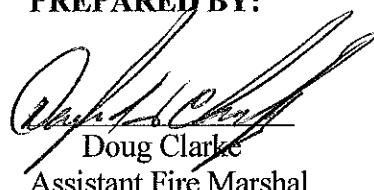
BACKGROUND/ANALYSIS: The City recently had the opportunity to apply for a grant through Homeland Security for the purposes of equipping the City's Emergency Operation Center ("EOC"). In the event of a disaster it is critical for the City to communicate with the County, State and Federal communication centers to make sure the appropriate resources and personnel are deployed to the City. Having a functional EOC will also allow the City to receive County, State and Federal funds for post disaster recovery. Grants were awarded based on a per capita allocation.

The application requested the full amount available for Banning, which was granted. The total amount that has been awarded is \$14,380.00. The grant requires matching funds by the agency awarded the grant. Staff time working on the project is an eligible expense in addition to dollar for dollar match. There is no requirement to use the full amount granted.

The new EOC equipment will help to provide the basic infrastructure needed to operate the EOC in the event of a disaster. The EOC is a conference room located in the Banning Police Department. This equipment will be used to outfit this room to handle disaster operations within the City. This grant will cover the purchase of handheld computing devices and integrated computer hardware equipment that will allow effective communications with the County, State and Federal agencies.

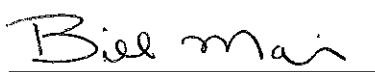
FISCAL IMPACT: This grant will allow the City of Banning to use employee time working on the EOC equipment to qualify as a match for dollars spent, which will reduce the total dollars needed to match the grant awarded. The grant match maximum is \$14,380.00 and will be funded through staff time and contingency already budgeted.

PREPARED BY:



Doug Clarke
Assistant Fire Marshal

REVIEWED BY:



Bill Manis
Economic Development Director

APPROVED BY:



Andrew J. Takata
City Manager

Attachments

1. Resolution No. 2013-108
2. Grant Award Letter dated September 25, 2013

60

Attachment 1

Resolution No. 2013-108

61

RESOLUTION NO. 2013-108

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING
AUTHORIZING THE APPROPRIATIONS RELATED TO THE FISCAL YEAR 2013
STATE HOMELAND SECURITY PROGRAM GRANT**

The City of Banning DOES RESOLVE as follows:

WHEREAS, the City recently had the opportunity to apply for the Fiscal year 2013 State Homeland Security Program Grant ("Grant") through Homeland Security for the purposes of equipping the City's Emergency Operation Center ("EOC"); and

WHEREAS, the Grant will cover the purchase of new EOC equipment, including handheld computing devices and integrated computer hardware equipment that will allow effective communications with the County, State and Federal agencies; and

WHEREAS, in the event of a disaster it is critical for the City to communicate with the County, State and Federal communication centers to make sure the appropriate resources and personnel are deployed to the City. Having a functional EOC will also allow the City to receive County, State and Federal funds for post disaster recovery; and

WHEREAS, the City of Banning was awarded the Fiscal Year 2013 State Homeland Security Program Grant in the amount of \$14,380.00. The grant requires matching funds by the agency awarded the grant. Staff time working on the project is an eligible expense in addition to dollar for dollar match. There is no requirement to use the full amount granted; and

NOW, THEREFORE, BE IT RESOLVED by the City of Banning as follows:

SECTION 1. The City of Banning hereby approves the dollar for dollar match of the Grant in an amount not to exceed \$14,380.00.

SECTION 2. The City of Banning hereby authorizes the Administrative Services Director/Deputy City Manager to make any necessary budget adjustments.

PASSED, APPROVED, AND ADOPTED this 12th day of November 2013.

Debbie Franklin
Mayor of the City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire
Aleshire and Wynder, LLP

ATTEST:

Marie A. Calderon
City Clerk

CERTIFICATION:

I, Marie A. Calderon, City Clerk, do hereby certify that the foregoing Resolution No. 2013-108 was duly adopted by the City of Banning, California, at a regular meeting thereof held on the 12th day of November 2013, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marie A. Calderon
City Clerk

Attachment 2

Grant Award Letter dated September 25, 2013



RIVERSIDE COUNTY FIRE DEPARTMENT
IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief

210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

Proudly Serving the
Unincorporated Areas
of Riverside County
and the Cities of:

BANNING
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EASTVALE
INDIAN WELLS

INDIO
JURUPA VALLEY

LAKE ELSINORE

LA QUINTA
MINEE

MORENO VALLEY

PALM DESERT

PERRIS

RANCHO MIRAGE

RUBIDOUX CSD

SAN JACINTO

TEMECULA

WILDOMAR

BOARD OF
SUPERVISORS:

BOB BUSTER
DISTRICT 1

JOHN TAVAGLIONE
DISTRICT 2

JEFF STONE
DISTRICT 3

JOHN BENOIT
DISTRICT 4

MARION ASHLEY
DISTRICT 5

September 25, 2013

City of Banning
Doug Clark
Banning Fire Department

RE: FY13 Emergency Management Performance Grant Program (EMPG) Award - \$14,380
Grant #2013-0047 CFDA#: 97.042

The California Emergency Management Agency (CalEMA) has approved Riverside County's FY13 Emergency Management Performance Grant Program (EMPG) application and has authorized the commencement of reimbursement requests. The performance period of this grant is July 1, 2013 (for personnel) 9/24/13 (for equipment) – May 1, 2014. All final reimbursement requests are due no later than June 10, 2014.

Please remember that changes to your grant will require the approval of the OA prior to incurring any costs. All modifications, EHP's, sole source procurement, EOC and construction requests require additional approvals from CalEMA through the OA prior to incurring any costs. Some of your projects may require these additional approvals. It is your Agency's responsibility to obtain all additional approvals prior to expending the funds. Your Agency will also be responsible for providing all necessary documentation for reimbursements. If you are purchasing maintenance agreements, upgrades, service fees, etc. for your equipment or continuation of a service it is your responsibility to provide proof that these costs follow the guidelines of the grant. Your Agency's Financial Workbook is being provided to you via email along with a copy of this letter. If you have not already done so, please have the Grant Assurances read, signed and dated by your authorized agent in blue ink and return to me. Reimbursements will not be processed without these. Keep in mind that this grant has a dollar-for-dollar match requirement.

By accepting this award it will be understood that you are agreeing to conform to the requirements of the grant as put forth in the FY13 EMPG Grant Assurances, the State Supplemental Guidance, the Federal Guidance, the Federal Single Audit Act of 1984 and amendment of 1996, and the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended.

As always, please feel free to contact me with any questions you may have. I look forward to working with you and appreciate your cooperation and support.

Regards,

Kim Dana
Administrative Services Analyst II
Riverside County Fire/OES

65

**CITY COUNCIL AGENDA OF THE CITY OF BANNING
REPORT**

Date: November 12, 2013

TO: Mayor and Members of the City Council

FROM: Duane Burk, Public Works Director

SUBJECT: Approval of Settlement of Litigation Matter Entitled *Stephen J. Mascaro, et al. v. Banning Heights Mutual Water Company, et al.* (San Bernardino County Superior Court Case No. CIVDS 1104447)

RECOMMENDATION:

That the City Council approve the Settlement Agreement and Mutual Release, subject to the Settlement Agreement and Mutual Release being recorded with the County Recorder's Office.

JUSTIFICATION:

Plaintiffs agree to Banning's terms and to record this Settlement Agreement with the County Recorder's Office. Plaintiffs signed this Settlement Agreement dated November 5, 2013. The governing boards for the other Defendants (Southern California Edison and Banning Heights Mutual Water Company) are anticipated to consider approval of the Settlement Agreement later this month.

BACKGROUND:

Banning has significant water rights arising from a "flume," the artificial canal that delivers water from high in the San Bernardino Mountains to Banning. This litigation matter started during April 2011 when Plaintiffs sued Banning, Banning Heights Mutual Water Company, and Southern California Edison for a "riparian" right to water in the flume and to eliminate an easement on which the flume is located.

The substance of the Settlement Agreement is:

1. Mascaros may divert from the flume up to 2 acre feet yearly but must return any unused water;
2. Mascaros shall pay retail rate to Banning for more than 2 acre feet capped at 10 acre feet, but only when and if needed for the Mascaros' radio tower business on Snow Peak;
3. Mascaros' use and storage of the water must be "reasonable and beneficial" as defined by law; they must install a meter or similar device to ensure they do not exceed 2 acre feet; Mascaros must report their use annually; they cannot export the water from the property nor can they sell any of the water;

4. Mascaros will convey one acre to Banning for staging equipment for future repairs and maintenance of the flume;
5. Mascaros will expand the existing flume right-of-way from 20 feet to 100 feet;
6. Mascaros will allow Banning full ingress and egress to the Mascaros' property as needed for operating and maintaining the flume;
7. Mascaros are not guaranteed any supply of water, and Mascaros are not a customer of Banning;
8. Mascaros will support Banning's efforts, with regulatory agencies and otherwise, for ownership of the flume to transfer from Southern California Edison to Banning; and,
9. Banning Heights Mutual Water Company will pay the Mascaros \$10,000 and issue a public apology for damage allegedly caused in 2008 to the Mascaros' property.

FISCAL DATA:

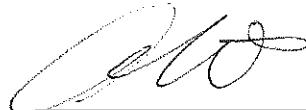
No fiscal impact. Recommended action ends the litigation without Banning paying a settlement amount or any of Plaintiffs' attorneys' fees or costs.

RECOMMENDED BY:



Duane Burk
Public Works Director

APPROVED BY:



Andrew J. Takata
City Manager

ORDINANCE NO. 1472

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA, AMENDING CHAPTER 15.08 OF THE BANNING MUNICIPAL
CODE BY ADOPTING BY REFERENCE THE ENTIRETY OF THE LATEST
CALIFORNIA BUILDING CODE, RESIDENTIAL CODE, GREEN BUILDING
STANDARDS CODE, PLUMBING CODE, MECHANICAL CODE, ELECTRICAL
CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE, ALL AS
RELATIVE TO CONSTRUCTION CODES**

WHEREAS, the State's Health and Safety Code Section 17958 mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three (3) years; and

WHEREAS, the State's Health and Safety Code requires local governments to adopt the most recent editions of the model codes related to construction; and

WHEREAS, the construction codes include the California Building, Residential, Green Building Standards, Plumbing, Mechanical, and Electrical Codes; and

WHEREAS, the adoption of the Ordinance related to construction codes is consistent with California Government Code Title 5, Division 1, Part 1, as published by the Building Standards Bulletin 09-02.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. ADOPTION

Chapter 15.08 of the Banning Municipal Code relating to "Adoption of Uniform Codes" is hereby amended by deleting the existing Chapter 15.08 in its entirety and adopting a new Chapter 15.08 to read as follows in its entirety:

"Chapter 15.08 Construction Codes

Sections:

15.08.010 Incorporation by Reference.

15.08.020 Interpretation of the Banning Municipal Code and Zoning Code with regard to references to the amended Construction Codes

15.08.030 Additional Penalties

15.08.010 Incorporation by Reference.

A. Except as otherwise provided in this chapter for the purposes of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of building and structures, the following construction codes are hereby adopted as "Chapter 15.08, Construction Codes," and all appendices, tables, and indices thereto, as the same existed on December --, 2013, are hereby adopted by reference and incorporated as if fully set out herein, and the provisions thereof shall be controlling within the limits of the city.

1. California Building Code, 2013 Edition, including Chapter 1 Division II, based on the 2012 International Building Code as published by the International Code Council;
2. California Residential Code, 2013 Edition, based on the 2012 International Residential Code as published by the International Code Council;
3. California Green Building Standards Code, 2013 Edition;
4. California Plumbing Code, 2013 Edition, based on the 2012 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials;
5. California Mechanical Code, 2013 Edition, based on the 2012 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials;
6. California Electrical Code, 2013 Edition, based on the 2011 National Electrical Code as published by the National Fire Protection Association;
7. International Property Maintenance Code, 2012 Edition, as published by the International Code Council; the Uniform Code For The Abatement of Dangerous Buildings, 1997 Edition, as published by the International Code Council.

B. One copy of the Construction Codes, described in this Section, has been deposited in the office of the city clerk and shall be at all times maintained by the city clerk for use and examination by the public.

15.08.020 Interpretation of the Banning Municipal Code and Zoning Code with regard to references to the amended Construction Codes

For the purposes of interpreting the adopted Construction Codes in the Banning Municipal Code and Zoning Code, references to the Uniform Building Code shall be replaced with the latest adopted California Building Code, if any.

15.08.030 Additional Penalties

In addition to those penalty provisions adopted by reference from those codes listed in Section 15.08.010, the following penalties shall also apply:

It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this ordinance. Any person, firm, corporation or association of persons violating any provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person or entity shall be deemed guilty of separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance, is committed, continued, or permitted.

Any person, firm, corporation or association of persons so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a first violation; (2) guilty of an infraction offense and punishable by a fine not exceeding three hundred dollars (\$300.00) for a second violation on the same site. The third and any additional violations on the same site shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person or entity from the responsibility for correcting the violation."

SECTION 2. FINDINGS

The City of Banning is not making any amendments to the California Building Codes; therefore, the findings are not required per the California Government Code Section 17958.7.

SECTION 3. PENALTIES ADOPTED BY REFERENCE

Violation of or failure to comply with any of the provisions of Chapter 15.08, Construction Codes shall be subject to those penalty provisions set forth in Attachment "A" hereto. These penalty provisions are so set forth herein to meet the requirements of Government Code Section 50022.4; such penalty provisions are also adopted by reference pursuant to Section 1 without any revisions (unless otherwise specified above) and, therefore, such penalty provisions as printed in Attachment "A" need not be codified in the Banning Municipal Code.

SECTION 4. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences clauses, phrases or portions thereof be declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effective 30 days after its passage.

PASSED, APPROVED, AND ADOPTED this 12th day of November, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1472 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 22nd day of October 2013, and was duly adopted at a regular meeting of said City Council on the 12th day of November, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning, California

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN of a Public Hearing before the City Council of the City of Banning to be held at a regular City Council Meeting on Tuesday, November 12, 2013, at 5:00 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California regarding consideration of adopting proposed Ordinance No. 1472, An Ordinance of the City Council of the City of Banning, California, Amending Chapter 15.08 of the Banning Municipal Code by Adopting By Reference the Entirety of the Latest California Building Code, Residential Code, Green Building Standards Code, Plumbing Code, Mechanical Code, Electrical Code and International Property Maintenance Code, All As Relative to Construction Codes.

You may wish to examine a certified copy of the full text of this proposed Ordinance, which is posted in the City Clerk's Office located at the Banning Civic Center, 99 E. Ramsey St., Banning, California, for a period of 10 days prior to the Public Hearing.

All interested parties are invited to attend said hearing and present oral or written testimony on the matter or send their written comments to the City Clerk, P.O. Box 998, Banning, California 92220.

BY ORDER OF THE CITY CLERK of the City of Banning, California.

/s/ Marie A. Calderon, City Clerk
City of Banning, California

DATED: October 23, 2013

PUBLISH: 10/28/13 and 1/4/13

**CITY COUNCIL
PUBLIC HEARING**

DATE: November 12, 2013

TO: Honorable Mayor and City Council Members

FROM: Zai Abu Bakar, Community Development Director

SUBJECT: ORDINANCE NO. 1470

**AMENDING A SECTION OF THE ZONING ORDINANCE
PERTAINING TO WALLS AND FENCES IN THE BUSINESS
PARK ZONING DISTRICT**

STAFF RECOMMENDATION

That the City Council takes the following actions:

1. Adopt Ordinance No. 1470 (Attachment 1) amending a Section of the Zoning Ordinance Pertaining to Walls and Fences in the Business Park Zoning District.

Planning Commission Recommendation

At their regularly scheduled meeting on October 2, 2013, the Planning Commission held a public hearing for proposed Ordinance No. 1470. The Planning Commission then considered the information provided in the staff report and public comment, and voted (5 yes-0 no) to approve Resolution No. 2013-13 recommending that City Council adopt Ordinance No. 1470. It is noted that there was some discussion regarding requiring walls and fences for the front yard setback also. The recommendation was amended by Planning Commission to include "*Walls and fences may be provided in the front, sides and rear yards*".

JUSTIFICATION: The City Council adopted the present Zoning Ordinance in January 2006. The Zoning Ordinance ensures the orderly development of all lands within the City's corporate boundaries to protect the public health, safety, and welfare. The Zoning Ordinance is further intended to provide standards and guidelines for new and existing development consistent with the General Plan, which respect and enhance the character of existing neighborhoods, secure more open space, and encourage high quality development proposals. However, the Zoning Ordinance regulations may, from time to time, need minor revisions to encourage and facilitate development.

BACKGROUND/ANALYSIS:

At the regularly scheduled Planning Commission meeting held on August 7, 2013, members of the commission expressed concern that the requirement to place a solid block wall around a project in the Business Park zoning district as too restrictive. It was suggested by members of the Planning Commission to allow iron fencing. Therefore, staff is proposing to amend the Zoning Ordinance to permit other types of walls/fencing as permitted in other places in the Zoning Ordinance in accordance with their request.

Use Specific Standards for Business Park Development

Chapter 17.12 of the Zoning Ordinance sets forth the standards for commercial and industrial development within the City and the various commercial and industrial zoning districts. Section 17.12.050 lists use specific standards for certain types of development. Within that section of the code are requirements for Business Park (BP) development both on Ramsey Street and not on Ramsey Street listed as follows:

17.12.050 Use specific standards.

- E. Business Park Development on Ramsey Street. Development in the Business Park district which has a property line adjacent to Ramsey Street shall conform to the following criteria:
 - 1. At least 50% of the lineal frontage on Ramsey Street shall be occupied by retail commercial land uses.
 - 2. A minimum landscaped setback of 25 feet shall be provided for all property lines adjacent to, or across a street or alley from, residentially designated properties.
 - 3. A decorative block wall, 6 feet in height, shall be provided for the side and rear sides of the property. The wall shall be located at the interior boundary of the landscaped setback if required in #2, above.
 - 4. Outdoor storage, outdoor fabrication or manufacturing activities shall be completely screened from view.
 - 5. Loading areas and loading docks shall be located on the side of the lot to the greatest extent possible.
 - 6. Manufacturing activities shall be prohibited before 7:00 A.M. or after 7:00 P.M., on Saturdays and Sundays, and legal holidays.
 - 7. All projects which include a manufacturing component shall be required to complete an Initial Study under the California Environmental Quality Act, and may be required to prepare specialized air quality or other analyses, as determined necessary by the Director.
 - 8. Exterior lighting shall not spill onto adjacent properties. Lighting plans, including lighting levels at property lines, shall be submitted as part of the Design Review application.
- F. Business Park Development Not on Ramsey Street. Development in the Business Park district shall conform to the following criteria:

- 1. A minimum landscaped setback of 25 feet shall be provided for all property lines adjacent to, or across a street or alley from, residentially designated properties.
- 2. A decorative block wall, 6 feet in height, shall be provided for the side and rear sides of the property. The wall shall be located at the interior boundary of the landscaped setback if required in #2, above.
- 3. Outdoor storage, outdoor fabrication or manufacturing activities shall be completely screened from view.
- 4. Loading areas and loading docks shall be located on the side of the lot, away from residentially designated property, to the greatest extent possible.
- 5. Hours of operation shall be determined during project review.
- 6. All projects which include a manufacturing component shall be required to complete an Initial Study under the California Environmental Quality Act, and may be required to prepare specialized air quality or other analyses, as determined necessary by the Director.
- 7. Exterior lighting shall not spill onto adjacent properties. Lighting plans, including lighting levels at property lines, shall be submitted as part of the Design Review application.

The specific amendments as proposed below allow business owners/property owners to have a wall/fence if they so desire, it is not mandatory:

Amend paragraph 3 of the Use specific standards of Section 17.12.050(E) *Business Park Development on Ramsey Street* as follows:

"Shall" is mandatory and "may" is permissive.

- 3. Walls and fences **may** be provided in the front, sides and rear yards. Wall, fences, and gates that are to be used for screening purposes shall be decorative solid block walls, or stucco block walls, or wrought iron (open fencing shall be backed by solid or perforated metal colored to the match the fence or gate) or a combination of decorative block wall and wrought iron grill work. Colors and materials for the walls and fences shall be compatible with the building architecture. The wall shall be located at the interior boundary of the landscaped setback if required in #2, above.

Amend paragraph 2 of the Use specific standards of Section 17.12.050(F) *Business Park Development Not on Ramsey Street* as follows:

- 2. Walls and fences **may** be provided in the front, sides and rear yards. Wall, fences, and gates that are to be used for screening purposes shall be decorative solid block walls, or stucco block walls, or wrought iron (open fencing shall be backed by solid or perforated metal colored to the match the fence or gate) or a combination of decorative block wall and wrought iron grill work. Colors and materials for the walls and fences shall be compatible with the building architecture. The wall shall be located at the interior boundary of the landscaped setback if required in #1, above.

The wording proposed to amend the code was compared with the existing Zoning Ordinance, Section 17.12.130 *Walls and fences* of the Commercial and Industrial development standards in order to remain consistent with existing wall/fencing requirements.

ENVIRONMENTAL DETERMINATION

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines, the recommendation of the Community Development Director as provided in the staff report dated November 12, 2013, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. California Environmental Quality Act (CEQA):

CEQA: The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Zoning Ordinance do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this ordinance will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. Multiple Species Habitat Conservation Plan (MSHCP):

The amendments to the Zoning Ordinance do not relate to any one physical project and are not subject to the MSHCP. Further, projects subject to this ordinance will trigger individual project analysis and documentation related to the requirements of MSHCP including mitigation through payment of the MSHCP Mitigation Fee.

REQUIRED FINDINGS FOR ZONE TEXT AMENDMENT NO. 13-97504:

The Zoning Ordinance requires that each Zone Text Amendment meet certain findings in Section 17.116.050 in order to be approved by the City Council. The following findings are provided for consideration:

1. The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan, insofar as the General Plan designations and Zoning designations will not change, and the text amendments will result in clarifying the goals, policies and programs of the General Plan. The primary General Plan Land Use element Goal is "*A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents*". By amending the Zoning Ordinance specifically pertaining to the placement of walls and fences in the Business Park zoning district, it is anticipated that the proposed amendment will encourage development within the district that will ultimately enhance the quality of life for Banning residents who may utilize the commercial services provided by these developments.

Furthermore, it is a goal of the Land Use element of the City's General Plan to provide for complimentary commercial uses; specifically the Commercial Goal states that provision for "*Complementary commercial uses which meet the needs of the City's residents, increase the City's revenues, and provide a range of employment opportunities*" shall be provided; and, more specifically Policy 3 states that "*the Zoning Ordinance shall include principles, design standards and guidelines which encourage the development of high quality commercial projects*". It is anticipated that allowing other than solid block walls in the Business Park zoning district, will encourage and facilitate small business development that increases tax revenue for the City through the sale of additional goods and services as well as employment opportunities.

2. The proposed Zone Text Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will amend the existing Zoning Ordinance pertaining to business development within the present limits and development standards established by the Zoning Ordinance. Staff has reviewed and compared the proposed changes and finds no conflicting statements or inconsistencies in the Zoning Ordinance.

3. That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Municipal Code do not relate to any one physical project and will not result in any physical change to

the environment. Further, projects subject to this resolution will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this resolution may have a significant adverse effect on the environment, and therefore the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

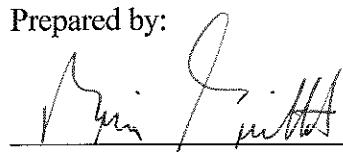
PUBLIC COMMUNICATION

The proposed Zone Text Amendment was advertised in the Record Gazette newspaper on Friday, October 11, 2013. As of the date of this report, staff has not received any verbal or written comments for or against the proposal.

STRATEGIC PLAN INTEGRATION: The City Council adopted the current strategic plan in September 2011. The 7 Goals of the plan were approved by City Council on March 22, 2011, and include: (1) Fiscal Stability, (2) Public Safety, (3) Infrastructure and City Facilities, (4) Economic Development, (5) Quality of Life, (6) Community Relations, and (7) Regional Cooperation and Partnerships. Listed under Goal #5, Action Step *“A-5” Continue to build and attractive and walkable downtown* for the Community Development Department, it is anticipated that the proposed changes to the Zoning Ordinance will encourage and facilitate commercial development in the Business Park zoning district that will make the area more attractive to the community.

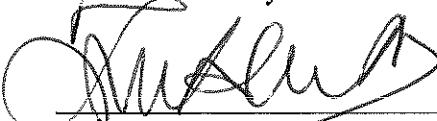
FISCAL DATA: No direct fiscal impacts are foreseen as a consequence of the adoption of Ordinance No. 1470. However, it is anticipated that the proposed changes to the Zoning Ordinance will encourage commercial development that will result in increased economic activities.

Prepared by:



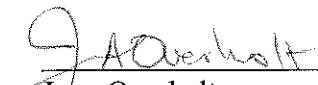
Brian Guillot
Associate Planner

Recommended by:



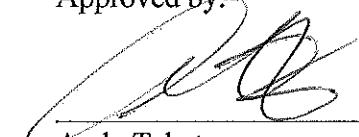
Zai Abu Bakar
Community Development Director

Reviewed by:



June Overholt
Administrative Services Director
Deputy City Manager

Approved by:



Andy Takata
City Manager

Attachments:

1. Ordinance No. 1470

Attachment 1

(Ordinance No. 1470)

ORDINANCE NO. 1470

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BANNING, CALIFORNIA APPROVING
ZONING TEXT AMENDMENT NO. 13-97504
AMENDING A SECTION OF THE ZONING
ORDINANCE PERTAINING TO WALLS AND
FENCES IN THE BUSINESS PARK ZONING
DISTRICT**

WHEREAS, commercial development is a critical component for growth in most communities, as the sale of goods and services can generate significant sales tax revenue and employment opportunities; and

WHEREAS, the City of Banning (“City”) recognizes that zoning regulations may have an indirect effect on commercial and development by adding additional regulations and time to review project applications; and

WHEREAS, it is a goal of the Land Use element of the City’s General Plan to provide for complimentary commercial uses; specifically the Commercial Goal states that provision for “Complementary commercial uses which meet the needs of the City’s residents, increase the City’s revenues, and provide a range of employment opportunities” shall be provided; and, more specifically Policy 3 states that *“the Zoning Ordinance shall include principles, design standards and guidelines which encourage the development of high quality commercial projects”*; and

WHEREAS, the Planning Commission requested that the Zoning Ordinance regulating Business Park development be amended to allow, not just decorative block walls, but other types of walls and fencing, for example wrought iron fencing, in accordance with the development guidelines of the Zoning Ordinance; and

WHEREAS, the City Council desires to respond to the concerns of its citizens including the Planning Commission regarding improving the development guidelines of the Zoning Ordinance to encourage commercial development projects and believes that it is in the best interest of its citizens to amend the Zoning Ordinance to facilitate said development; and

WHEREAS, the City of Banning is proposing to amend the Zoning Ordinance specifically pertaining to the placement of decorative block walls in the Business Park zoning district; and

WHEREAS, the City Council has authority per Chapter 17.116 of the Municipal Code to approve, approve with modifications, or disapprove amendments to the Zoning Ordinance; and

WHEREAS, the Planning Commission at its regularly scheduled meeting held October 2, 2013, recommended adoption of Ordinance No. 1470 amending the Zoning Ordinance at various places by approving Planning Commission Resolution No. 2013-13 as stated in writing; and

WHEREAS, on the _____th day of _____, 2013, the City gave public notice as required under Chapter 17.68 of the Zoning Ordinance by advertising in the Record Gazette newspaper of the holding of a public hearing at which the amendment to the Zoning Ordinance would be considered; and

WHEREAS, on the 12th day of November, 2013, the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to the proposed amendment, and at which time the City Council considered Zone Text Amendment No. 13-97504; and

WHEREAS, at this public hearing on the 12th day of November, 2013, the City Council considered and heard public comments on the proposed Zone Text Amendment; and

WHEREAS, at this public hearing, the City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, the City Council has carefully considered all pertinent documents and the staff report offered in this case as presented at the public hearing held on the 12th day of November, 2013;

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Banning as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City’s Local CEQA Guidelines, the recommendation of the Community Development Director as provided in the staff report dated November 12, 2013, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. California Environmental Quality Act (CEQA):

CEQA: The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no

possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Zoning Ordinance do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this ordinance will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. Multiple Species Habitat Conservation Plan (MSHCP).

The amendments to the Zoning Ordinance do not relate to any one physical project and are not subject to the MSHCP. Further, projects subject to this ordinance will trigger individual project analysis and documentation related to the requirements of MSHCP including mitigation through payment of the MSHCP Mitigation Fee.

SECTION 2. REQUIRED FINDINGS.

The Zoning Ordinance requires that each Zone Text Amendment meet certain findings in Section 17.116.050 in order to be approved by the City Council. The following findings are provided for consideration:

1. The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The proposed Zone Text Amendment is consistent with the goals and policies of the General Plan, insofar as the General Plan designations and Zoning designations will not change, and the text amendments will result in clarifying the goals, policies and programs of the General Plan. The primary General Plan Land Use element Goal is "*A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents*". By amending the Zoning Ordinance specifically pertaining to the placement of walls and fences in the Business Park zoning district, it is anticipated that the proposed amendment will encourage development within the district that will ultimately enhance the quality of life for Banning residents who may utilize the commercial services provided by these developments.

Furthermore, it is a goal of the Land Use element of the City's General Plan to provide for complimentary commercial uses; specifically the Commercial Goal states that provision for "*Complementary commercial uses which meet the needs of the City's residents, increase the City's revenues, and provide a range of employment opportunities*" shall be provided; and, more specifically Policy 3 states that "*the*

Zoning Ordinance shall include principles, design standards and guidelines which encourage the development of high quality commercial projects". It is anticipated that allowing other than solid block walls in the Business Park zoning district, will encourage and facilitate small business development that increases tax revenue for the City through the sale of additional goods and services as well as employment opportunities.

2. The proposed Zone Text Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The Zone Text Amendment is consistent with the existing provisions of the Zoning Ordinance. The proposed amendments will amend the existing Zoning Ordinance pertaining to business development within the present limits and development standards established by the Zoning Ordinance. Staff has reviewed and compared the proposed changes and finds no conflicting statements or inconsistencies in the Zoning Ordinance.

3. That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

The City Council has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. The amendments to the Municipal Code do not relate to any one physical project and will not result in any physical change to the environment. Further, projects subject to this resolution will trigger individual analysis and documentation related to CEQA. Therefore, it can be seen with certainty that there is no possibility that this resolution may have a significant adverse effect on the environment, and therefore the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 3. Amend paragraph 3 of the Use specific standards of Section 17.12.050(E) *Business Park Development on Ramsey Street* as follows:

3. Walls and fences may be provided in the front, sides and rear yards. Wall, fences, and gates that are to be used for screening purposes shall be decorative solid block walls, or stucco block walls, or wrought iron (open fencing shall be backed by solid or perforated metal colored to the match the fence or gate) or a combination of decorative block wall and wrought iron grill work. Colors and materials for the

walls and fences shall be compatible with the building architecture. The wall shall be located at the interior boundary of the landscaped setback if required in #2, above.

SECTION 4. Amend paragraph 2 of the Use specific standards of Section 17.12.050(F) *Business Park Development Not on Ramsey Street* as follows:

2. Walls and fences may be provided in the front, sides and rear yards. Wall, fences, and gates that are to be used for screening purposes shall be decorative solid block walls, or stucco block walls, or wrought iron (open fencing shall be backed by solid or perforated metal colored to the match the fence or gate) or a combination of decorative block wall and wrought iron grill work. Colors and materials for the walls and fences shall be compatible with the building architecture. The wall shall be located at the interior boundary of the landscaped setback if required in #1, above.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council of the City of Banning hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 6. PUBLICATION; EFFECTIVE DATE.

The City Clerk shall certify to the passage and adoption of this ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be published in a newspaper of general circulation and shall post the same at City Hall, 99 E. Ramsey Street, Banning, California.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk
City of Banning, California

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1470 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the _____th day of _____ 2013, and was duly adopted at a regular meeting of said City Council on the _____ day of _____, 2013, by the following vote, to wit:

AYES:

NOES:

ABSEN:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning, California

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CITY COUNCIL

DATE: November 12, 2013

TO: City Council

FROM: Zai Abu Bakar, Community Development Director

SUBJECT: **Ordinance No. 1474 Interim Urgency Ordinance establishing Interim Development Regulations regarding the Permitting Process for Certain Businesses that Currently Require Approval of a Conditional Use Permit to Operate in the Commercial and Industrial Zones**

RECOMMENDATION: That the City Council adopt Ordinance No. 1474 (Attachment 1) establishing interim development regulations regarding the permitting process for certain businesses that currently require approval of a Conditional Use Permit to operate in the Commercial and Industrial Zones.

BACKGROUND: On November 9, 2010, the City Council adopted Resolution No. 2010-79 (Attachment 2) in support of Business Friendly Principles as part of the Southern California Association of Governments (SCAG) Development of a Southern California Economic Growth Strategy. The City's current process for permitting businesses that have no impacts to adjacent properties through a Conditional Use Permit (CUP) has frustrated business owners because they cannot open their business in a timely manner.

Streamlined and fast tracked permit processes allow businesses to open in a timely manner and help provide jobs to local residents and sales tax revenue to the City. In addition, streamlined and fast tracked permit processes allow businesses to move into vacant buildings which helps eliminate the unsightliness of boarded-up or empty buildings in the community. Streamlined and fast tracked permit processes are consistent with Program 2.A of the City's General Plan which states, "*The City shall develop a fast track application process for projects which enhance the City's economic development....*"

DISCUSSION AND ANALYSIS: The City Council approved the General Plan and Zoning Code on January 31, 2006. The Zoning Code provides regulations and permit processes for businesses to be established in the City. Some businesses are permitted by right; some are permitted with a CUP; and some are not permitted. Businesses that are permitted by right are those that have no impact on adjacent properties. Businesses that are permitted by a CUP are those that have immediate impacts on adjacent properties. Businesses that are not permitted are those that were determined to be inappropriate for the zones.

Staff received inquiries from applicants who want to establish professional offices such as CPA (certified professional accountant) firms. CPA firms and professional office are generally located in the commercial and office zones. The Banning Zoning Code requires that a CUP be approved before a CPA firm can be established in the Highway Serving Commercial (HSC) Zone. The

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Highway Serving Commercial Zone is located along Ramsey Street between Eighth Street and Sunset Avenue. CPA firms do not generate immediate impacts such as traffic impacts on adjacent properties. In most cities, CPA firms are allowed to be established by right. By right means that the permit is processed administratively at the staff level.

The purpose of this Interim Urgency Ordinance is to prohibit these businesses in the zones as shown in Attachment 3 and establish interim regulations to allow these businesses to operate while the land uses are being studied to determine if they are appropriate to be permitted by right or CUP and vice versa since circumstances have changed since the adoption on the Zoning Code in 2006.

Authority to Impose Interim Urgency Ordinance/Moratorium: Government Code Sections 65858, 36934, and 36937 (Attachment 4) authorizes the City Council to adopt an urgency ordinance to prohibit certain uses to operate and to create a process that allows them to operate during the interim period while these land uses are being reviewed.

Definition of Moratorium: A moratorium is a local law or ordinance that generally suspends the right of property owners to obtain development approvals or issuance of a permit while the city takes time to consider, draft, and adopt land use plans or regulations to respond to new or changing circumstances not adequately dealt with by its current laws.

There are two ways in which the City Council could adopt a moratorium.

1. To address development when the City's Zoning Code is being adopted or amended to address certain types of development; and
2. When a City is confronted by a new or recently understood problem that may require an amendment to a particular zoning provision or addition of new zoning provisions.

When adopting a moratorium, a city may set forth ways on how to deal with the situation that gives rise to the moratorium and address questions such as what studies need to be done or if deadlines can be established identifying various steps of the process. The moratorium must be reasonable with regard to the plan and time table.

Moratorium may qualify as a "taking" for which the city is liable. However, in *Monks v. The City of Rancho Palos Verdes* (2009) 167 Cal. App. 4th 263, the Court held that allowing an administrative process that allows for exclusions from the moratorium avoids compensable regulatory takings under the Taking Clause, Art. 1, Section 19, of the California Constitution.

Situations that give rise to the Moratorium: Staff received many concerns from business owners that suggest some of the uses that have no impact to surrounding properties are required to go through a CUP process which requires an approval from the Planning Commission. Examples of the uses that have no impact to the surrounding businesses are accounting or architect's office. These uses should have been permitted by right since they do not impact adjacent properties.

Deadline for Completing the Studies: The tentative date for a Planning Commission hearing for the Ordinance is December 2013. The City Council hearing is proposed for January 2014 meeting.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE: This Interim Urgency Ordinance authorizes the undertaking of feasibility and planning studies. The adoption of this Ordinance is not considered a “project” per Section 15378 of CEQA. This is because it can be seen with certainty that the action will not have a direct physical impact on the physical environment.

FISCAL DATA: There is no additional cost beyond staff time and City Attorney review of the item. This cost will be absorbed by the General Fund.

PREPARED BY:



Zai Abu Bakar
Community Development Director

REVIEWED BY:



June Overholt,
Deputy City Manager /
Administrative Services Director

APPROVED BY:



Andrew J. Takata
City Manager

Attachments:

1. Ordinance No. 1474
2. Resolution No. 2010-79 – Business Friendly Principles
3. Exhibit “A” – List of Businesses that are currently permitted and Prohibited
4. Exhibit “B” – Proposed List of Businesses to be permitted and Prohibited
5. Government Code Sections 65858, 36934, and 36937

ATTACHMENT 1

ORDINANCE NO. 1474

ORDINANCE NO. 1474

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ADOPTING INTERIM DEVELOPMENT REGULATIONS REGARDING THE PERMITTING PROCESS FOR CERTAIN BUSINESSES THAT CURRENTLY REQUIRE A CONDITIONAL USE PERMIT TO OPERATE IN THE COMMERCIAL ZONES

WHEREAS, Government Code Section 65858(a) authorizes the City Council to protect the public health, safety and welfare by adopting as an urgency measure an interim zoning ordinance; and

WHEREAS, the City Council approved the General Plan and Zoning Code on January 31, 2006; and

WHEREAS, the Zoning Code provides for certain businesses to be establish by right or by a conditional use permit; and

WHEREAS, the City Council finds and determines that the City's current process for permitting certain businesses that have no impact to surrounding businesses and properties through a Conditional Use Permit process has frustrated applicants and business owners with their ability to open and conduct their business as expeditiously as possible; and

WHEREAS, the City Council also finds that the current process for approving certain businesses that have no impact to surrounding businesses to operate through a conditional use permit process has also frustrated the residents and business community who want to see that the vacant buildings and tenant spaces in the City are occupied with businesses that provide jobs and sales tax to help jump start the economy in light of the current recession; and

WHEREAS, the City Council finds that the above-mentioned process is contrary to the Council policy of being business friendly as adopted in Resolution 2010-79 attached hereto by reference; and

WHEREAS, Government Code Sections 65858, 36934, and 36937 expressly authorize the City Council to adopt an urgency ordinance to impose interim regulations which are applicable to the businesses that are required to be approved via a Conditional Use Permit until an updated regulations are adopted; and

WHEREAS, in *Monks v. City of Rancho Palos Verdes* (2209) 167 Cal. App. 4th 263, the Court held that allowing an administrative process that allows for exclusions from the moratorium avoids compensable regulatory takings under the Takings Clause, Art, 1, Section 19, of the California Constitution; and

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Banning as follows:

SECTION 1. Above-Recitals. The above recitals are true and correct.

SECTION 2. Effectiveness of the Ordinance. This Interim Urgency Ordinance shall be effective for forty-five (45) days from and after the date of its adoption, pursuant to the authority conferred upon by the City Council by Government Code Section 65858(a), and may thereafter be extended twice provided notice is given pursuant to Government Code Section 65090 and a public hearing is held thereon.

SECTION 3. Urgency Declaration. The City Council finds and determines that the City's current process for permitting certain businesses that have no impact to surrounding businesses and properties through a Conditional Use Permit process has frustrated applicants and potential business owners with their ability to conduct business as expeditiously as possible. The current process for approving certain business to operate through a conditional use permit process has also frustrated the residents and business community who desire to see that the vacant buildings and tenant spaces are occupied with businesses that provide jobs and sales tax to help jump start the economy in light of the current recession. More specifically, business vacancies and vacant or underutilized buildings are conditions that fall within the ambit of adverse economic conditions associated with blight. Over a long-term, vacant buildings and closed businesses are subject to vandalism and illegal entry and often subject to being boarded-up or otherwise abandoned in a manner that poses significant risks of unsightly or dangerous conditions of dilapidation. Additionally as unused buildings deteriorate they can adversely affect the visual and aesthetic characteristics of the surrounding area.

The City Council also finds that the current land use permit process is contrary to the City Council policy of being business friendly as adopted in Resolution 2010-79 attached hereto by reference. Therefore, the City Council directs staff to undertake a comprehensive review and analysis of the list of uses permitted via conditional use permit in the commercial and industrial zoning districts to determine whether they are appropriate to be permitted by right as opposed to conditional use permit.

SECTION 4. Urgency Findings. In adopting this Interim Urgency Ordinance, the City Council finds and determines that the adoption of this Interim Urgency Ordinance is necessary to protect the public safety, health, and welfare, as those terms are defined in Government Code Section 65858 (a), for the reasons set forth below in this Section 4.

(a) The City Council of the City of Banning has determined that the current economy, as well as community and merchant concerns about the economy and the ability to establish businesses within the City in an expeditious manner with regard to permitting process has resulted in an urgent need to re-evaluate the current permitting process in the Banning Zoning Code for certain commercial and industrial developments that require approval of a Conditional Use Permit.

(b) The City Council of the City of Banning has determined that the permitting process in the Banning Zoning Code has a direct relationship and impact on the City's ability to generate revenue, which in turns effect the general welfare and economic well-being of the residents of the City of Banning.

(c) That the City Council of the City of Banning has determined that without the proposed ordinance, there will be immediate, negative and detrimental impacts on the welfare of the community and the City. More specifically, business vacancies and vacant or underutilized buildings are conditions that fall within the ambit of adverse economic conditions associated with blight. Over a long-term, vacant buildings and closed businesses are subject to vandalism and illegal entry and often subject to being boarded-up fences or otherwise abandoned in a manner that poses significant risks of unsightly or dangerous conditions of dilapidation. Additionally as unused buildings deteriorate they can adversely affect the visual and aesthetic characteristics of the surrounding area.

(c) The City Council of the City of Banning has determined that there is a need to further study what impact if any, there may be if the businesses currently permitted via a Conditional Use Permit are to be approved by right in their respective commercial and industrial zones.

(d) The City Council of the City of Banning has determined that the ability for business owners and merchants to establish their businesses in Banning in an expeditious manner with regard to permitting process is an important aspect of economic development including business attraction and retention program that provides positive benefits to the community in terms of reducing vacant businesses which could contribute to the overall aesthetic and quality of life for the residents of Banning and its business community.

SECTION 5. Goals of the Proposed Interim Urgency Ordinance. The Interim Urgency Ordinance prohibits these uses (Professional Office and Real Estate Office) in all the zones that are currently listed in Exhibit "A". This interim prohibition is intended to give staff enough time to study and ensure that these uses are carefully reviewed and considered to ensure consistency with the Zoning Ordinance and the California Environmental Quality Act. In addition, the Interim Urgency Ordinance creates a process in Section 6 below by which these land use applications can be exempted from the prohibition. The ultimate goal of this Interim Urgency Ordinance is to adopt a permanent ordinance that would allow these uses to operate as shown in Exhibit "B".

SECTION 6. Interim Regulations. From and after the date of the adoption of this Interim Urgency Ordinance, until the adoption of revised regulations, the City Council shall authorize the Community Development Department to consider requests for businesses who want to establish their businesses in the commercial and industrial zones in accordance with the following regulations:

a. Approval of the businesses that are listed in the attached Exhibit "A" shall be permitted in accordance with the Banning Zoning Code Chapter 17.12 to the extent consistent and applicable to the adoption of this Urgency Ordinance and the following:

1. Said businesses shall be a business shown in the attached list and require that they receive approval from the Planning Division and issuance of the City's business license and occupancy inspections from the City prior to business openings.

2. That said businesses are intending to occupy existing building and no additional reviews such as Design Review, Technical Staff review, or review for compliance with the California Environmental Quality Act, including Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report are required prior to occupancy of the building or tenant space.

3. In the future, the businesses listed in Exhibit "A" are permitted to continue their operation if the Ordinance is not adopted by the City Council within the time frame required by law. If these businesses that are subject to this Ordinance cease to operate and the City adopt new regulations, their establishment in the future shall be subject to the regulations at the time of the business license applications.

SECTION 7. California Environmental Quality Act (CEQA) Finding. The City Council hereby finds that there is no possibility that the adoption of this Interim Urgency Ordinance will have a significant effect on the environment. This finding is supported by the following facts:

a. This Ordinance authorizes the undertaking of feasibility and planning studies and can be seen with certainty that the adoption of the Interim Urgency Ordinance will not have a direct impact on the physical environment per Section 15378 of CEQA;

SECTION 8. Grandfathering. The Interim Urgency Ordinance shall only apply to businesses that are included in the attached list (Exhibit "A"). This Interim Urgency Ordinance shall not apply to any businesses which have been previously approved by the City so long as such approvals remain valid, nor shall it apply to any application for discretionary land use development applications, or zoning variances which were approved and that were issued a Certificate of Occupancy by the City prior to the effective date of this Interim Urgency Ordinance.

SECTION 9. Vote Required for Adoption of Ordinance. This Interim Urgency Ordinance is enacted pursuant to the authority conferred upon the City Council of the City of Banning by Government Code Sections 65858, 36934, and 36937, and shall be in full force and effective immediately upon its adoption by a four-fifths (4/5) vote of the City Council.

PASSED, APPROVED, AND ADOPTED as an URGENCY ORDINANCE this 12th day of November 2013.

Deborah Franklin, Mayor
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

ATTEST:

Marie A. Calderon, City Clerk

ATTACHMENT 2

RESOLUTION NO. 2010-79 – BUSINESS FRIENDLY PRINCIPLES

RESOLUTION NO. 2010-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA IN SUPPORT OF "BUSINESS FRIENDLY PRINCIPLES" AS PART OF SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) DEVELOPMENT OF A SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY

WHEREAS, the City of Banning is a member of the Southern California Association of Governments (SCAG) who is engaged in the development of a Southern California Economic Growth Strategy;

WHEREAS, the City of Banning supports working with SCAG and other key economic stakeholders to improve the Southern California economy;

WHEREAS, the City of Banning is a business friendly municipality and has practices in place and is striving to demonstrate efforts to encourage economic growth within its community;

WHEREAS, the City of Banning seeks SCAG and State support to reform the state's environmental regulations and housing element reform in an effort to streamline the land use review process at the local level as part of the California economic growth strategy;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Banning as follows:

Section 1. Support.

That the City of Banning supports the following "Business Friendly Principles" as part of SCAG's development of a Southern California Economic Growth Strategy:

Principle One – Economic Development as a Priority

The City of Banning strives to demonstrate commitment to economic development as a priority.

Principle Two - Business Partnership

The City of Banning strives to provide quality municipal services to attract and retain businesses and employees.

Principle Three-Business Responsive Processes

The City of Banning strives to communicate effectively with businesses including processes to increase its responsiveness to businesses that are seeking or doing business within its jurisdiction (commitments include responding to business inquires within an established time period and offering an expedited permitting process for new businesses).

Principle Four – Attractiveness to Business Investment

The City of Banning strives to streamline operations for efficient and responsive business assistance in areas of licensing, permitting, inspections and other municipal services and will seek to improve its attractiveness to new and existing businesses within its jurisdiction (commitments include striving to maintain competitive fees and establishing good communications with business base via newsletter or website).

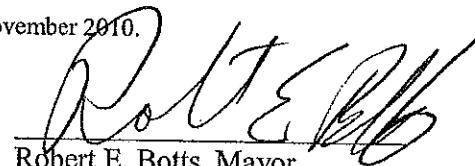
Section 2. Signature.

The Mayor shall sign this Resolution and the City Clerk shall attest thereto and thereupon and thereafter this Resolution shall become effective after its adoption.

Section 3. Transmission of Copy.

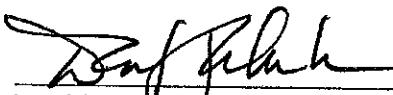
That the City of Banning City Council authorizes its staff to submit a copy of this resolution to SCAG in time for SCAG's Regional Economic Summit currently scheduled for December 2, 2010.

PASSED, APPROVED AND ADOPTED this 9th day of November 2010.



Robert E. Botts, Mayor
City of Banning

**APPROVED AS TO FORM AND
LEGAL CONTENT:**



David J. Aleshire, City Attorney
Aleshire & Wynder, LLP
City of Banning, California

ATTEST:



Marie Calderon, City Clerk

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Resolution No. 2010-79 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 9th day of November 2010, by the following vote, to wit:

AYES: Councilmembers Franklin, Hanna, Machisic, Robinson, Mayor Botts

NOES: None

ABSENT: None

ABSTAIN: None



Marie Calderon, City Clerk
City of Banning, California

ATTACHMENT 3

EXHIBIT "A" - LIST OF BUSINESSES THAT ARE CURRENTLY PERMITTED VIA CONDITIONAL USE PERMIT

EXHIBIT "A"

**LAND USES CURRENTLY PERMITTED BY RIGHT (P),
CONDITIONAL USE (C) OR NOT PERMITTED (X)**

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Recreation, Education and Public Assembly								
Churches	X	X	X	C	C	X	C	X
Health/fitness facilities	C	P	P	P	X	X	C	X
Museums	P	P	P	P	X	P	X	X
Retail Uses								
Bakeries, retail	P	P	P	C	X	X	P	X
Gift shops	P	P	P	P	X	P	P	X
Hardware/lumber stores	X	P	C	X	X	X	P	X
Pawn shops	X	P	P	X	X	X	C	X
Pet stores and grooming	P	P	P	X	X	X	C	X
Restaurants, serving beer, wine or liquor	C	C	C	C	X	P	C	X
Warehouse or club stores (i.e., "Big box stores")	X	P	P	P	X	X	P	X
Services								
Professional offices	P	P	C	P	X	C	P	X
Real estate offices	P	P	C	P	X	X	C	X
Storage, accessory, including self-storage	X	X	X	X	C	X		X
Vehicle fueling/service stations	X	P	P	X	X	P	X	X
Veterinary clinics, animal hospitals, grooming	C	P	C	C	X	X	P	X
Manufacturing and Processing Uses								
Contractor's storage yards	X	X	X	X	P	C	P	P
Laundries and dry cleaning plants	X	C	C	X	P	X	X	X

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ATTACHMENT 4

EXHIBIT "B" – PROPOSED LIST OF BUSINESSES TO BE PERMITTED AND PROHIBITED

EXHIBIT "B"

Proposed Changes
LAND USE PERMITTED BY RIGHT (P),
CONDITIONALLY PERMITTED (C) OR PROHIBITED (X)

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Services								
Professional offices	P	P	G P	P	X	C	P	X
Real estate offices	P	P	G P	P	X	X	C	X

Notes:

DC = Downtown Commercial Zone

GC = General Commercial Zone

HSC = Highway Serving Commercial Zone

PO = Professional Office Zone

I = Industrial Zone

AI = Airport Industrial Zone

BP = Business Park Zone

IMR = Industrial Mineral Resources Zone

Strikeout (~~G~~) shows existing process

Bold (P) shows the proposed process

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CITY COUNCIL

DATE: November 12, 2013

TO: City Council

FROM: Zai Abu Bakar, Community Development Director

SUBJECT: Resolution No. 2013-91, "Approving the Award of a Professional Services Agreement to Aragon Geotechnical, Inc. for Robertson's Mine Reclamation Plan Review and Inspection Services"

RECOMMENDATION: Adopt Resolution No. 2013-91 awarding a Professional Services Agreement to Aragon Geotechnical, Inc. of Riverside, California, in an amount "Not to Exceed" \$32,040.00 for Robertson's Mine Reclamation Plan Review and Inspection Services.

BACKGROUND: Robertson's Quarry has been in operation since the 1950's and is currently operating under two (2) land use permits that were approved by the City. The permits are general in nature and exist independently of each other addressing aspects such as dust, light, noise, and hours of operations.

The Robertson's Quarry is regulated by the Surface Mining and Reclamation Act of 1975 (SMARA) which, according to the State of California, Department of Conservation, provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the state's mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state.

To meet SMARA mandates, in prior years, the County of Riverside provided inspection and report services until recently, when the County notified the City that these services would no longer be provided. As a result, in June of 2012, in order for the City to remain in compliance with SMARA, a private engineering company Aragon Geotechnical, Inc. was contracted to perform the annual inspection services for calendar year 2012. Aragon Geotechnical completed a thorough investigation, documented various findings, and has demonstrated their ability to provide quality services through their preparation of the 2012 Annual Report. To remain in compliance, annual inspection reports are necessary. In order to continue with current processes, address existing compliance findings, and meet future reporting obligations, City Management is recommending continuing utilizing Aragon Geotechnical. This agreement will authorize the consultant to perform annual inspection services for calendar years 2013, 2014 and 2015, as well as, reviewing SMARA Reclamation Plan Review to address issues raised in the September 2012 Annual Inspection Report. The scope of work is further described in the Professional Services Agreement (Exhibit "A") attached hereto.

FISCAL DATA: The professional services provided by Aragon Geotechnical, Inc. will be funded by Robertson's Quarry in the amount of \$50,000.00, Account No. 002-0000-222.30-27.

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PREPARED BY:


Zai Abu Bakar
Community Development Director

REVIEWED BY:


June Overholt,
Deputy City Manager /
Administrative Services Director

APPROVED BY:


Andrew J. Takata
City Manager

Attachments:

1. Draft Resolution No. 2013-91
2. Exhibit "A" Professional Services Agreement dated October 23, 2013.

ATTACHMENT 1

CITY COUNCIL RESOLUTION NO. 2013-91

RESOLUTION NO. 2013-91

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA APPROVING THE AWARD OF A PROFESSIONAL SERVICES
AGREEMENT TO ARAGON GEOTECHNICAL, INC. FOR ROBERTSON'S MINE
RECLAMATION PLAN REVIEW AND INSPECTION SERVICES**

WHEREAS, Robertson's Quarry has been in operation since the 1950's and is currently operating under two (2) land use permits that were approved by the City and the permits are general in nature and exist independently of each other addressing aspects such as dust, light, noise, and hours of operations; and

WHEREAS, the Robertson's Quarry is regulated by the Surface Mining and Reclamation Act of 1975 (SMARA) which, according to the State of California, Department of Conservation, provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition; and

WHEREAS, SMARA also encourages the production, conservation, and protection of the state's mineral resources. Public Resources Code Section 2207 provides annual reporting requirements for all mines in the state; and

WHEREAS, in prior years, the County of Riverside provided inspection and report services until recently, when the County notified the City that these services would no longer be provided; and

WHEREAS, in June of 2012, in order for the City to remain in compliance with SMARA, a private engineering company Aragon Geotechnical, Inc. was obtained to perform annual inspection services for Fiscal Year 2013; and

WHEREAS, to remain in compliance, City staff has determined that it is necessary to continue to contract services with Aragon Geotechnical and the approval of this agreement will authorize the consultant to perform annual inspection services for calendar years 2013, 2014 and 2015, as well as, a SMARA Reclamation Plan Review to address issues raised in the September 2012 Annual Inspection Report; the scope of work is further described in the Professional Services Agreement (Exhibit "A"); and

WHEREAS, the professional services agreement with Aragon Geotechnical, Inc. will be funded by Robertson's Quarry in the amount of \$50,000.00, Account No. 002-0000-222.30-27.

NOW THEREFORE, the City Council of the City of Banning does hereby find, determine, and resolve as follows:

SECTION 1. The Council approves the award of the Professional Services Agreement to Aragon Geotechnical of Riverside, California for Robertson's Mine Reclamation Plan Review to address issues raised in the September 2012 Annual Inspection Report and to perform annual Inspection for calendar years 2013, 2014, and 2015 in an amount "Not to Exceed" \$50,000.00.

SECTION 2. The Administrative Services Director is authorized to make necessary appropriations and account transfers to fund this agreement and appropriate funds deposited on behalf of the Robertson's Quarry for the purpose of funding the said Professional Services Agreement.

SECTION 3. The City Manager is authorized to execute the contract agreement with Aragon Geotechnical, Inc. of Riverside, California. This authorization will be rescinded if the contract agreement is not executed by the parties within ninety (90) days of the date of this resolution.

PASSED, APPROVED AND ADOPTED this 12th day of November, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie Calderon, City Clerk
City of Banning, California

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-91 was duly introduced and adopted at a regular meeting of the City Council of the City of Banning, held on the 12th day of November, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie Calderon, City Clerk
City of Banning, California

ATTACHMENT 2

EXHIBIT “A”

PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BANNING AND ARAGON GEOTECHNICAL, INC.

///

CONTRACT SERVICES AGREEMENT

**FOR RECLAMATION PLAN REVIEW
AND INSPECTION SERVICES**

By and Between

**THE CITY OF BANNING,
A MUNICIPAL CORPORATION**

and

ARAGON GEOTECHNICAL, INC.

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**AGREEMENT FOR CONTRACT SERVICES FOR RECLAMATION PLAN REVIEW
AND INSPECTION SERVICES
BETWEEN
THE CITY OF BANNING, CALIFORNIA
AND
ARAGON GEOTECHNICAL**

THIS AGREEMENT FOR CONTRACT SERVICES (herein "Agreement") is made and entered into this 13th day of November, 2013 by and between the City of Banning, a municipal corporation ("City") and Aragon Geotechnical, Inc., ("Consultant" or "Contractor"). City and Contractor are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties". (The term Contractor includes professionals performing in a consulting capacity.)

RECITALS

A. City has sought, by issuance of a Request for Proposals or Invitation for Bids, the performance of the services defined and described particularly in Section 1 of this Agreement.

B. Contractor, following submission of a proposal or bid for the performance of the services defined and described particularly in Section 1 of this Agreement, was selected by the City to perform those services.

C. Pursuant to the City of Banning's Municipal Code, City has authority to enter into this Agreement Services Agreement and the City Manager has authority to execute this Agreement.

D. The Parties desire to formalize the selection of Contractor for performance of those services defined and described particularly in Section 1 of this Agreement and desire that the terms of that performance be as particularly defined and described herein.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained herein and other consideration, the value and adequacy of which are hereby acknowledged, the parties agree as follows:

ARTICLE 1. SERVICES OF CONTRACTOR

1.1 Scope of Services.

In compliance with all terms and conditions of this Agreement, the Contractor shall provide those services specified in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by this reference, which services may be referred to herein as the "services" or "work" hereunder. As a material inducement to the City entering into this Agreement, Contractor represents and warrants that it has the qualifications, experience, and facilities necessary to properly perform the services required under this Agreement in a thorough,

competent, and professional manner, and is experienced in performing the work and services contemplated herein. Contractor shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. Contractor covenants that it shall follow the highest professional standards in performing the work and services required hereunder and that all materials will be of good quality, fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

1.2 Contractor's Proposal.

The Scope of Service shall include the Contractor's scope of work or bid which shall be incorporated herein by this reference as though fully set forth herein. In the event of any inconsistency between the terms of such proposal and this Agreement, the terms of this Agreement shall govern.

1.3 Compliance with Law.

Contractor shall keep itself informed concerning, and shall render all services hereunder in accordance with all ordinances, resolutions, statutes, rules, and regulations of the City and any Federal, State or local governmental entity having jurisdiction in effect at the time service is rendered.

1.4 Licenses, Permits, Fees and Assessments.

Contractor shall obtain at its sole cost and expense such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Contractor shall have the sole obligation to pay for any fees, assessments and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Contractor's performance of the services required by this Agreement, and shall indemnify, defend and hold harmless City, its officers, employees or agents of City, against any such fees, assessments, taxes penalties or interest levied, assessed or imposed against City hereunder.

1.5 Familiarity with Work.

By executing this Agreement, Contractor warrants that Contractor (i) has thoroughly investigated and considered the scope of services to be performed, (ii) has carefully considered how the services should be performed, and (iii) fully understands the facilities, difficulties and restrictions attending performance of the services under this Agreement. If the services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the conditions there existing, prior to commencement of services hereunder. Should the Contractor discover any latent or unknown conditions, which will materially affect the performance of the services hereunder, Contractor shall immediately inform the City of such fact and shall not proceed except at City's risk until written instructions are received from the Contract Officer.

1.6 Care of Work.

The Contractor shall adopt reasonable methods during the life of the Agreement to furnish continuous protection to the work, and the equipment, materials, papers, documents, Aragon_11-4-13

plans, studies and/or other components thereof to prevent losses or damages, and shall be responsible for all such damages, to persons or property, until acceptance of the work by City, except such losses or damages as may be caused by City's own negligence.

1.7 Warranty.

Contractor warrants all Work under the Agreement (which for purposes of this Section shall be deemed to include unauthorized work which has not been removed and any non-conforming materials incorporated into the Work) to be of good quality and free from any defective or faulty material and workmanship. Contractor agrees that for a period of one year (or the period of time specified elsewhere in the Agreement or in any guarantee or warranty provided by any manufacturer or supplier of equipment or materials incorporated into the Work, whichever is later) after the date of final acceptance, Contractor shall within ten (10) days after being notified in writing by the City of any defect in the Work or non-conformance of the Work to the Agreement, commence and prosecute with due diligence all Work necessary to fulfill the terms of the warranty at his sole cost and expense. Contractor shall act sooner as requested by the City in response to an emergency. In addition, Contractor shall, at its sole cost and expense, repair and replace any portions of the Work (or work of other contractors) damaged by its defective Work or which becomes damaged in the course of repairing or replacing defective Work. For any Work so corrected, Contractor's obligation hereunder to correct defective Work shall be reinstated for an additional one year period, commencing with the date of acceptance of such corrected Work. Contractor shall perform such tests as the City may require to verify that any corrective actions, including, without limitation, redesign, repairs, and replacements comply with the requirements of the Agreement. All costs associated with such corrective actions and testing, including the removal, replacement, and reinstitution of equipment and materials necessary to gain access, shall be the sole responsibility of the Contractor. All warranties and guarantees of subcontractors, suppliers and manufacturers with respect to any portion of the Work, whether express or implied, are deemed to be obtained by Contractor for the benefit of the City, regardless of whether or not such warranties and guarantees have been transferred or assigned to the City by separate agreement and Contractor agrees to enforce such warranties and guarantees, if necessary, on behalf of the City. In the event that Contractor fails to perform its obligations under this Section, or under any other warranty or guaranty under this Agreement, to the reasonable satisfaction of the City, the City shall have the right to correct and replace any defective or non-conforming Work and any work damaged by such work or the replacement or correction thereof at Contractor's sole expense. Contractor shall be obligated to fully reimburse the City for any expenses incurred hereunder upon demand. This provision may be waived in Exhibit "B" if the services hereunder do not include construction of any improvements or the supplying of equipment or materials.

1.8 Prevailing Wages.

Contractor is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "Public Works" and "Maintenance" projects. If the Services are being performed as part of an applicable "Public Works" or "Maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement

of this Agreement. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

1.9 Further Responsibilities of Parties.

Both parties agree to use reasonable care and diligence to perform their respective obligations under this Agreement. Both parties agree to act in good faith to execute all instruments, prepare all documents and take all actions as may be reasonably necessary to carry out the purposes of this Agreement. Unless hereafter specified, neither party shall be responsible for the service of the other.

1.10 Additional Services.

City shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Contractor, incorporating therein any adjustment in (i) the Agreement Sum, and/or (ii) the time to perform this Agreement, which said adjustments are subject to the written approval of the Contractor. Any increase in compensation of up to five percent (5%) of the Agreement Sum or \$25,000, whichever is less; or in the time to perform of up to one hundred eighty (180) days may be approved by the Contract Officer. Any greater increases, taken either separately or cumulatively must be approved by the City. It is expressly understood by Contractor that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services or reasonably contemplated therein. Contractor hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Contractor anticipates and that Contractor shall not be entitled to additional compensation therefor.

1.11 Special Requirements.

Additional terms and conditions of this Agreement, if any, which are made a part hereof are set forth in the "Special Requirements" attached hereto as Exhibit "B" and incorporated herein by this reference. In the event of a conflict between the provisions of Exhibit "B" and any other provisions of this Agreement, the provisions of Exhibit "B" shall govern.

ARTICLE 2. COMPENSATION AND METHOD OF PAYMENT.

2.1 Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amounts specified in the "Schedule of Compensation" attached hereto as Exhibit "C" and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed fifty thousand dollars (\$50,000.00) (the "Contract"), unless additional compensation is approved pursuant to Section 1.10.

2.2 Method of Compensation.

The method of compensation may include: (i) a lump sum payment upon completion, (ii) payment in accordance with specified tasks or the percentage of completion of the services, (iii) payment for time and materials based upon the Contractor's rates as specified in the Schedule of Compensation, provided that time estimates are provided for the performance of sub tasks, but not exceeding the Contract Sum or (iv) such other methods as may be specified in the Schedule of Compensation.

2.3 Reimbursable Expenses.

Compensation may include reimbursement for actual and necessary expenditures for reproduction costs, telephone expenses, and travel expenses approved by the Contract Officer in advance, or actual subcontractor expenses if an approved subcontractor pursuant to Section 4.5, and only if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Contractor at all project meetings reasonably deemed necessary by the City. Coordination of the performance of the work with City is a critical component of the services. If Contractor is required to attend additional meetings to facilitate such coordination, Contractor shall not be entitled to any additional compensation for attending said meetings.

2.4 Invoices.

Each month Contractor shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month in a form approved by City's Director of Finance. The invoice shall detail charges for all necessary and actual expenses by the following categories: labor (by sub-category), travel, materials, equipment, supplies, and sub-contractor contracts. Sub-contractor charges shall also be detailed by such categories.

City shall independently review each invoice submitted by the Contractor to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. Except as to any charges for work performed or expenses incurred by Contractor which are disputed by City, or as provided in Section 7.3. City will use its best efforts to cause Contractor to be paid within forty-five (45) days of receipt of Contractor's correct and undisputed invoice. In the event any charges or expenses are disputed by City, the original invoice shall be returned by City to Contractor for correction and resubmission.

2.5 Waiver.

Payment to Contractor for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Contractor.

ARTICLE 3. PERFORMANCE SCHEDULE

3.1 Time of Essence.

Time is of the essence in the performance of this Agreement.

3.2 Schedule of Performance.

Contractor shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as Exhibit "D" and incorporated herein by this reference. When requested by the Contractor, extensions to the time period(s) specified in the Schedule of Performance may be approved in writing by the Contract Officer but not exceeding one hundred eighty (180) days cumulatively.

3.3 Force Majeure.

The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the Contractor, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the Agency, if the Contractor shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified. The Contract Officer's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Contractor be entitled to recover damages against the City for any delay in the performance of this Agreement, however caused, Contractor's sole remedy being extension of the Agreement pursuant to this Section.

3.4 Inspection and Final Acceptance.

City may inspect and accept or reject any of Contractor's work under this Agreement, either during performance or when completed. City shall reject or finally accept Contractor's work within forth five (45) days after submitted to City. City shall accept work by a timely written acceptance, otherwise work shall be deemed to have been rejected. City's acceptance shall be conclusive as to such work except with respect to latent defects, fraud and such gross mistakes as amount to fraud. Acceptance of any work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, Section X, pertaining to indemnification and insurance, respectively.

3.5 Term.

Unless earlier terminated in accordance with Article 8 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not beyond the date of December 31, 2015, except as otherwise provided in the Schedule of Performance (Exhibit "D").

ARTICLE 4. COORDINATION OF WORK

4.1 Representatives and Personnel of Contractor.

The following principals of Contractor (Principals) are hereby designated as being the principals and representatives of Contractor authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith:

C. Fernando Aragon
(Name) _____ President
(Title) _____

Martha M. Aragon
(Name) _____ Vice President
(Title) _____

Mark G. Doerschlag
(Name) _____ Engineering Geologist
(Title) _____

It is expressly understood that the experience, knowledge, capability and reputation of the foregoing principals were a substantial inducement for City to enter into this Agreement. Therefore, the foregoing principals shall be responsible during the term of this Agreement for directing all activities of Contractor and devoting sufficient time to personally supervise the services hereunder. All personnel of Contractor, and any authorized agents, shall at all times be under the exclusive direction and control of the Principals. For purposes of this Agreement, the foregoing Principals may not be replaced nor may their responsibilities be substantially reduced by Contractor without the express written approval of City. Additionally, Contractor shall make every reasonable effort to maintain the stability and continuity of Contractor's staff and subcontractors, if any, assigned to perform the services required under this Agreement. Contractor shall notify City of any changes in Contractor's staff and subcontractors, if any, assigned to perform the services required under this Agreement, prior to and during any such performance.

4.2 Status of Contractor.

Contractor shall have no authority to bind City in any manner, or to incur any obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City. Contractor shall not at any time or in any manner represent that Contractor or any of Contractor's officers, employees, or agents are in any manner officials, officers, employees or agents of City. Neither Contractor, nor any of Contractor's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Contractor expressly waives any claim Contractor may have to any such rights.

4.3 Contract Officer.

The Contract Officer shall be such person as may be designated by the City Manager of City. It shall be the Contractor's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Contractor shall refer any decisions which must be made by City to the Contract Officer. Unless otherwise specified herein, any approval of City required hereunder shall mean the approval of the Contract Officer.

The Contract Officer shall have authority, if specified in writing by the City Manager, to sign all documents on behalf of the City required hereunder to carry out the terms of this Agreement.

4.4 Independent Contractor.

Neither the City nor any of its employees shall have any control over the manner, mode or means by which Contractor, its agents or employees, perform the services required herein, except as otherwise set forth herein. City shall have no voice in the selection, discharge, supervision or control of Contractor's employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. Contractor shall perform all services required herein as an independent contractor of City and shall remain at all times as to City a wholly independent contractor with only such obligations as are consistent with that role. Contractor shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City. City shall not in any way or for any purpose become or be deemed to be a partner of Contractor in its business or otherwise or a joint venturer or a member of any joint enterprise with Contractor.

4.5 Prohibition Against Subcontracting or Assignment.

The experience, knowledge, capability and reputation of Contractor, its principals and employees were a substantial inducement for the Agency to enter into this Agreement. Therefore, Contractor shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of the Agency. In addition, neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of Agency. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than twenty five percent (25%) of the present ownership and/or control of Contractor, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this Agreement shall be void. No approved transfer shall release the Contractor or any surety of Contractor of any liability hereunder without the express consent of Agency.

ARTICLE 5. INSURANCE, INDEMNIFICATION AND BONDS

5.1 Insurance Coverages.

The Contractor shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement including any extension thereof, the following policies of insurance which shall cover all elected and appointed officers, employees and agents of City:

(a) Comprehensive General Liability Insurance (Occurrence Form CG0001 or equivalent). A policy of comprehensive general liability insurance written on a per occurrence basis for bodily injury, personal injury and property damage. The policy of insurance shall be in an amount not less than \$1,000,000.00 per occurrence or if a general aggregate limit is used, either the general aggregate limit shall apply separately to this contract/location, or the general aggregate limit shall be twice the occurrence limit.

(b) Worker's Compensation Insurance. A policy of worker's compensation insurance in such amount as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City against any loss, claim or damage arising from any injuries or occupational diseases occurring to any worker employed by or any persons retained by the Contractor in the course of carrying out the work or services contemplated in this Agreement.

(c) Automotive Insurance (Form CA 0001 (Ed 1/87) including "any auto" and endorsement CA 0025 or equivalent). A policy of comprehensive automobile liability insurance written on a per occurrence for bodily injury and property damage in an amount not less than \$1,000,000. Said policy shall include coverage for owned, non-owned, leased and hired cars.

All of the above policies of insurance shall be primary insurance and shall name the City, its elected and appointed officers, employees and agents as additional insureds and any insurance maintained by City or its officers, employees or agents shall apply in excess of, and not contribute with Contractor's insurance. The insurer is deemed hereof to waive all rights of subrogation and contribution it may have against the City, its officers, employees and agents and their respective insurers. All of said policies of insurance shall provide that said insurance may not be amended or cancelled by the insurer or any party hereto without providing thirty (30) days prior written notice by certified mail return receipt requested to the City. In the event any of said policies of insurance are cancelled, the Contractor shall, prior to the cancellation date, submit new evidence of insurance in conformance with this Section 5.1 to the Contract Officer. No work or services under this Agreement shall commence until the Contractor has provided the City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by the City

The insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the City's Interim Chief Administrative Officer or other designee of the City due to unique circumstances.

(d) Professional Liability. Professional liability insurance appropriate to the Contractor's profession. This coverage may be written on a "claims made" basis, and must include coverage for contractual liability. The professional liability insurance required by this Agreement must be endorsed to be applicable to claims based upon, arising out of or related to services performed under this Agreement. The insurance must be maintained for at least 5 consecutive years following the completion of Contractor's services or the termination of this Agreement. During this additional 5-year period, Contractor shall annually and upon request of the City submit written evidence of this continuous coverage.

(e) Additional Insurance. Policies of such other insurance, as may be required in the Special Requirements.

5.2 General Insurance Requirements.

All of the above policies of insurance shall be primary insurance and shall name the City, its elected and appointed officers, employees and agents as additional insureds and any insurance maintained by City or its officers, employees or agents shall apply in excess of, and not

contribute with Contractor's insurance. The insurer is deemed hereof to waive all rights of subrogation and contribution it may have against the City, its officers, employees and agents and their respective insurers. All of said policies of insurance shall provide that said insurance may not be amended or cancelled by the insurer or any party hereto without providing thirty (30) days prior written notice by certified mail return receipt requested to the City. In the event any of said policies of insurance are cancelled, the Contractor shall, prior to the cancellation date, submit new evidence of insurance in conformance with Section 5.1 to the Contract Officer. No work or services under this Agreement shall commence until the Contractor has provided the City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by the City. City reserves the right to inspect complete, certified copies of all required insurance policies at any time. Any failure to comply with the reporting or other provisions of the policies including breaches or warranties shall not affect coverage provided to City.

All certificates shall name the City as additional insured (providing the appropriate endorsement) and shall conform to the following "cancellation" notice:

CANCELLATION:

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATED THEREOF, THE ISSUING COMPANY SHALL MAIL THIRTY (30)-DAY ADVANCE WRITTEN NOTICE TO CERTIFICATE HOLDER NAMED HEREIN.

[to be initialed]

Agent Initials

City, its respective elected and appointed officers, directors, officials, employees, agents and volunteers are to be covered as additional insureds as respects: liability arising out of activities Contractor performs; products and completed operations of Contractor; premises owned, occupied or used by Contractor; or automobiles owned, leased, hired or borrowed by Contractor. The coverage shall contain no special limitations on the scope of protection afforded to City, and their respective elected and appointed officers, officials, employees or volunteers. Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City or its respective elected or appointed officers, officials, employees and volunteers or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration, defense expenses and claims. The Contractor agrees that the requirement to provide insurance shall not be construed as limiting in any way the extent to which the Contractor may be held responsible for the payment of damages to any persons or property resulting from the Contractor's activities or the activities of any person or persons for which the Contractor is otherwise responsible nor shall it limit the Contractor's indemnification liabilities as provided in Section 5.3. .

In the event the Contractor subcontracts any portion of the work in compliance with Section 4.5 of this Agreement, the contract between the Contractor and such subcontractor shall

require the subcontractor to maintain the same policies of insurance that the Contractor is required to maintain pursuant to Section 5.1, and such certificates and endorsements shall be provided to City.

5.3 Indemnification.

To the full extent permitted by law, Contractor agrees to indemnify, defend and hold harmless the City, its officers, employees and agents ("Indemnified Parties") against, and will hold and save them and each of them harmless from, any and all actions, either judicial, administrative, arbitration or regulatory claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities whether actual or threatened (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the negligent performance of the work, operations or activities provided herein of Contractor, its officers, employees, agents, subcontractors, or invitees, or any individual or entity for which Contractor is legally liable ("indemnors"), or arising from Contractor's reckless or willful misconduct, or arising from Contractor's indemnors' negligent performance of or failure to perform any term, provision, covenant or condition of this Agreement, and in connection therewith:

(a) Contractor will defend any action or actions filed in connection with any of said claims or liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

(b) Contractor will promptly pay any judgment rendered against the City, its officers, agents or employees for any such claims or liabilities arising out of or in connection with the negligent performance of or failure to perform such work, operations or activities of Contractor hereunder; and Contractor agrees to save and hold the City, its officers, agents, and employees harmless therefrom;

(c) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the negligent performance of or failure to perform the work, operation or activities of Contractor hereunder, Contractor agrees to pay to the City, its officers, agents or employees, any and all costs and expenses incurred by the City, its officers, agents or employees in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

Contractor shall incorporate similar, indemnity agreements with its subcontractors and if it fails to do so Contractor shall be fully responsible to indemnify City hereunder therefore, and failure of City to monitor compliance with these provisions shall not be a waiver hereof. This indemnification includes claims or liabilities arising from any negligent or wrongful act, error or omission, or reckless or willful misconduct of Contractor in the performance of professional services hereunder. The provisions of this Section do not apply to claims or liabilities occurring as a result of City's sole negligence or willful acts or omissions, but, to the fullest extent permitted by law, shall apply to claims and liabilities resulting in part from City's negligence, except that design professionals' indemnity hereunder shall be limited to claims and liabilities arising out of the negligence, recklessness or willful misconduct of the design professional. The indemnity obligation shall be binding on successors and assigns of Contractor and shall survive termination of this Agreement.

5.4 Performance Bond.

Concurrently with execution of this Agreement, and if required in Exhibit "B", Contractor shall deliver to City performance bond in the sum of the amount of this Agreement, in the form provided by the City Clerk, which secures the faithful performance of this Agreement. The bond shall contain the original notarized signature of an authorized officer of the surety and affixed thereto shall be a certified and current copy of his power of attorney. The bond shall be unconditional and remain in force during the entire term of the Agreement and shall be null and void only if the Contractor promptly and faithfully performs all terms and conditions of this Agreement.

5.5 Sufficiency of Insurer or Surety.

Insurance or bonds required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Risk Manager of the City due to unique circumstances. If this Agreement continues for more than 3 years duration, or in the event the Risk Manager of City ("Risk Manager") determines that the work or services to be performed under this Agreement creates an increased or decreased risk of loss to the City, the Contractor agrees that the minimum limits of the insurance policies and the performance bond required by Section 5.4 may be changed accordingly upon receipt of written notice from the Risk Manager; provided that the Contractor shall have the right to appeal a determination of increased coverage by the Risk Manager to the City Council of City within 10 days of receipt of notice from the Risk Manager.

ARTICLE 6. RECORDS, REPORTS, AND RELEASE OF INFORMATION

6.1 Records.

Contractor shall keep, and require subcontractors to keep, such ledgers books of accounts, invoices, vouchers, canceled checks, reports, studies or other documents relating to the disbursements charged to City and services performed hereunder (the "books and records"), as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. Any and all such documents shall be maintained in accordance with generally accepted accounting principles and shall be complete and detailed. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of City, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of 3 years following completion of the services hereunder, and the City shall have access to such records in the event any audit is required. In the event of dissolution of Contractor's business, custody of the books and records may be given to City, and access shall be provided by Contractor's successor in interest.

6.2 Reports.

Contractor shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require. Contractor hereby acknowledges that the City is greatly concerned about the cost

of work and services to be performed pursuant to this Agreement. For this reason, Contractor agrees that if Contractor becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services contemplated herein or, if Contractor is providing design services, the cost of the project being designed, Contractor shall promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Contractor is providing design services, the estimated increased or decreased cost estimate for the project being designed.

6.3 Ownership of Documents.

All drawings, specifications, maps, designs, photographs, studies, surveys, data, notes, computer files, reports, records, documents and other materials (the "documents and materials") prepared by Contractor, its employees, subcontractors and agents in the performance of this Agreement shall be the property of City and shall be delivered to City upon request of the Contract Officer or upon the termination of this Agreement, and Contractor shall have no claim for further employment or additional compensation as a result of the exercise by City of its full rights of ownership use, reuse, or assignment of the documents and materials hereunder. Any use, reuse or assignment of such completed documents for other projects and/or use of uncompleted documents without specific written authorization by the Contractor will be at the City's sole risk and without liability to Contractor, and Contractor's guarantee and warranties shall not extend to such use, revise or assignment. Contractor may retain copies of such documents for its own use. Contractor shall have an unrestricted right to use the concepts embodied therein. All subcontractors shall provide for assignment to City of any documents or materials prepared by them, and in the event Contractor fails to secure such assignment, Contractor shall indemnify City for all damages resulting therefrom.

6.4 Confidentiality and Release of Information.

(a) All information gained or work product produced by Contractor in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Contractor. Contractor shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the Contract Officer.

(b) Contractor, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the Contract Officer or unless requested by the City Attorney, voluntarily provide documents, declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Contractor gives City notice of such court order or subpoena.

(c) If Contractor, or any officer, employee, agent or subcontractor of Contractor, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Contractor for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Contractor's conduct.

(d) Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other

discovery request, court order or subpoena from any party regarding this Agreement and the work performed there under. City retains the right, but has no obligation, to represent Contractor or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

ARTICLE 7. ENFORCEMENT OF AGREEMENT AND TERMINATION

7.1 California Law.

This Agreement shall be interpreted, construed and governed both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Riverside, State of California, or any other appropriate court in such county, and Contractor covenants and agrees to submit to the personal jurisdiction of such court in the event of such action. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in Riverside.

7.2 Disputes; Default.

In the event that Contractor is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Contractor for any work performed after the date of default. Instead, the City may give notice to Contractor of the default and the reasons for the default. The notice shall include the timeframe in which Contractor may cure the default. This timeframe is presumptively thirty (30) days, but may be extended, though not reduced, if circumstances warrant. During the period of time that Contractor is in default, the City shall hold all invoices and shall, when the default is cured, proceed with payment on the invoices. In the alternative, the City may, in its sole discretion, elect to pay some or all of the outstanding invoices during the period of default. If Contractor does not cure the default, the City may take necessary steps to terminate this Agreement under this Article. Any failure on the part of the City to give notice of the Contractor's default shall not be deemed to result in a waiver of the City's legal rights or any rights arising out of any provision of this Agreement.

7.3 Retention of Funds.

Contractor hereby authorizes City to deduct from any amount payable to Contractor (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate City for any losses, costs, liabilities, or damages suffered by City, and (ii) all amounts for which City may be liable to third parties, by reason of Contractor's acts or omissions in performing or failing to perform Contractor's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by Contractor, or any indebtedness shall exist which shall appear to be the basis for a claim of lien, City may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of City to exercise such right to deduct or to withhold shall not, however, affect the obligations of the Contractor to insure, indemnify, and protect City as elsewhere provided herein.

7.4 Waiver.

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Contractor shall not constitute a waiver of any of the provisions of this Agreement. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

7.5 Rights and Remedies are Cumulative.

Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

7.6 Legal Action.

In addition to any other rights or remedies, either party may take legal action, in law or in equity, to cure, correct or remedy any default, to recover damages for any default, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief, or to obtain any other remedy consistent with the purposes of this Agreement.

7.7 Liquidated Damages.

Since the determination of actual damages for any delay in performance of this Agreement would be extremely difficult or impractical to determine in the event of a breach of this Agreement, the Contractor and its sureties shall be liable for and shall pay to the City the sum of N/A (\$ N/A) as liquidated damages for each working day of delay in the performance of any service required hereunder, as specified in the Schedule of Performance (Exhibit "D"). The City may withhold from any monies payable on account of services performed by the Contractor any accrued liquidated damages.

7.8 Termination Prior to Expiration of Term.

This Section shall govern any termination of this Contract except as specifically provided in the following Section for termination for cause. The City reserves the right to terminate this Contract at any time, with or without cause, upon thirty (30) days' written notice to Contractor, except that where termination is due to the fault of the Contractor, the period of notice may be such shorter time as may be determined by the Contract Officer. In addition, the Contractor reserves the right to terminate this Contract at any time, with or without cause, upon sixty (60) days' written notice to Agency, except that where termination is due to the fault of the Agency, the period of notice may be such shorter time as the Contractor may determine. Upon receipt of any notice of termination, Contractor shall immediately cease all services hereunder except such

as may be specifically approved by the Contract Officer. Except where the Contractor has initiated termination, the Contractor shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer, except as provided in Section 7.3. In the event the Contractor has initiated termination, the Contractor shall be entitled to compensation only for the reasonable value of the work product actually produced hereunder. In the event of termination without cause pursuant to this Section, the terminating party need not provide the non-terminating party with the opportunity to cure pursuant to Section 7.2.

7.9 Termination for Default of Contractor.

If termination is due to the failure of the Contractor to fulfill its obligations under this Agreement, City may, after compliance with the provisions of Section 7.2, take over the work and prosecute the same to completion by contract or otherwise, and the Contractor shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that the City shall use reasonable efforts to mitigate such damages), and City may withhold any payments to the Contractor for the purpose of set-off or partial payment of the amounts owed the City as previously stated.

7.10 Attorneys' Fees.

If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees. Attorney's fees shall include attorney's fees on any appeal, and in addition a party entitled to attorney's fees shall be entitled to all other reasonable costs for investigating such action, taking depositions and discovery and all other necessary costs the court allows which are incurred in such litigation. All such fees shall be deemed to have accrued on commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

ARTICLE 8. CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION

8.1 Non-liability of Agency Officers and Employees.

No officer or employee of the Agency shall be personally liable to the Contractor, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to the Contractor or to its successor, or for breach of any obligation of the terms of this Agreement.

8.2 Conflict of Interest.

Contractor covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Contractor's performance of services under this Agreement. Contractor further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the Contract Officer. Contractor agrees to at all times

avoid conflicts of interest or the appearance of any conflicts of interest with the interests of City in the performance of this Agreement.

No officer or employee of the Agency shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which effects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any State statute or regulation. The Contractor warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

8.3 Covenant Against Discrimination.

Contractor covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. Contractor shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin, or ancestry.

8.4 Unauthorized Aliens.

Contractor hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Contractor so employ such unauthorized aliens for the performance of work and/or services covered by this Agreement, and should the any liability or sanctions be imposed against City for such use of unauthorized aliens, Contractor hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

ARTICLE 9. MISCELLANEOUS PROVISIONS

9.1 Notices.

Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer, CITY OF BANNING, 99 East Ramsey Street, Banning, CA 92220 and in the case of the Contractor, to the person at the address designated on the execution page of this Agreement. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

9.2 Interpretation.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

9.3 Counterparts.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

9.4 Integration; Amendment.

This Agreement including the attachments hereto is the entire, complete and exclusive expression of the understanding of the parties. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. No amendment to or modification of this Agreement shall be valid unless made in writing and approved by the Contractor and by the City Council. The parties agree that this requirement for written modifications cannot be waived and that any attempted waiver shall be void.

9.5 Severability.

In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

9.6 Corporate Authority.

The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound. This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

[SIGNATURES ON FOLLOWING PAGE]

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

CITY:

CITY OF BANNING, a municipal corporation

Andrew J. Takata, City Manager

ATTEST:

Marie A. Calderon, City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

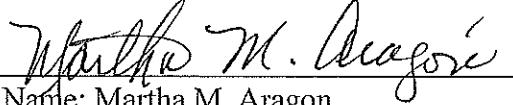
David Aleshire, City Attorney

CONTRACTOR:

ARAGON GEOTECNICAL, INC.

By: 

Name: C. Fernando Aragon
Title: President

By: 

Name: Martha M. Aragon
Title: Vice President

Address: 16801 Van Buren Blvd.
Riverside, CA 92504

Two signatures are required if a corporation.

NOTE: CONSULTANT'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO DEVELOPER'S BUSINESS ENTITY.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

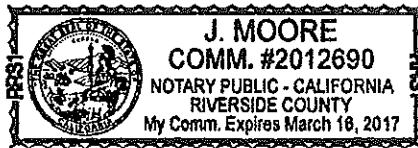
COUNTY OF

On July 9, 2013 before me, J. Moore, Notary Public, personally appeared C. Fernando Aragon, proved to me on the basis of satisfactory evidence to be the person(s) whose names(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: J. Moore



OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
 CORPORATE OFFICER

President
TITLE(S)
- PARTNER(S) LIMITED

 GENERAL
- ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

SIGNER(S) OTHER THAN NAMED ABOVE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

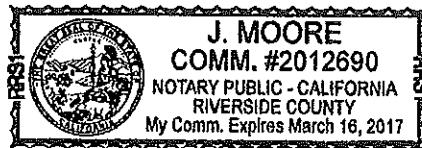
COUNTY OF

On July 9, 2013 before me, J. Moore, Notary Public, personally appeared Martha M. Aragon, 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: J. Moore



OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- INDIVIDUAL
 CORPORATE OFFICER
VICE President
TITLE(S)
- PARTNER(S) LIMITED
 GENERAL
- ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

SIGNER(S) OTHER THAN NAMED ABOVE

EXHIBIT "A"
SCOPE OF SERVICES

I. Contractor will perform the following Services:

- A. Mining and reclamation plan assistance Banning Quarry (If and when submitted to the City by mining project proponent):
 - 1.) Map and Technical Report Review (2012 Inspection findings and PRC)
 - a.) SCE slope stability analysis.
 - b.) Reclamation slope stability analysis.
 - c.) Reclamation Plan review.
 - d.) Hydrology study review.
 - e.) Geotechnical report review, river dike.
 - f.) Geotechnical report review, West Pit water.
 - g.) Consultant response letter reviews.
 - 2.) Analyses and Letters
 - a.) Review Letter for SCE slope stability analysis.
 - b.) Analyses and Review Letter for reclamation slope stability analysis, reclamation plan review, and geotechnical report review (West Pit water).
 - c.) Review Letter for hydrology study review.
 - d.) Review Letter for geotechnical report review (river dike).
 - e.) Riverside County Flood Control consultations for the reclamation plan review and hydrology study review.
 - f.) Second Review Letters to consultant responses.
 - g.) City consultations and project management.
 - h.) Geotechnical Assistance.
 - i.) Letter report reproduction, copies, supplies.
 - 3.) Optional and on Demand Tasks (AGI Pre-Authorization Request) Extra Work and Additional Assistance in Enforcement Actions/Development Agreement:
 - a.) Technical assistance in pursuing enforcement actions undertaken by the City.
 - b.) Consultations and document reviews of issues related to mining beyond approved plans, excavation of City water tank site, slope hazards, landscaping restoration, flood zone impacts, and related mine site impacts.
 - c.) Issues related to landscape and irrigation maintenance, fencing, and operator's conformance with dust, noise, and traffic mitigation requirements.
 - d.) Analysis of Financial Assurances Issues.

- e.) Technical assistance with creation of a Development Agreement between the City and mining entity.
- f.) Other related tasks.

B. 2013, 2014 and 2015 Annual Surface Mine Inspection-Banning Quarry:

- 1.) Data acquisition, field inspections and operator meeting.
 - a.) Pre-inspection operators records requests.
 - b.) Pre-inspection coordination with the City of Banning Community Development Department.
 - c.) Aerial image interpretation and file update.
 - d.) Travel, R/T to mine.
 - e.) Site inspections.
- 2.) Report and Exhibits
 - a.) Prior-year inspection report reviews.
 - b.) Operator annual FACE review.
 - c.) Report preparation.
 - d.) Photo exhibits and site plan.
 - e.) Geotechnical services.
 - f.) Report reproduction, copies and supplies.

C. Banning Quarry Meetings:

- 1.) Conference and Consultation – Reclamation Plan Review (non-recurring)
 - a.) Community Development Department and City Attorney Conference
 - b.) R/T Travel to 1/23 meeting
 - c.) Report preparation.
 - d.) SMGB & Irwindale guidelines reviews
 - e.) Consultation with Don Coduto (Irwindale TAC)
- 2.) City Meetings
 - a.) Planning Commission meeting attendance.
 - b.) City Council meeting attendance.
 - c.) 2 R/T travel

II. As part of the Services, Contractor will prepare and deliver the following tangible work products to the City:

- A. Written notice of recommendations, corrective actions or violations concerning Surface Mining and Reclamation Act (SMARA) compliance and geotechnical hazards.

- B. Written opinion of proponent's approach for extended erosion protection of the spectrum separating the river from the mine pits.
- C. Written opinion of proponent's approach for extended erosion protection of the projecting Devers-El Casco "nose".
- D. Engineering Evaluation Report concerning Reclamation Plan conformance with SMARA utilizing the industry standards.
- E. Technical input related to staff reports for Planning Commission and City Council meeting.
- F. Annual Inspection Reports (2013, 2014, 2015 Calendar Years) including all records not limited to data requisitions, field inspection reports and so forth prepared using industry standards.
- G. Mining and reclamation plan reviews including map and technical reviews, and letters.

III. In addition to the requirements of Section 6.2, during performance of the Services, Contractor will keep the City apprised of the status of performance by delivering the following status reports:

Monthly status reports.

IV. All work product are subject to review and acceptance by the City, and must be revised by the Contractor without additional charge to the City until found satisfactory and accepted by City.

V. Contractor will utilize the following personnel to accomplish the Services:

- A. C. Fernando Aragon, Project Engineer, or designated personnel approved by the City.
- B. Mark G. Doerschlag, Engineering Geologist, or designated personal approved by the City.

EXHIBIT "B"
SPECIAL REQUIREMENTS
(Superseding Contract Boilerplate)

Section 1.7, Warranty, is deleted in its entirety.

Section 2.3, Reimbursable Expenses, is deleted and replaced with the following:

Compensation may include reimbursement for actual and necessary expenditures for reproduction costs, telephone expenses, and travel expenses approved by the Contract Officer in advance, or actual subcontractor expenses if an approved subcontractor pursuant to Section 4.5, and only if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Contractor at all project meetings reasonably deemed necessary by the City. Coordination of the performance of the work with City is a critical component of the services. If Contractor is required to attend additional meetings to facilitate such coordination, Contractor shall not be entitled to any additional compensation for attending said meetings. Meetings called due to petition or legal actions of the mine proponent are expressly excluded from the contract services but shall be compensated as extra work in accordance with Section 1.10.

Section 7.7, Liquidated Damages, is deleted in its entirety.

EXHIBIT "C"
COMPENSATION

I. Contractor shall perform the following tasks:

**SCOPE & FEES, MINING AND RECLAMATION PLAN ASSISTANCE
BANNING QUARRY**

Map & Technical Report Reviews	Unit Costs (per pay grade)
(1) <u>Map & Technical Report Reviews (2012 Inspection Findings and PRC §2712)</u>	
(a) SCE slope stability analysis, Sr. Geologist 4 hrs. @ \$120/hr.....	\$480.00
(b) Reclamation slope stability analysis, Sr. Geologist 6 hrs. @ \$120/hr.....	720.00
(c) Reclamation Plan review (narrative & maps), Sr. Geologist 6 hrs. @ \$120/hr....	720.00
(d) Hydrology study review, Sr. Geologist 2 hrs. @ \$120/hr.....	240.00
(e) Geotechnical report review, river dike, Sr. Geologist 2 hrs. @ \$120/hr.....	240.00
(f) Geotechnical report review, West Pit water, Sr. Geologist 2 hrs. @ \$120/hr....	240.00
(g) Consultant response letter reviews, Sr. Geologist 6 hrs. @ \$120/hr.....	720.00
Technical Reviews Total	\$3,360.00
(2) <u>Review Letters, Engineering, Office Support</u>	
(a) Review Letter for 1(a), Sr. Geologist 4 hrs. @ \$120/hr.....	\$480.00
(b) Analyses & Review Letter for 1(b-cf), Sr. Geologist 8 hrs. @ \$120/hr.....	960.00
(c) Review Letter for 1(d), Sr. Geologist 2 hrs. @ \$120/hr.....	240.00
(d) Review Letter for 1(e), Sr. Geologist/Engr. 4 hrs. @ \$120/hr.....	480.00
(e) RCFC Consultations for 1(c) and 1(d), Sr. Geologist 4 hrs. @ \$120/hr.....	480.00
(f) 2 nd Review Letters to consultant responses, Sr. Geologist 6 hrs. @ \$120/hr....	720.00
(g) City Consultations and Project Management, Sr. Geologist 6 hrs. @ \$120/hr....	720.00
(h) Geotechnical Assistant 8 hrs. @ \$45/hr.....	360.00
(i) Letter report reproduction, copies, supplies.....	180.00
Analyses, Letters, & Office Subtotal	\$4,620.00
(3) <u>Optional and On-Demand Tasks (AGI Pre-Authorization Request)</u> Extra Work and Additional Assistance in Enforcement Actions/Development Agreement:	
(a) Technical assistance in pursuing enforcement actions undertaken by City.	
(b) Consultations and document reviews of issues related to mining beyond approved plans, excavation of City water tank site, slope hazards, landscaping restoration, flood zone impacts, and related mine site impacts.	
(c) Issues related to landscape and irrigation maintenance, fencing, and operator's conformance with dust, noise, and traffic mitigation requirements.	
(d) Analysis of Financial Assurances issues.	
(e) Technical assistance with creation of a Development Agreement between the City and mining entity.	
(f) Other related tasks.	
T & M at AGI Fee Schedule.....	\$19,400.00
**Requested Total Authorization Amount	\$27,380.00
<p>** Required services under the listed sub-categories may vary slightly depending upon mine operator's completeness in the reclamation plan submittal and topics needing to be addressed in review reports. AGI understands that initial submittals will probably be incomplete and has planned for primary reviews and second-round reviews of applicant or consultant responses. All actual professional hours and costs will be invoiced. If total aggregate charges are less than the authorization estimate, then the invoice total will be reduced accordingly.</p>	

**SCOPE & FEES, ANNUAL SURFACE MINE INSPECTIONS
CALENDAR YEARS 2013, 2014, AND 2015
BANNING QUARRY**

<u>Field Services, Per Annum</u>	<u>Unit Costs (per pay grade)</u>
(1) <u>Data Acquisition, Field Inspection & Operator Meeting</u>	
(a) Pre-inspection operator records requests, Sr. Geologist 4 hrs. @ \$120/hr.	\$480.00
(b) Pre-inspection coordination with Banning CDD, Sr. Geologist 2 hrs. @ \$120/hr. ..	240.00
(c) Aerial image interpretation & file update, Sr. Geologist 2.0 hrs. @ \$120/hr.	240.00
(d) Travel, R/T to mine, Sr. Geologist 1.5 hrs. @ \$120/hr.	180.00
(e) Site inspection, Sr. Geologist 8 hrs. @ \$120/hr.	960.00
Field Total	\$2,100.00
(2) <u>Report & Exhibits Preparation, Office Support</u>	
(a) Prior-year Inspection Report Reviews, Sr. Geologist 4.0 hrs. @ \$120/hr.	\$480.00
(b) Operator annual FACE review, Sr. Geologist 4.0 hrs. @ \$120/hr.	480.00
(c) Report preparation, Sr. Geologist 16 hrs. @ \$120/hr.	\$1,920.00
(d) Photo exhibits & site plan, Draftsman 4 hrs. @ \$75/hr.	300.00
(e) Geotechnical Assistant 4 hrs. @ \$45/hr.	180.00
(f) Report reproduction, copies, supplies.	320.00
Office Subtotal	\$3,680.00
**AGI Inspection Cost PER ANNUM	\$5,780.00
Requested 3-Year Contract Duration	x 3
3-Year Total Inspection Costs	\$17,340.00

** Based on 2012 report model with required updated photographic exhibits, operations information, and revised Form MRRC-1. Lead Agency officials should be advised that the new MRRC-1 specifically requests information outside of AGI geotechnical or geologic expertise. Professionals in other technical disciplines may need to be consulted. We will fill out the form as completely as possible under revised OMR guidelines and with the noted limitations. The listed annual inspection cost may be used by the City in determining deposit amounts to be recovered from the mine operator.

**SCOPE & COSTS FOR CONSULTATIONS, MEETINGS,
AND VIOLATION / CORRECTIVE ACTION COMPLIANCE REVIEWS
BANNING QUARRY**

<u>Accrued Charges, January 23, 2013 to March 21, 2013</u>		<u>Unit Costs (per pay grade)</u>
(1)	<u>Conference & Consultations</u>	
	(a) CDD and City Attorney Conf., 1/23, Sr. Geologist 2.5 hrs. @ \$120/hr.....	\$300.00
	(b) R/T Travel to 1/23 meeting, Sr. Geologist 1.5 hrs. @ \$120/hr.....	180.00
	(c) Report Preparation (Deliverables) Sr. Geologist 1.0 hrs. @ \$120/hr.....	120.00
	(d) SMGB & Invindale Guidelines reviews, Sr. Geologist 3.0 hrs. @ \$120/hr.....	360.00
	(e) Consultation with Prof. Don Coduto (Invindale TAC), Sr. Geo 3 hrs. @ \$120/hr.	360.00
	Accrued Charges Total	\$1,320.00
<u>Estimated Services (Dates & Hours TBD)</u>		<u>Unit Costs (per pay grade)</u>
(2)	<u>City Meetings (scheduled year 2013)</u>	
	(a) Planning Commission meeting attendance, Sr. Geologist 4.0 hrs. @ \$120/hr...	\$480.00
	(b) City Council meeting attendance, Sr. Geologist 4.0 hrs. @ \$120/hr.....	480.00
	(c) 2 R/T travel, Sr. Geologist 3.0 hrs. @ \$120/hr.	360.00
	2013 Consultations and Meetings	\$1,320.00
	*2014 & 2015 Compliance Review Meetings	\$2,640.00
	**Consultations & Meetings Estimated Total	\$5,280.00

*Based on 8.0 hours senior geologist time budget and 2 R/T travel per annum, in support of mine operator's mitigation of SMARA violation or corrective action notices resulting from annual inspections.

** Required services under the City Meetings category, and Compliance Review budget, may vary depending upon attendance duration, requests for written deliverables, and mine operator's effective SMARA compliance. City meeting requests may carry to year 2014 or 2015 and involve substantial additional hours for tasks and topics shown as items 3(a-f) on Attachment A. It is understood and intended that overage amounts from the estimates shown above will be incorporated into the "Extra Services" authorized budget shown in Attachment A. These fees will be invoiced based on time and materials per the current AGI Fee Schedule. Authorization for Extra Services shall expire at the end of the 2015 calendar year unless a new authorization is agreed to by the City and AGI.

- II. Payments will be made based upon the satisfactory completion of the task.**
- III. The budgeted amount for each Task is as follows: i) Mining and Reclamation Plan Assistance- Banning Quarry = \$27,380.00; ii) Annual Surface Mine Inspections, Calendar Years 2013, 2014, and 2015- Banning Quarry = \$17,340.00; and iii) Consultations, Meetings and Violation/ Corrective Action Compliance Reviews- Banning Quarry= \$5,280.00 for a total of budget of thirty two thousand and forty dollars (\$50,000.00).**

- III. Within the budgeted amounts for each Task, and with the approval of the Contract Officer, funds may be shifted from one Task subbudget to another so long as the Contract Sum is not exceeded per Section 2.1, unless Additional Services are approved per Section 1.10.**
- VI. The City will compensate Contractor for the Services performed upon submission of a valid invoice. Each invoice is to include:**
 - A. Line items for all personnel describing the work performed, the number of hours worked, and the hourly rate.**
 - B. Line items for all materials and equipment properly charged to the Services.**
 - C. Line items for all other approved reimbursable expenses claimed, with supporting documentation.**
 - D. Line items for all approved subcontractor labor, supplies, equipment, materials, and travel properly charged to the Services.**
- V. The total compensation for the Services shall not exceed \$50,000.00, as provided in Section 2.1 of this Agreement.**

EXHIBIT "D"
SCHEDULE OF PERFORMANCE

I. Contractor shall perform all services timely in accordance with the following schedule:

Tasks	Performance Schedule
<p>A. Mining and Technical Report Reviews:</p> <p>1. Map and Technical Report Reviews (2012 Inspection Finding and PRC):</p> <ul style="list-style-type: none"> a.) Pre-inspection operators records requests. b.) Pre-inspection coordination with the City of Banning Community Development Department. c.) Aerial image interpretation and file update. d.) Travel, R/T to mine. e.) Site inspections. <p>2. Review Letters, Engineering, Office Support:</p> <ul style="list-style-type: none"> a.) Review Letter for SCE slope stability analysis. b.) Analyses and Review Letter for reclamation slope stability analysis, reclamation plan review, and geotechnical report review (West Pit water). c.) Review Letter for hydrology study review. d.) Review Letter for geotechnical report review, (river dike). e.) Riverside County Flood Control consultations for the reclamation plan review and hydrology study review. f.) Second Review Letter to consultant responses g.) City consultations and project management. h.) Geotechnical Assistance i.) Letter report reproduction. <p>3. Analyses, Letters, & Office Subtotal:</p> <ul style="list-style-type: none"> a.) Technical assistance in pursuing enforcement actions undertaken by the City. b.) Consultations and document reviews of issues related to mining beyond approved plans, excavation of City water tank site, slope hazards, landscaping restoration, flood 	Within two weeks of the report submittal unless otherwise agreed upon by the City and Consultant.

	<p>zone impacts, and related mine site impacts.</p> <p>c.) Issues related to landscape and irrigation maintenance, fencing, and operator's conformance with dust, noise, and traffic mitigation requirements.</p> <p>d.) Analysis of Financial Assurances issues.</p> <p>e.) Technical assistance with creation of a Development Agreement between the City and mining entity.</p> <p>f.) Other related tasks.</p>	
B. 2013, 2014 and 2015 Annual Surface Mine Inspection-Banning Quarry:	<p>1. Data acquisition, field inspection and operator meeting:</p> <p>a.) Pre-inspection operators records requests.</p> <p>b.) Pre-inspection coordination with the City of Banning Community Development Department.</p> <p>c.) Aerial image interpretation and file update.</p> <p>d.) Travel, R/T to mine.</p> <p>e.) Site inspections.</p> <p>2. Reports and Exhibits:</p> <p>a.) Prior-year inspection report reviews.</p> <p>b.) Operator annual FACE review.</p> <p>c.) Report preparation.</p> <p>d.) Photo exhibits and site plan.</p> <p>e.) Geotechnical services.</p> <p>f.) Report reproduction, copies and supplies.</p>	Within two weeks of the report submittal unless otherwise agreed upon by the City and Consultant.
C. Banning Quarry Meetings	<p>1. Conference and Consultation – Reclamation Plan Review (non-recurring):</p> <p>a.) Community Development and City Attorney Conference</p> <p>b.) R/T Travel to 1/23 meeting</p> <p>c.) Report preparation.</p> <p>d.) SMGB & Irwindale guidelines reviews</p> <p>e.) Consultation with Don Coduto (Irwindale TAC)</p> <p>2. City Meetings</p> <p>a.) Planning Commission meeting attendance.</p> <p>b.) City Council meeting attendance.</p> <p>c.) 2 R/T travel</p>	To be determined at the reasonable discretion of the Contract Officer.

II. Contractor shall deliver the following tangible work products to the City by the following dates.

- A. Written notice of recommendations, corrective actions or violations concerning SMARA compliance and geotechnical hazards, within two weeks of the report submittal.
- B. Written opinion of proponent's approach for extended erosion protection of the spectrum separating the river from the mine pits, within two weeks of the report submittal.
- C. Written opinion of proponent's approach for extended erosion protection of the projecting Devers-El Casco "nose," within two weeks of the report submittal.
- D. Engineering Evaluation Report concerning Reclamation Plan conformance with SMARA, within two weeks of the report submittal.
- E. Technical input related to staff reports for Planning Commission and City Council meeting, two weeks prior to scheduled meeting.
- F. Annual Inspection Reports (2013, 2014, 2015 Calendar Years) including all records not limited to data requisitions, field inspection reports and so forth prepared using industry standards.
- G. Mining and reclamation plan reviews including map and technical reviews, and letters.

III. The Contract Officer may approve extensions for performance of the services in accordance with Section 3.2.

CITY COUNCIL AGENDA

DATE: November 12, 2013

TO: Mayor and Members of the City Council

FROM: Andrew Takata, City Manager
June Overholt, Administrative Services Director/Deputy City Manager

SUBJECT: Resolution 2013-98 to become a Healthy Eating, Active Living (H.E.A.L.) City

RECOMMENDATION:

That the City Council adopt Resolution 2013-98 to become a H.E.A.L. City which promotes healthy communities and lifestyles.

DISCUSSION:

The following information was made available by the H.E.A.L. program: "Cities and their residents face increased health care costs and diminished quality of life due to the epidemic of obesity and overweight. City leaders across California are addressing the crisis by implementing land use and employee policies which encourage physical activity and nutritious eating."

The League of California Cities led the way with a resolution in 2004 which encouraged cities to embrace policies that promote healthier lifestyles and communities. Two years later, the League adopted a resolution to work together with the Institute for Local Government, and the Cities Counties and Schools Partnership to develop a clearinghouse of information that cities can use to promote wellness policies and healthier cities. The Healthy Eating Active Living Cities Campaign grew out of these resolutions and is a partnership of the California Center for Public Health Advocacy and the League of California Cities."

The program is designed to promote healthy eating and active living within the community through land use policies, development and infrastructure. It also is designed to promote workplace wellness programs and healthy food retail options.

The City of Banning has already implemented several programs that promote wellness among the City employees that include voluntary wellness training classes during lunch and time for workday fitness. In addition, the City of Banning promotes open spaces, parks and walk ways within any new development plan proposed to the Planning Commission and Council.

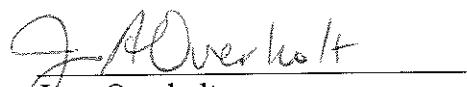
By adopting the resolution, Council is making a statement that it recognizes the health concerns in the community and desires to promote healthy eating and active living. The resolution will be added to the website www.healcitiescampaign.org, where more information is also available. All

California cities which adopt policies encouraging physical activity and good nutrition are eligible to be a Healthy Eating Active Living City and upon review and approval, become eligible for public relations and marketing resources, training and technical assistance including use of the HEAL Cities logo.

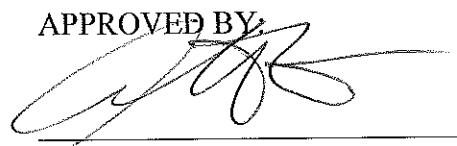
In addition, by adopting this resolution, Council will be affirming its Strategic planning goal of improving the Quality of Life as it relates to livability, effective planning and recreation.

FISCAL DATA: none

RECOMMENDED BY:


June Overholt
Administrative Services Director/
Deputy City Manager

APPROVED BY:


Andy Takata
City Manager

RESOLUTION NO. 2013-98

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA, TO BECOME A HEALTHY EATING ACTIVE LIVING CITY**

WHEREAS, in 2004, the League of California Cities adopted an Annual Conference resolution to encourage cities to embrace policies that facilitate activities to promote healthier lifestyles and communities, including healthy diet and nutrition and adoption of city design and planning principles that enable citizens of all ages and abilities to undertake exercise; and

WHEREAS, the League of California Cities has a strategic goal to promote and develop safe and healthy cities; and

WHEREAS, the Healthy Eating Active Living campaign grew out of this resolutions, and

WHEREAS, more than half of California's adults are overweight or obese and therefore at risk for many chronic conditions including diabetes, heart disease, cancer, arthritis, stroke, hypertension; and

WHEREAS, more children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease; and

WHEREAS, obesity takes a tremendous toll on the health, productivity of all Californians; and

WHEREAS, all California cities which adopt policies encouraging physical activity and good nutrition are eligible to be a Healthy Eating Active Living City and upon review and approval, become eligible for public relations and marketing resources, training and technical assistance including use of the HEAL Cities logo.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning as follows:

SECTION 1. That the City of Banning will become a Healthy Eating, Active Living (HEAL) City.

SECTION 2. That the City of Banning will make every effort to plan and construct a built environment that encourages walking and other forms of physical activity;

SECTION 3. That the City of Banning will continue to promote wellness and healthy activities for its employees and the community.

///

PASSED, ADOPTED AND APPROVED this 12th day of November, 2013.

Deborah Franklin,
Mayor

ATTEST:

Marie A. Calderon,
City Clerk of the City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-98 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 12th day of November, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

Marie A. Calderon, City Clerk
City of Banning
Banning, California

CITY COUNCIL AGENDA

Date: November 12, 2013
TO: Honorable Mayor and City Council
FROM: Fred Mason, Electric Utility Director
SUBJECT: Resolution 2013-93 Updating the City of Banning's Internal "Renewable Portfolio Standard Enforcement Program and Renewable Energy Resources Procurement Plan".

RECOMMENDATION: The City Council adopt Resolution 2013-93, updating Banning's Renewable Portfolio Standards ("RPS") Enforcement Program and Renewable Energy Resources Procurement Plan ("Banning's RPS Plan") in response to the California Energy Commission's recently adopted *Enforcement Procedures for the Renewable Portfolio Standard for Local Publicly Owned Electric Utilities* (the "RPS Regulations"), to include and adopt the City's Cost Limitations Policy and to allow for the optional compliance measure of Portfolio Balance Requirement Reduction. Banning's RPS Plan is attached herewith as Exhibit "A".

JUSTIFICATION: Updating Banning's RPS Plan will allow the City to incorporate the provisions of the newly adopted RPS Regulations. Additionally, updating Banning's RPS Plan to clarify and document the City's Cost Limitations Policy will give the City substantiation to provide to regulatory agencies if the City is not able to fully comply with the State of California's renewable portfolio standards program due to cost constraints. Also, adding the optional compliance measure of Portfolio Balance Requirement Reduction gives the City the option to utilize this potential cost-saving measure if it becomes necessary in the future.

BACKGROUND: In deference to California State Senate Bill X 1-2 ("SBX1 2"), on December 13, 2011 the City Council adopted Resolution No. 2011-99 which approved Banning's RPS Plan. Recently, the California Office of Administrative Law approved the CEC's RPS Regulations. The RPS Regulations provide full and complete regulatory guidance on how publicly owned utilities ("POUs") are to comply with the provisions of SBX1 2. Many POUs are updating their RPS plans at this time in response to the adoption of the RPS Regulations. Among other items, the RPS Regulations allow a POU to adopt any of five optional compliance measures as part of the POU's RPS plan. However, a POU must amend their RPS plan by November 30, 2013 if they wish to utilize these optional compliance measures.

Banning's RPS Plan already contains four of the five optional compliance measures: Delay of Timely Compliance, Cost Limitations, Excess Procurement, and Historical Carryover. However, Banning's RPS Plan currently does not contain the fifth optional compliance measure - Portfolio Balance Requirement Reduction. Although the Electric Utility currently does not foresee the need to use this remaining optional compliance measure, it is possible that the Electric Utility may want to utilize it in the future. In any case, there is no downside in adding this option to Banning's RPS Plan.

Although Banning's RPS Plan already contains the Cost Limitations measure (allowing the City to establish a limitation on the procurement expenditures for all RPS-eligible resources), the Plan

currently does not specify what the cost limitation parameters are. Given the recent approval of the RPS Regulations, the Electric Utility desires to clarify and adopt the Cost Limitations policy at this time. The RPS Regulations state that a POU can adopt a Cost Limitations policy to help prevent disproportionate rate impacts. In compliance with this portion of the RPS Regulations, the Electric Utility's proposed Cost Limitations policy states that the Electric Utility will not procure any additional renewable energy until the Electric Utility determines that it has unmet long-term generation needs, unless such procurement would not result in an increase to retail customer rates.

There is a high probability that the Electric Utility will rely upon its Cost Limitations Policy in at least one of the RPS compliance periods. The Electric Utility is currently fully resourced, with 65% of its energy coming from the San Juan Generating Station Unit 3 ("San Juan") coal plant. The Electric Utility is currently in negotiations to divest itself of San Juan, with the anticipation that San Juan Unit 3 will be shut down by 2018. Once the Electric Utility has divested itself of the San Juan resource, the Electric Utility will replace the energy previously procured from San Juan with energy from renewable resources. However, purchasing additional renewable energy prior to the divestiture of San Juan, would almost certainly result in an increase to retail customer rates. Therefore, the Cost Limitations Policy will help insulate our retail customers from unwarranted rate increases.

Therefore, Staff recommends City Council approval of the proposed updates to Banning's RPS Plan, attached herewith as Exhibit "A".

FISCAL DATA: There is no negative fiscal impact from updating Banning's RPS Plan. However, this update provides options that may help reduce the Electric Utility's RPS compliance costs and therefore help limit future retail rate increases.

RECOMMENDED BY:



Fred Mason
Electric Utility Director

APPROVED BY:



Andrew J. Takata
City Manager

REVIEWED BY:



June Overholt
Deputy City Manager/Administrative Services Director

RESOLUTION NO. 2013-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING UPDATING THE CITY'S INTERNAL "RENEWABLE PORTFOLIO STANDARDS ENFORCEMENT PROGRAM AND RENEWABLE ENERGY RESOURCES PROCUREMENT PLAN".

WHEREAS, the City of Banning owns and operates its Municipal Electric Utility; and

WHEREAS, in deference to California State Senate Bill X 1-2 ("SBX1 2"), on December 13, 2011 the City Council adopted Resolution No. 2011-99 which approved the City of Banning's Renewable Portfolio Standards ("RPS") Enforcement Program and Renewable Energy Resources Procurement Plan; and

WHEREAS, the California Energy Commission ("CEC") recently adopted its *Enforcement Procedures for the Renewable Portfolio Standard for Local Publicly Owned Electric Utilities*, codifying how the publicly owned utilities are to comply with SBX1 2 and giving publicly owned utilities until November 30, 2013 to update their RPS plans; and

WHEREAS, the City of Banning desires to adopt a Cost Limitations Policy that limits the impact that the State of California's Renewable Portfolio Standards program can have on retail customer rates; and

WHEREAS, the City of Banning desires to add the optional compliance measure allowing for the reduction of the portfolio balance requirement for Portfolio Content Category 1 for a specific compliance period; and

WHEREAS, Banning's City Council desires to update the City of Banning's RPS Enforcement Program and Renewable Energy Resources Procurement Plan to incorporate the provisions of the CEC's *Enforcement Procedures for the Renewable Portfolio Standard for Local Publicly Owned Electric Utilities*, to clarify and adopt the City's RPS Cost Limitations policy, and to authorize the use of the optional compliance measure allowing for the reduction of the portfolio balance requirement for Portfolio Content Category 1;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Banning as follows:

SECTION 1. Adopt Resolution No. 2013-93 updating the City of Banning's "RPS Enforcement Program and Renewable Energy Resources Procurement Plan", attached herewith as Exhibit "A".

SECTION 2. Authorize the Electric Utility Director, or his/her designee, to administer and ensure compliance with said updated RPS Enforcement Program and Renewable Energy Resources Plan. This authorization includes the authority to take the appropriate steps to facilitate the use of the City's RPS Cost Limitations policy if necessary.

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PASSED, ADOPTED AND APPROVED this 12th day of November 2013.

Deborah Franklin, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

David J. Aleshire, City Attorney
Aleshire and Wynder, LLP

ATTEST:

Marie A. Calderon, City Clerk
City of Banning

CERTIFICATION

I, MARIE A. CALDERON, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-93 was duly adopted by the City Council of the City of Banning, California at a regular meeting thereof held on the 12th day of November 2013 by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marie A. Calderon, City Clerk
City of Banning, California

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Exhibit “A”

RPS Enforcement Program and Renewable Energy Resources Procurement Plan - City of Banning

Enforcement Program

Section 1: Program for Enforcement of Compliance with SBX1 2 Procurement Obligation

The City Council of the City of Banning directs the Banning Electric Utility department to procure a minimum quantity of electricity products from eligible renewable energy resources, including renewable energy credits, and to adopt and implement all other measures as necessary to comply with California Senate Bill X1 2 (SBX1 2), within the parameters detailed in the City's Renewable Energy Resources Procurement Plan.

If the renewable energy procurement targets specifically referenced within SBX1 2 are not being met, then the Electric Utility Director must review the City of Banning's Renewable Energy Resources Procurement Plan for potential modifications. This review will include accessing the application of the Optional Compliance Measures described in California Code of Regulations, Title 20, Division 2, Chapter 13, Section 3206. If the Electric Utility Director determines that any of the Optional Compliance Measures are applicable, then the Electric Utility Director will have the authority to implement and apply such Optional Compliance Measures. If the Electric Utility Director determines that the Optional Compliance Measures will not cure the renewable energy procurement shortfall, then the Electric Utility Director shall provide an update to the City Council on the status of the renewable energy procurement program.

Section 2: Procedure for Adoption

The direction to procure a minimum quantity of electricity products from eligible renewable energy resources, including renewable energy credits and to adopt and implement all other measures as necessary to comply with SBX1 2 is adopted by the City Council of the City of Banning in accordance with the procedures specified in PUC § 399.30(f) by January 1, 2012 in accordance with PUC § 399.30(e).

Section 3: Incorporation of Other Documents

The City of Banning's Enforcement Program is intended to be utilized in conjunction with the City of Banning's Renewable Energy Resources Procurement Plan. As such, the City of Banning's Renewable Energy Resources Procurement Plan is incorporated herein by reference.

Section 4: Modifications

This RPS Enforcement Program may be modified by an affirmative vote of the City Council of the City of Banning.

RPS Enforcement Program and Renewable Energy Resources Procurement Plan - City of Banning

Renewable Energy Resources Procurement Plan

Section 1: Definitions

The definitions set forth in Public Utilities Code (PUC) § 399.12 and California Code of Regulations, Title 20, Division 2, Chapter 13, Section 3201 are incorporated herein.

The following definitions shall also apply to the City of Banning Electric Utility's Renewable Energy Resources Procurement Plan:

Procurement Plan: The renewable energy resources procurement plan adopted by the City of Banning pursuant to PUC § 399.30(a) and in compliance with CCR Section 3205(a).

CCR: California Code of Regulations, Title 20, Division 2, Chapter 13.

Energy Commission: The California Energy Commission, formerly known as the State Energy Resources Conservation and Development Commission.

Section 2: Procurement

In order to fulfill unmet long-term generation resource needs, the City of Banning's Electric Utility shall procure a minimum quantity of electricity products from eligible renewable energy resources, including renewable energy credits, as a specified percentage of total kilowatt hours sold to the City of Banning Electric Utility's retail end-use customers for each compliance period specified in Section 3 to achieve the targets specified in Section 4.

Section 3: Compliance Periods

The compliance periods as required by PUC § 399.30(b) are:

Compliance Period One: January 1, 2011 through December 31, 2013

Compliance Period Two: January 1, 2014 through December 31, 2016

Compliance Period Three: January 1, 2017 through December 31, 2020

Annually each calendar year starting with 2021.

Section 4: Procurement Targets

The City of Banning Electric Utility shall procure a minimum quantity of electricity products from eligible renewable energy resources, including renewable energy credits, as a specified percentage of total kilowatt hours sold to the City of Banning Electric Utility's retail end-use customers to achieve the following targets, pursuant to CCR Section 3204(a):

RPS Enforcement Program and Renewable Energy Resources Procurement Plan - City of Banning

Compliance Period One:

- An average of not less than 20 percent of retail sales during the compliance period.

Compliance Period Two:

- 20 percent of 2014 retail sales, 20 percent of 2015 retail sales, and 25 percent of 2016 retail sales.

Compliance Period Three:

- 27 percent of 2017 retail sales, 29 percent of 2018 retail sales, 31 percent of 2019 retail sales, and 33 percent of 2020 retail sales.

All Years Subsequent to 2020:

- 33 percent of retail sales in each calendar year subsequent to 2020.

Section 5: Procurement Content Categories

The Electric Utility Director shall assign all RPS-eligible resources procured by the City of Banning Electric Utility to their appropriate procurement content category in accordance with the provisions of PUC § 399.30(c)(3), consistent with PUC § 399.16 and CCR Section 3203.

Section 6: Grandfathering of Procurement Content Category Requirements

Consistent with PUC § 399.16(d), the Electric Utility Director of the City of Banning Electric Utility may count all resources that meet the conditions of PUC § 399.16(d) in full towards meeting the procurement requirements set forth in the Procurement Plan.

Section 7: Delay of Timely Compliance

The City Council may adopt measures permitting the Banning Electric Utility department to delay timely compliance with the City of Banning's RPS Enforcement Program pursuant to PUC § 399.30(c)(2), consistent with the requirements of PUC § 399.15(b)(5) and CCR Section 3206(a)(2).

Section 8: Excess Procurement

The City Council may adopt measures permitting the Banning Electric Utility department to accumulate, beginning January 1, 2011, excess procurement in one compliance period to be applied to any subsequent compliance period provided that the quantity of excess procurement is determined in the same manner as allowed for retail sellers pursuant to PUC § 399.13(a)(4)(B) and consistent with CCR Section 3206(a)(1).

RPS Enforcement Program and Renewable Energy Resources Procurement Plan - City of Banning

Section 9: Cost Limitations

The City Council may establish and amend a limitation on the procurement expenditures for all RPS-eligible resources used to comply with the Banning Electric Utility department's Procurement Plan. In establishing such limit, the City Council shall rely on factors specified in PUC § 399.15(c)(1)-(3) and ensure compliance with PUC § 399.15(d) and CCR Section 3206(a)(3).

Background:

The Banning Electric Utility is one of the smaller POUs in California and as such additional costs and expenditures can have a pronounced impact upon the Electric Utility's retail customer rates. Accordingly, the Electric Utility has experienced a 56% increase in retail customer rates since 2007. A significant portion of this increase is due to the acquisition of renewable energy, increased CAISO transmission costs, rising reliability/capacity costs, and compliance costs associated with the State of California's cap and trade program.

Additionally, the City of Banning is located in an economically disadvantaged area. A significant portion of the City's population is either low income or senior citizens living on a fixed income.

The Banning Electric Utility is currently fully resourced, with 65% of its energy coming from the San Juan Generating Station Unit 3 ("San Juan") coal plant. The Electric Utility is currently in negotiations to divest itself of San Juan, with the anticipation that San Juan Unit 3 will be shut down by 2018. Once the Electric Utility has divested itself of the San Juan resource, the Electric Utility will replace the energy previously procured from San Juan with energy from renewable resources.

City Council Adopted Cost Limitations Policy:

The Electric Utility will not procure any additional renewable energy until the Electric Utility determines that it has unmet long-term generation needs (anticipated to be 2018), unless such procurement would not result in an increase to retail customer rates. Given that the City's retail customers have already experienced significant rate impacts since 2007, any additional costs would contribute to disproportionate rate impacts and potentially create economic hardships for many of the City's customers.

Section 10: Public Notice

The Banning Electric Utility department staff shall post a public notice whenever the Banning City Council will deliberate in public on the Renewable Energy Resources Procurement Plan.

Section 11: Unmet long-term needs

Consistent with § 399.30(a), the Banning Electric Utility department shall determine its unmet long-term generation resource needs.

Section 12: Reporting

The Banning Electric Utility department shall provide data and reports to the Energy Commission in accordance with CCR Section 3207.

RPS Enforcement Program and Renewable Energy Resources Procurement Plan - City of Banning

Section 13: Historical Carryover

The Electric Utility Director of the City of Banning may use excess renewable energy procured prior to January 1, 2011 as Historical Carryover to be applied towards Compliance Period One procurement targets, in accordance with CCR Section 3206(a)(5).

Section 14: Portfolio Balance Requirement Reduction

The City Council may adopt measures permitting the Banning Electric Utility department to reduce the portfolio balance requirement for Portfolio Content Category 1 for a specific compliance period consistent with the requirements of PUC § 399.16(e) and CCR Section 3206(a)(4).

Section 15: Modifications

This Procurement Plan may be modified by an affirmative vote of the City Council of the City of Banning.

**CITY COUNCIL
REPORT OF OFFICERS**

DATE: November 12, 2013

TO: City Council

FROM: City Attorney's Office

SUBJECT: Resolution No. 2013-103: Update of City Council Manual of Meeting Procedures to Comport With Recent Case Law Pertaining to Restrictions on Public Comment at Legislative Body Meetings

RECOMMENDATION:

That the City Council adopt Resolution No. 2013-103, updating the City's "Manual of Meeting Procedures" regarding regulations of public speech at legislative body meetings, such update conforming with recent changes in the law.

BACKGROUND:

In a recent decision by the Ninth Circuit, *Acosta v. City of Costa Mesa* (2013) No. 10-56854, 2013 U.S.App.LEXIS 9066 (on rehearing of *Acosta v. City of Costa Mesa* (2012) 694 F.3d 960), the Federal Court invalidated the City of Costa Mesa's decorum ordinance as violative of the First Amendment because it prohibited conduct or behavior that was not disruptive. The case does not change the law, so much as clarify existing law.

The Ninth Circuit took issue with the word "insolent" as overbroad in its regulation of speech, citing the following examples:

1. In addition to actual disruptive behavior, the prohibition against "insolence" proscribed non-disruptive remarks or behavior.
2. And, while the Costa Mesa ordinance prohibited, for example, a "thumbs down," signaling disapproval, a "thumbs up" signaling approval was permitted.

The Court discussed a similar issue decided in *White v. City of Norwalk* (9th Cir. 1990) 900 F.2d 1421. There, the City of Norwalk prohibited "personal, impudent, slanderous or profane remarks," but only permitted removal when an individual who made a proscribed remark acted in a way that *actually disturbed* the meeting. The court upheld that narrow construction of the ordinance. The *Acosta* Court also discussed *Norse v. City of Santa Cruz* (9th Cir. 2010) (en banc) 629 F.3d 966, where the Ninth Circuit sent the case back to the district court to determine whether a silent Nazi salute during a council meeting constituted an "actual disruption" to the meeting.

In light of the *Acosta* decision, the City Attorney's Office has prepared a proposed revision to the City's "Manual of Meeting Procedures" as reflected in Resolution No. 2013-103 attached hereto as Attachment "A". The Resolution amends sections of the "Manual of Meeting Procedures" to remove references to behavior or conduct that is not disruptive, so those sections are in accordance with the First Amendment and the Ninth Circuit's ruling in *Acosta v. City of Costa*

Mesa. The Resolution is attached hereto at Attachment "1" and includes a redline of the revised Manual provisions. As with the *Acosta* case itself, the proposed revisions do not necessarily change the law, so much as clarify existing law.

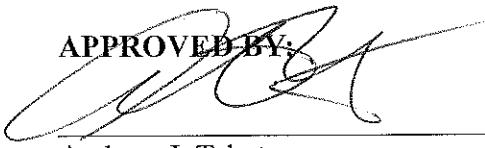
FISCAL DATA:

No foreseeable fiscal impact.

PREPARED BY:

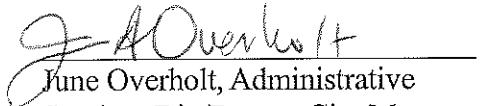
Lona N. Laymon
Assistant City Attorney

APPROVED BY:



Andrew J. Takata
City Manager

REVIEWED BY:



June Overholt, Administrative
Services Dir./Deputy City Manager

Attachments:

1. Resolution No. 2013-103, with attached excerpts from "Manual of Meeting Procedures" redlining proposed additions in accordance with *Acosta v. City of Costa Mesa*.

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RESOLUTION NO. 2013-103

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF BANNING, ADOPTING AMENDMENTS TO THE
MANUAL OF PROCEDURAL GUIDELINES FOR THE
CONDUCT OF CITY COUNCIL AND CONSTITUENT
BODY/COMMISSION MEETINGS RELATING TO
DECORUM AT LEGISLATIVE BODY MEETINGS**

WHEREAS, the Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning ("Manual") governs the conduct of the City Council, legislative body members, staff and members of the public at City Council and other legislative body meetings and prohibits certain conduct; and

WHEREAS, in *Acosta v. City of Costa Mesa* (2013) 718 F.3d 800 (on rehearing of *Acosta v. City of Costa Mesa* (2012) 694 F.3d 960), the Court invalidated the City of Costa Mesa's decorum ordinance to the extent that it prohibited conduct or behavior that was not disruptive and therefore in violation of the First Amendment; and

WHEREAS, the City Council desires to amend relevant sections of the Manual in accordance with the First Amendment and the Court's ruling in *Acosta v. City of Costa Mesa*.

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

SECTION 1. The foregoing Recitals are adopted herein by this reference.

SECTION 2. The amendments to the Manual, as reflected in Exhibit "A" attached hereto, are hereby adopted into the Manual.

SECTION 3. The City Clerk shall certify as to the adoption of this Resolution and cause the filing of the amended Manual in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 12th day of November, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-103 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 11th day of November, 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

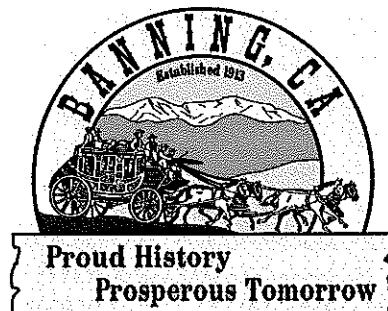
Marie A. Calderon, City Clerk
City of Banning, California

MANUAL OF PROCEDURAL GUIDELINES
FOR THE CONDUCT OF
CITY COUNCIL AND CONSTITUENT
BODY/COMMISSION MEETINGS FOR

THE CITY OF BANNING

ADOPTED ON OCTOBER 23, 2012

(Last Amended April 23, 2013, City Council Resolution No. 2013-48)



Marie Calderon
City Clerk

David J. Aleshire
City Attorney

OUTLINE OF PROCEDURAL MANUAL PROVISIONS

Manual Applies to Council; Agency; Housing Authority; All Commissions

A. Agendas (3.1-3.4; 5.1-5.10)

1. City Manager generally has the authority to set the agenda. (5.1)
2. Any Councilmember may request a matter be put on an agenda. If significant staff work involved, CM can bring it to an agenda under pending items and Council can decide whether they want it agendized for discussion. (5.1)
3. Permits consent calendars and defines what isn't permitted on consent calendar: ordinances; matters involving split votes or public controversy.
4. List order of agenda.
5. Permits an agenda item for "Council Agenda – New Business" and where announcements permitted with no discussion.

B. Ordinances and Resolutions and Contracts (5.3 - 5.6)

1. Defines matter appropriate for ordinance *vs.* resolution.
2. Defines vote requirements--resolutions require 3 votes.
3. Urgency circumstances defined where resolution can be prepared at a meeting.
4. Contracts may be put in final form by legal counsel.

C. Boards and Commissions (6.4)

1. Defines legislative bodies and advisory bodies subject to the Brown Act. (1.2(a))
2. Permits creation of ad hoc council subcommittees not subject to the Brown Act.
3. Permits formation boards and commissions subject to the Brown Act.
4. Provides that appointments are by Mayor with the consent of Council.
5. Commissions not permitted to create subcommittees.

D. Closed Sessions (4.1 - 4.4)

1. Those persons not relevant to the closed session matter are excluded.
2. A minute book may be kept of the proceedings.
3. Revealing any matter from closed session can subject the person to censure.

E. Public Comments (7.0 – 7.4)

1. City Council meeting presentations are to be no more than five minutes in length; this is to include all speakers for the group being recognized. Exhibit "B" has full policy.
2. Time limits are 3 minutes and 5 minutes for public hearing but applicant not limited.
3. Public comment periods include initial comment period on non-agenda items; comment on agenda items.

F. Hearings (8.1 – 8.4)

1. Before the hearing, Councilmembers limited to factual questions of staff and speakers. Not to engage in debate.
2. Presiding Officer to make it clear when hearing is opened or closed. No questions of speakers or public comment after hearing closed.
3. Hearing must be fair and impartial with decision based on findings required by law.
4. No expression of opinion until hearing is closed.
5. Avoid extra meeting contact with interested persons. Encourage participation in hearing.
6. Presiding Officer can control conduct of hearing--representative speakers, etc. Set any rules at beginning and keep fair to each side.
7. Be attentive during hearings.

G. Conduct of Members

1. Don't represent position of City or promise City action. (9.2; 9.10)
2. Don't speak in derogatory fashion concerning colleagues, employees, citizens. (10.1(f))
3. Mayor speaks officially for City rather than councilmembers. (9.2)
4. Councilmembers in correspondence represent their own position rather than City unless authorized by Council. (9.2)
5. Commissioners don't speak for City. (9.2)
6. No Conflicts. Can consult with City Attorney but advice not binding and no attorney-client confidentiality. (9.6(b))
7. Use City email account. Emails subject to the Brown Act--no development of collective action. Public Records Act, too. (9.3)
8. Formal process for censure for wrongful conduct involving hearing before City Council. (10.3)
9. City Attorney can file amicus briefs. (9.6 (d))

H. Procedures

1. Abstentions discouraged but permitted where appearance impropriety even if no financial conflict.
2. Motions to rescind clarified so that matter can be rescinded if later legislative session. (11.4)
3. Defines process to correct an earlier action in violation of Brown Act. (12.1 – 12.3)
4. Includes Table of Motions and Procedural Actions.

MANUAL OF PROCEDURAL GUIDELINES FOR THE CONDUCT OF CITY COUNCIL AND CONSTITUENT BODY/COMMISSION MEETINGS

ARTICLE I – SCOPE

1.1 Application of Rules

This Manual (the “Manual”) shall establish the procedures for the conduct of all meetings of the City of Banning City Council, Successor Agency to the Banning Community Redevelopment Agency, Housing Authority and other constituent, governing bodies and commissions.

This Manual rescinds and supersedes all prior City resolutions setting forth rules of procedure for the conduct of meetings by City Legislative Bodies (defined below). Wherever there is a conflict between this Manual and any prior City resolution, the terms and rules in this Manual shall govern. Resolutions more specifically superseded by this Manual include, without limitation, the following:

- City of Banning Resolution No. 2004-43;
- City of Banning Resolution No. 1999-31;
- City of Banning Resolution No. 2003-06;
- City of Banning Resolution No. 2000-41;
- Banning CRA Resolution No. 2010-13; and
- Banning CRA Resolution No. 1990-04.

1.2 Definitions

The following definitions shall apply to these rules and procedures:

- a) “Legislative Body” means any quorum of any council, board, commission or standing committee (as defined in Government Code § 54952), or other governing body of the City of Banning that is subject to the Brown Act (Government Code § 54950 *et seq.*). This includes the Banning City Council, Banning Successor Agency to the former Redevelopment Agency, Banning Housing Authority Board, Banning Utility Authority, Banning Financing Authority, Planning Commission, Parks and Recreation Commission, Civil Service Commission and any standing committee subject to the Brown Act. The term “Legislative Body” does not include Non-Governing Bodies, as defined below.
- b) “Presiding Officer” means the chairperson of the Legislative Body. For example, this refers to the Mayor when read in the context of the City Council, the Board Chair in the cases of the Successor Agency to the Redevelopment Agency and/or the Housing Authority, and the Chair of any Commission.
- c) “Vice Chair” means the vice chairperson to the Presiding Officer. For example, the Vice Chair means the Mayor Pro Tempore in the case of the City Council, the Vice Chairperson in the cases of the Successor Agency to the former



Redevelopment Agency and/or Housing Authority, and the Vice Chairperson of any Commission.

- d) "Clerk/Secretary" means the person responsible for taking and maintaining the record of proceedings for all meetings, preparation of agendas, calendar clerk and custodian of rules, resolutions, ordinances and Legislative Body records. For example, the Clerk/Secretary refers to the City Clerk in the case of the City and the Agency Secretary in the cases of the Successor Agency to the former Redevelopment Agency and/or the Housing Authority.
- e) "General Counsel" means the legal advisor to the Legislative Body, such as the City Attorney in the case of a City Council meeting, or Agency Counsel in the cases of the Successor Agency to the former Redevelopment Agency and/or Housing Authority.
- f) "City Manager" means the Chief Executive Officer of the City, the Successor Agency to the former Redevelopment Agency, and Housing Authority, Financing Authority and Banning Utility Authority. The City Manager may serve as the Secretary to the Successor Agency or Housing Authority, and the City Manager can designate appropriate staff to serve as the clerk/secretary to any Commission of the City.
- g) "Non-Governing Bodies" means wholly advisory committees and bodies that are not subject to the provisions of the Brown Act.
- h) "Sub-Legislative Bodies" means such advisory committees which are subject to the Brown Act but are not "governing" Legislative Bodies.

These rules and procedures are enacted pursuant to authority granted by Government Code §§ 36813 and 54954. The purpose of this Manual is to provide that the Legislative Bodies' procedures will be consistent with the Brown Act and also to establish procedures which will be convenient for the public and contribute to the orderly conduct of any Legislative Bodies' business. The procedures herein are in addition to, and not in place of, applicable ordinances and statutes and in the event of conflict between this Manual and applicable ordinances or statutes, the latter shall govern. In the event that any state statute referenced herein is renumbered, the reference herein shall be deemed to refer to the successor statute dealing with the same subject matter.

ARTICLE II – MEETINGS

2.1 Regular Meetings

Unless otherwise specified by a resolution or ordinance applicable to specific Legislative Body, the regular meetings of all Legislative Bodies shall be held on the second and fourth Tuesday of each month at the time designated by the Legislative Body, in the Council Chambers at City Hall, 99 East Ramsey Street, Banning, California 92220, or at such other locations as the Legislative Body may from time to time designate by resolution, in the order of adjournment, or

in the notice of call of any special meeting. In the event a day of meeting shall be a legal holiday, said meeting shall be held on the next business day.

2.2 Special Meetings

The Presiding Officer may, when he or she deems it expedient, or upon the written request of a majority of the Legislative Body, call a special meeting of the Legislative Body for the purpose of transacting the business designated in the call. These means and method for calling such special meeting shall be as set forth in the Brown Act as it now exists or may hereafter be amended. At such special meeting, no business shall be considered other than as designated in the call.

2.3 Special Emergency Meetings

A special emergency meeting may be called by the Presiding Officer or by a majority of the Legislative Body where an emergency exists:

(a) A work stoppage, terrorist act or threat, crippling disaster or other activity which severely impairs public health or safety as determined by the majority of the Legislative Body; or

(b) Such other circumstance specified by State law as authorizing the conduct of an emergency meeting. Any special emergency meeting shall be called, noticed, and conducted only in accordance with the procedures set forth in State law.

2.4 Attendance

A majority of members of the Legislative Body shall constitute a quorum. Less than a majority may adjourn from time to time, and may compel the attendance of absent members. Any member who fails to attend any of the meetings of the Legislative Body for 60 days, unless such absences are excused, shall surrender the office and be deemed to have surrendered the office.

2.5 Study Sessions

The Legislative Body may meet informally in conference or "study" sessions regarding concerns of the Legislative Body to interchange information, provided that all discussions and conclusions shall be informal. Such meeting shall be called in the same manner as for special meetings or adjourned meetings, as applicable, and be subject to the Brown Act. Each notice shall indicate that an opportunity for public comment shall be provided before any matter shall be determined. When a meeting has been designated a Study Session, the Legislative Body shall not take any action with respect to the matter under study except with prior public notice, appearing on a properly posted agenda, of such intent to take action.

ARTICLE III—NOTICE AND AGENDA

3.1 Notice and Agenda for Regular Meetings

For every regular Legislative Body meeting, the Clerk/Secretary or his or her designee shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all the items of business to be discussed at the meeting as set forth in Article V. The notice and agenda may be combined in a single document.

The notice and agenda must be posted at least seventy-two (72) hours before the regular meeting in a location freely accessible to public twenty-four (24) hours a day during the seventy-two (72) hour period and where the notice and agenda is not likely to be removed or obscured by other postal material. Specifically, the notice and agenda shall be posted at the place indicated below, and/or at such other location(s) as the Clerk/Secretary may designate:

~~CITY HALL LOBBY COUNCIL CHAMBERS~~
~~CITY HALL LARGE CONFERENCE ROOM OF BANNING WEBSITE~~
~~OTHER CITY HALL CONFERENCE ROOMS~~
~~LIBRARY~~

3.2 Notice and Agenda for Special Meetings

For every special meeting, the Clerk/Secretary or his or her designee shall post a written notice specifying the time and place of the special meeting and the business to be transacted must be sent to each member of the Legislative Body (unless the member has filed a written waiver of notice with the Clerk/Secretary) and to each local newspaper of general circulation, and radio or television station that has requested such notice in writing. The notice shall serve as the agenda for the special meeting and shall contain a brief description of all the items of business to be discussed at the meeting as set forth in Article V.

The notice for a special meeting shall be conspicuously posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to the public twenty-four (24) hours a day and where the notice are not likely to be removed or obscured by other posted material. Specifically, the notice shall be posted at the place indicated below, and/or at such other location(s) as the Clerk/Secretary may designate:

~~CITY HALL COUNCIL CHAMBERS LOBBY~~
~~CITY HALL LARGE CONFERENCE ROOM OF BANNING WEBSITE~~
~~OTHER CITY HALL CONFERENCE ROOMS~~
~~LIBRARY~~

3.3 Notice and Agenda for Adjourned Meetings

The Legislative Body may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn. If all members are absent from any regular or adjourned regular meeting, the Clerk/Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered personally to each member of the Legislative Body at least twenty-four (24) hours before the adjourned meeting. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held, within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned regular meeting shall be a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. If the subsequent meeting is conducted within five (5) days of the original meeting, matters properly placed on the agenda for the original meeting may be considered at the subsequent meeting. If the subsequent meeting is more than five (5) days from the original meeting, a new agenda must be prepared and posted pursuant to Government Code Section 54954.2.

3.4 Affidavit of Posting

Immediately following the posting of the notice and agenda, the Clerk/Secretary or his or her designee shall complete an Affidavit of Posting, in a form to be developed by the Clerk/Secretary. The Affidavit of Posting shall indicate the time of the posting, the location(s) of the posting, and shall be signed under penalty of perjury. The Clerk/Secretary shall retain all such affidavits, together with a copy of each notice and agenda so posted. The affidavit, notice, and agenda shall be retained at least two (2) years subsequent to the date of posting, and pursuant to Government Code § 34090, shall not be destroyed by the Clerk/Secretary thereafter except in accordance with the City's record retention policies.

ARTICLE IV- CLOSED SESSIONS

4.1 Generally

The Legislative Body may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by State law to hear or consider in closed session. Public comment shall be permitted on closed session matters prior to the closed session. If a closed session is included on the agenda, the description of the item shall meet the requirements of and shall identify the statutory basis for the closed session. During closed session, the Legislative Body shall exclude all persons which it is authorized by State law to exclude from a closed session. No minutes of the proceedings of the Legislative Body during a closed session are required. There shall be no closed session during any special emergency meeting. Closed session may not be held regarding a matter not listed on a properly posted agenda for closed session except upon the Legislative Body first taking action to place the item on the agenda as a closed session item as permitted by law.

4.2 Persons Authorized

Persons present in the closed session shall be only those persons necessary to the discussion of the matter under consideration. All other persons shall be excused. The Clerk/Secretary shall attend each closed session of the Legislative Body and keep and enter into a minute book a record of any reportable decisions made at the meeting, unless attendance is excused.

4.3 Confidentiality

The minute book for any closed session is not a public record and shall be kept confidential and shall be available only to members of the Legislative Body or as otherwise provided by law. (Government Code § 54957.2(a).) No person attending a closed session shall publicly discuss or otherwise reveal the proceedings in the closed session unless such publication has been approved by the vote of the Legislative Body taken during the closed session or as otherwise required by law. Violation of this rule shall subject the violator to censure by the Legislative Body as provided in Section 10.5 herein.

4.4 Public Reports

Before recessing into closed session, the Presiding Officer or General Counsel shall announce that the Body is recessing into closed session and shall name each closed session topic that will be discussed in closed session in at least as much detail as shown on the agenda.

Upon leaving closed session, the Presiding Officer or General Counsel shall report publicly any reportable actions taken on a closed session matter and, if any vote was taken, shall announce that the matter was put to a vote, the results of the vote, and how each Legislative Body member voted.

ARTICLE V - AGENDA CONTENTS

5.1 Preparation of Agendas

Barring insurmountable difficulties, the agenda shall ordinarily be delivered to the members of the Legislative Body on Friday (as an informal deadline) preceding the meeting to which it pertains. The agenda shall also be available to the general public at the time it is delivered to the members of the Legislative Body, or in any case as required by the Brown Act.

Any Legislative Body member may have placed on the agenda any business that should be deliberated upon in the future by the Legislative Body. Any Legislative Body member desiring to present a subject for the Legislative Body's consideration shall advise the City Manager's office of that fact not later than **12:00 noon on the Tuesday** of the week preceding the meeting at which the member wishes the subject to be considered. The matter shall then be listed on the next agenda for discussion of whether it should be a future agenda item. The City Manager shall advise the Legislative Body member of constraints affecting staff's ability to produce an agenda report, and when the matter should be scheduled.

Notwithstanding the foregoing, the City Manager generally has responsibility for setting the agenda for the Legislative Body (except for any Commission where the responsibility may be assigned to the City Manager's designee), and may place matters on the agenda in accordance with the Manager's evaluation of administrative priorities and resource capacities of City.

5.2 Description of Matters

All items of business to be transacted or discussed at a meeting of the Legislative Body, shall be briefly described on the agenda. The description may, but need not, set out the specific action or alternatives which will be considered by the Legislative Body, but should contain sufficient detail so that a person otherwise unaware could determine the general nature or subject matter of the item by reading the agenda. The description of closed session matters shall meet the requirements of Government Code Sections §54954.2 and, where applicable, §54954.5. Matters may be designated as "pending" and listed for the sole purpose of determining if they will be on a future agenda.

5.3 Action Items

(a) Matters may formally be adopted by an ordinance, a resolution, minute order, or other motion (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding but vary in the formality of respective memorialization. While most actions will be presented to the Legislative Body in a written form prior to, or at, the meeting, the Legislative Body may amend any proposed action as written by carried motion of the Legislative Body at the time of its presentation for adoption. If an action as written is so amended by the Legislative Body, it shall be revised to reflect the Body's amendments for later execution by the Presiding Officer.

(b) Besides ordinances and resolutions, action can be taken by motion and recorded as a minute order. A "minute order" denotes a Legislative Body action which is recorded simply by an item entered in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

(c) As a general rule, a recorded majority of the quorum for a Legislative Body may take an action. However, for the City Council, resolutions, orders or the payment of money, and all ordinances require a recorded majority vote of the total membership of the City Council. Some actions, such as the passage of an urgency ordinance or adoption of a resolution of necessity to condemn property, require a super-majority vote. Under the Political Reform Act of 1974, a member with a financial conflict of interest regarding a matter before the member's board must leave the room while that matter is being discussed, heard, or acted on, so that member cannot be counted towards the quorum for that matter.

5.4 Resolutions

(a) A "resolution" is a formal action with findings taken by the Legislative Body, generally pre-prepared in writing, designated by sequential number, and reference to which shall be inscribed in the minutes and an approved copy of each resolution filed in the official book of resolutions of the Legislative Body. Resolutions are used when specifically required by law, when needed as a separate evidentiary document to demonstrate findings or to

be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

(b) A resolution may be adopted at the same meeting it is presented. Where a resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed in Article XI, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it.

(c) Where a resolution cannot reasonably be prepared in advance of a meeting, the Legislative Body may instruct the City Manager or the General Counsel to prepare a resolution for presentation at the next Legislative Body meeting. Where urgent, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in Article XI, shall be followed.

5.5 Ordinances (City Council Only)

(a) The City Council is the only Legislative Body empowered to legislate the Banning Municipal Code by adoption of ordinances.

(b) Ordinances, other than urgency ordinances, require at least two readings at different meetings held at least five days apart with the first reading considered to be introduction and the second adoption.

(c) A waiver of further readings requires a majority vote of the Council members present and voting. The waiver of further reading may be accomplished by one vote for all ordinances presented on the agenda of the present meeting. Government Code Section 36934.

(d) The Clerk/Secretary shall prepare copies of all proposed ordinances for distribution to all members of the City Council at the meeting at which the ordinance is introduced, or at such earlier time as is expedient. Ordinances shall be numbered and kept by the clerk/secretary with the same formality as resolutions as described above in Section 5.4.

(e) An urgency ordinance is an ordinance adopted for the immediate preservation of the public peace, health and safety, containing a declaration of facts constituting the urgency. An urgency ordinance takes effect immediately and requires four-fifths vote of the City Council for passage pursuant to Government Code § 36937.

5.6 Contracts and Agreements

When any contract or agreement is to be considered by the Legislative Body, the complete contract and agreement, if complete in form for execution, shall be made a part of the agenda package presented to the Legislative Body and shall be made available for viewing by the public within the time frames required under the Brown Act and/or the California Public Records Act (Government Code §§ 6250 through 6276.48). The Legislative Body may choose to leave

the final form of the contract to the discretion of General Counsel if the Legislative Body has determined the general conditions of the contract.

5.7 Limitation of Actions by Agenda

No action or discussion shall be taken by the Legislative Body, on any item not appearing on a posted agenda, subject only to the exceptions listed in Section 5.9 below. "Action taken" as used herein shall mean a collective decision made by a majority of the Legislative Body, a collective commitment or promise by a majority of the Legislative Body to make a positive or a negative decision, or an actual vote by a majority of the Legislative Body upon a motion, proposal, resolution, order, or ordinance.

5.8 Public Comment Period

Pursuant to Government Code § 54954.3, every agenda posted for any meeting shall contain an item entitled "Public Comment" in order to provide for an opportunity for the public to address the Legislative Body on items of interest to the public within the Legislative Body's subject matter jurisdiction. The public comment period should be conducted in accordance with Article VII.

5.9 Exceptions to Agenda Requirement for Action Taken

The Legislative Body may take action at a meeting on an item not appearing on the agenda for that meeting only under one of the following circumstances:

(a) Upon a majority determination that an "emergency situation" that is either (i) a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, or (ii) a dire crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a Legislative Body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both. All discussion of such emergencies must be in open session.

(b) Upon a determination by a two-thirds (2/3) vote of the Legislative Body, or if less than two-thirds of the Legislative Body are present by a unanimous vote of those members present, that the need to take action arose subsequent to the agenda posting. For the purposes of this subsection, the term "need to take action" shall mean those circumstances whose occurrence creates a situation which is materially different from that which existed at the time the agenda was posted, and which requires the immediate attention of the Legislative Body. The mere failure of any person to notify the Legislative Body or staff of a pre-existing situation requiring Legislative Body attention until after the time for the posting of the agenda shall not be deemed to constitute a "need to take action" hereunder. If the Legislative Body makes a determination pursuant to this subsection, the minutes of the meeting at which the determination is made shall reflect what circumstances gave rise to the "need to take action" and why the item could not be placed on the agenda.

5.10 Minutes and Recordings

(a) An account of all proceedings of Legislative Body in open meetings shall be kept by the Clerk/Secretary. The Clerk/Secretary shall prepare an abbreviated record of the meetings proceedings for approval by the Legislative Body which when adopted by the Legislative Body shall be the official Minutes of the meeting. Amendment of the minutes may be made only as to factual accuracy and not as to a change of intent. The Minutes of the meeting need not be verbatim. Only the best and most complete available recording of the meeting shall constitute the official record of the Legislative Body, but the Minutes shall constitute the official record of the Legislative Body meeting where a verbatim record of the meeting is not available.

(b) Any recording of a meeting made by or at the direction of the Legislative Body is a public record that must be retained and made available to the public for at least 30 days. The Legislative Body must provide to the public, without charge, equipment to review the record.

ARTICLE VI – ORDER OF BUSINESS

6.1 Order of Business

The order of business of each meeting shall be as contained in the agenda prepared by the Clerk/Secretary unless the majority of the Legislative Body members consent to take items out of order. The order of business at meetings of the Legislative Body may be as follows, in accordance with the procedures specified below:

- (a) Roll Call.
- (b) Announcement of Closed Session Items, if applicable.
- (c) Public Business from the floor on closed session items.
- (d) Recess.
- (e) Reconvene Regular Meeting.
- (f) Pledge of Allegiance.
- (g) Closed Session Report, if applicable.
- (h) Public Comments, Correspondence, Presentations, Appointments.
- (i) Consent Items. (See Section 6.3 below.)
- (j) Public Hearings.
- (k) Announcements and Reports.
- (l) Discussion Items.
- (m) Items for Future Agendas (Pending Matters).
- (n) Adjournment.

6.2 Call to Order

The meeting of the Legislative Body shall be called to order by the Presiding Officer, or the Vice-Chair in the Presiding Officer's absence. In the absence of both the Presiding Officer and Vice Chair, the meeting shall be called to order by the Clerk/Secretary and the three Legislative Body members present shall elect by majority vote a Presiding Officer for that meeting.

6.3 Consent Items

Matters of a routine or generally uncontested nature and non-controversial, shall be placed on the agenda as Consent Items and may be approved by the Legislative Body in a single motion by adoption of the Consent Calendar. The approval of the Consent Calendar shall signify the approval of each matter or recommendation included therein. All matters on the Consent Calendar shall be the subject to public comment procedures in Article VII. Upon the request of any member of the Legislative Body or upon the request of a member of the public made through the Presiding Officer, a matter may be removed from the Consent Calendar for separate discussion and/or action. Any such item shall be considered as part of the Excluded Consent Calendar. Each matter proposed for consideration as part of the Consent Items, including any recommended action, shall be described on the notice and agenda posted for the meeting. The following matters are not appropriate for the Consent Calendar:

(a) Ordinances shall not be placed on the Consent Calendar for approval unless the ordinance has first been read or the reading of the ordinance has been waived as required by law.

(b) Any matter where the City Manager believes (i) it unlikely that there would be unanimous approval by the Legislative Body, or (ii) there is likely to be public comment on the matter, or (iii) a public presentation of the matter would be beneficial to the community.

6.4 City Representatives and Advisory Bodies (*City Council Only*)

(a) From time to time the Council may be required to assign a representative of the City to non-City boards, commissions or organizations (e.g., boards or commissions of another agency or joint powers authority). Except as otherwise required by law or by the policies of the non-City organization, the Mayor shall make all such appointments of City representatives on non-City organizations after consultation with the City Council. Council appointments to non-City organizations shall be considered and made with the goal of keeping the appointee in the organization for a long enough period of time that the appointee may gain seniority and/or a position of leadership within the organization. This goal shall be construed to mean that the same appointee should remain within a non-City organization for at least two years where reasonably possible and convenient for said appointee. Nothing herein, however, shall be construed to limit or waive the City Council's power to remove appointees pursuant to subsection (c) below.

(b) The City Council shall have the power to establish advisory committees, commissions, other Legislative Bodies and Non-Governing Bodies. Any committee which is (i) established by ordinance, resolution or other formal action, or (ii) has a fixed regular meeting schedule, or (iii) has continuing subject matter jurisdiction over a non-temporary issue, or (iv) which continues to conduct business in excess of 180 days, or (v) has a majority membership of officials from other Legislative Bodies, shall be subject to the provisions of the Brown Act.

Advisory bodies and committees may take the following form:

i) The Council may, as the need arises, authorize the appointment of "ad hoc" Council committees composed of two members. Except where otherwise specifically provided by law, the Presiding Officer shall appoint the members of the Council committees, subject to the approval of the Council. Any committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Council.

ii) The Council may, subject to the Brown Act, create other committees, boards, and commissions, whether Legislative Bodies or Non-Governing Bodies, to assist in the conduct and operation of the City government with such jurisdiction and duties as the Council may specify. Except as otherwise required by law, the Mayor shall make appointments of members to such committees, boards or commissions subject to the approval of the Council. The procedure of filling vacancies and provision of notice thereof shall be subject to the provisions of the Maddy Act (Government Code §§ 54970-54974).

iii) Sub-Legislative Bodies, including Non-Governing Bodies, shall be responsible for reporting the Body's activities to the City Council. The members of a Sub-Legislative Body or Non-Governing Body shall operate within the jurisdiction established by the Council and shall not have authority to make subcommittees unless specifically granted such authority by action of the full City Council. Staff members may be assigned to assist any Council-created committee ~~by the~~ by the City Manager; staff members so assigned shall not be members of the committee unless specifically appointed as such by action of the full Council.

(c) Absent any other provision to the contrary, members of any non-City organization, or City committees, boards or commissions may be removed by the Council without cause by a majority vote of the whole Council body. Any member of the City Council may place the question of such removal on the agenda. Any committees, boards, or commissions so created may be abolished by a majority vote of the whole Council body by repeal of the enacting ordinance or resolution.

6.5 Budgets

The City Council shall have the power to approve the City budget, and each Legislative Body shall have the power to approve the budget of funds specifically apportioned to control of that Legislative Body (e.g., the Successor Agency Board shall approve the budget of the Agency and the Housing Authority Board shall approve the budget of the Authority). Approval of the budget constitutes approval of a proposed plan of expenditures and revenues. It does not constitute an authorization for expenditures. With respect to any given expenditure the applicable procedure shall be followed. Further adoption of the budget does not, unless otherwise specified by resolution, constitute authorization for any specific employment class or position.

6.6 Items from Members

(a) There is a specific item on the agenda for receiving general comments, announcements, and/or suggestions from members of the Legislative Body. This can be used to inform the public concerning upcoming events, report on members' attendance at conferences

and seminars, for requests by members that staff look into specific matters or similar matters. These matters may not be discussed, opined upon or deliberated, and if they do not concern a matter on the agenda, shall be handled by the Presiding Officer according to the same procedures set out for Public Comment in Section 7.3. No action may be taken on such matters without being placed on a subsequent agenda.

(b) There is an agenda item referred to as pending matters. Matters are listed under this item pursuant to Section 5.1 where a member has asked that the matter be scheduled for discussion of whether a future staff report should be prepared. The listing of the matter allows a discussion of whether a staff report should be prepared, or it may be held on the pending agenda to keep track of when it will be assigned to a future agenda.

(c) There is an agenda item referred to as Reports from City Manager. This may be used by the City Manager similarly to the item for members of the Legislative Body in Subsection (a) above to make announcements without separately listing the matter on the agenda, and subject to the same restriction that there may be no discussion or action on such matter.

ARTICLE VII– PUBLIC COMMENT AND PRESENTATIONS

7.0 City Council Meeting Presentations

City Council presentations are for providing information to the Mayor and Council, City management, and the community about activities of interest and value to include activities, events and infrastructure projects relating to the City, honors and celebrations for organizations, corporations and residents which reflect their service to the Banning community, honors and recognitions for City staff for outstanding service or commitment to the City's mission and goals. Please Note: This is not the appropriate time to seek funds from the City and/or endorsements from City Council or discuss politics.

All presentations are to be no more than five minutes in length; this is to include all speakers for the group being recognized. Please see the attached "Exhibit B" for a complete copy of the Banning City Council Meeting Presentation Policy contained and incorporated as an exhibit to the Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning.

7.1 Public Comment

At the beginning of any Legislative Body meeting the public shall be afforded the right to comment on any and all issues (not on the agenda) within the subject matter jurisdiction of the Legislative Body. Such general public comment on non-agendized issues shall be taken at the beginning of the meeting under a "General Public Comment" heading. With regard to matters not on the agenda, the Legislative Body may ask questions of persons who raise new matters during the General Public Comment period or otherwise, and the Presiding Officer should handle such matters as provided in Section 7.3, below. However, all Legislative Body questions must be limited to facts-only informational inquiries, and the Legislative Body may not discuss the merits, express any opinions or ask questions that convey opinions or thought processes with respect to any non-agendized issue. The public shall also be afforded the right to comment on every item appearing on the agenda prior to the Legislative Body's consideration of that item, as provided in Section 7.4 below.

7.2 Time Limitations

The time limit to speak for public comments is five minutes during a noticed public hearing, provided that these limits do not apply to a project applicant speaking at a public hearing pursuant to Article VIII. All such time limits shall be noticed on the agenda for the meeting. Notwithstanding these time limits, the Presiding Officer has the full prerogative to maintain meeting order and decorum as provided in Section 9.1 and Article X generally, and the Presiding Officer may extend time if he/she finds such extension is reasonably necessary to allow the speaker to compete his/her message without repetition or unnecessary tangents.

7.3 Reserved

7.4 Additional Procedures for Public Comment on Agenda Items

(a) Members of the public shall have the opportunity to address the Legislative Body on each and every item listed on the agenda. Public comment on agenda items must be heard prior to the Legislative Body's consideration/discussion of the item. Public comments on an agenda item may be heard either in combination with the General Public Comment period at the start of the meeting, or at the time the Legislative Body opens the item, or both, as determined by the Legislative Body and set forth in the agenda.

(b) The purpose of the public comment period is to receive input from the public, not to create a debate between the Members and the public. Members should generally refrain from debating members of the public during the period for public comment, but if Members desire to clarify comments by members of the public, they may ask factual questions, and if necessary, should do so during the public comment period.

(c) The Presiding Officer should clearly open and close the public comment period. After the close of the public comment period or after a motion has been made, no member of the public shall address the Legislative Body without first securing permission of the Presiding Officer.

ARTICLE VIII– NOTICED PUBLIC HEARINGS

8.1 Public Hearings; Notice; Fairness

(a) Matters noticed to be heard by the Legislative Body shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

(b) Legislative Body members shall not overtly or implicitly promise a particular action by City staff or by any Legislative Body. Where a Legislative Body member is contacted about an issue that will be presented to any Legislative Body of the City, it is appropriate to give a brief overview of City policy, to refer to City staff for further information, or to suggest that the concern be brought to the whole Council at the hearing or Council meeting, as appropriate.

(c) All public hearing notices shall be issued and published in compliance with any statutory notice requirements applicable to the particular hearing at issue and such notice shall inform interested persons of the Statute of Limitations to challenge the validity of any action taken by the Legislative Body on such matter.

(d) In all matters before a Legislative Body, whether public hearing or otherwise, the Body must judge the matter fairly and without personal bias. Although every Legislative Body member has a right to their own personal opinions, Legislative Body members should by their demeanor show an ability to listen to a variety of viewpoints and demonstrate a reasonable willingness to consider all sides of an issue before them. For quasi adjudicative matters involving public hearings, the members of the Legislative Body shall not prejudice the matter prior to the public hearing, shall be fair and impartial, and shall decide the matter based upon the evidence and the statutorily required findings.

(e) For such matters, Legislative Body members should avoid expressing an opinion or divulging their thought process until after the public hearing has been completed.

8.2 Continuance of Hearings

(a) Any hearing being held or noticed or ordered to be held by the Legislative Body may, by order or, notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided for adjourned meetings.

(b) When it is the decision of the Legislative Body to continue an item which appears on the agenda, prior to hearing any report, testimony or taking evidence on the item, the Legislative Body may make such intent known at the beginning of the meeting. At that time the public shall be offered the opportunity to speak regarding the intent to continue the item. At the time regularly scheduled for the hearing of the item, the Legislative Body shall then take action to continue the item after again informing the public of the intent to continue the matter. No testimony or evidence shall be taken at that time unless the speaker will not be available at the continued hearing date.

(c) When the Legislative Body has continued the public hearing on an item after its commencement, persons testifying at the first public hearing shall be permitted to again address the Legislative Body on the item at the renewed hearing subject to the finding of the Presiding Officer that the testimony is redundant. Upon such finding the time allotted for testimony by the individual may be summarily reduced.

(d) Continuances of a public hearing to a date certain need not be re-noticed unless (i) the hearing has not been continued to a date certain, or (ii) has been continued three or more times and the Presiding Officer believes confusion may be created as to the time of the hearing.

8.3 Conduct of Hearings

(a) When a matter for public hearing comes before the Legislative Body, the Presiding Officer shall request that staff present the staff report and any other relevant evidence, but the presentation of the staff report prior to the formal opening of the public hearing shall not

prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing. The Presiding Officer shall permit members of the Legislative Body to ask questions of staff, but should prevent expressions of opinion by members of the Legislative Body before the conduct of the hearing.

(b) The Presiding Officer shall thereafter open the public hearing and inquire if there are any persons present who desire to address the Legislative Body on the matter. Any person desiring to speak or present evidence upon being recognized, may speak or present evidence relevant to the matter being heard. Any testimony shall be truthful.

(c) Members of the Legislative Body who wish to ask questions of the speakers, during the public hearing portion, may do so but should be mindful that the purpose of the public hearing is to obtain testimony and evidence from the speakers, and not to debate the merits of the matter with speakers. Members should avoid debate and expressions of personal opinion until after the close of the public hearing. Unlike public comment periods, generally there should be no response to speaker comments until after the close of the hearing. The Presiding Officer shall conduct the hearing in such a manner as to afford due process to all affected persons.

(d) All persons interested in the matter being heard by the Legislative Body shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the Clerk/Secretary as part of the record. Each speaker may only speak once during the public hearing unless the Legislative Body requests additional clarification later in the process.

(e) Upon closing of the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the Legislative Body without reopening the public hearing. If, however, the Legislative Body receives relevant new evidence after the close of the public hearing and such new evidence may impact the Legislative Body motion or vote, the Legislative Body may re-open the public hearing to obtain public comments upon such new evidence.

(f) The Presiding Officer has the prerogative to establish special rules, such as to require group spokesmen, to limit the number of speakers to limit the total time for testimony to allow speakers to give time to others, or otherwise control the hearing, provided that (i) speakers are treated fairly, and that (ii) any such special rules are announced in advance of their application. The Presiding Officer always retains the prerogative to cut off speakers who are unduly repetitious, and to permit the extension of time to speakers.

8.4 Extra-Meeting Contacts on Matters Set for Public Hearing

(a) Legislative Body members should minimize their contacts with developers, applicants, or other persons who will be the subject of a quasi-adjudicative public hearing matter to be heard before the Legislative Body. Legislative Body members should avoid extra-meeting contacts with persons who will be the subject of a public hearing before the Body or with advocacy groups or special interests.

(b) If a Legislative Body member is contacted directly by such person outside the meeting setting, the member shall refrain from expressing any viewpoints or thought processes to the person until after the public hearing. The Legislative Body member may explain that they are unable to express any viewpoint on the matter until all evidence has been heard in the course of a public hearing and should encourage any such person to present their position in writing or orally at the public hearing.

(c) At the commencement of the public hearing, the Legislative Body member must disclose publicly any extra-meeting contacts or discussions had which may be relevant to the decision.

(d) The limitations set forth in this Section shall not be read as preventing a Legislative Body member from inspecting a site that will be relevant to a public hearing, although such sight inspection should be disclosed on the record at the beginning of the public hearing.

ARTICLE IX - OFFICERS

9.1 Presiding Officer

(a) The meeting shall be presided over and chaired by the Presiding Officer, or, in the Presiding Officer's absence, the Vice Chair. The Presiding Officer shall have the authority to rule any speaker out of order, including speakers during the public comment period if the subject raised is not within the subject matter jurisdiction of the Legislative Body, or during a public hearing if the speaker is not presenting testimony or evidence relevant to the matter which is the subject of the public hearing. The Presiding Officer shall have the responsibility for the conduct of meetings in an orderly manner and to prevent the obstruction of business, and in carrying out this responsibility shall have the authority to give the floor to any member of the Legislative Body or public by recognizing them, to prevent the misuse of legitimate forms of motions or privileges, to take matters up out of order, to caution speakers as to disruptive behavior, and to order any persons willfully interrupting the meeting to be removed from the room, including as provided in Article X.

(b) The Vice Chair shall generally take the place of the Presiding Officer in the absence of the Presiding Officer. In the absence of the Vice Chair, the Presiding Officer may call any other member to take his or her place as Presiding Officer; such substitution not to continue beyond adjournment.

(c) Any determination made by the Presiding Officer may be appealed by the making of a Motion to Appeal the Ruling by any other member of the Legislative Body. The Presiding Officer's determination will stand unless a majority of the Legislative Body members vote in favor of the Motion to Appeal the Ruling, in which case the ruling of the Presiding Officer will be overridden. The Motion to Appeal the Ruling is governed by the Chart of Motions attached as Exhibit A.

9.2 Representation of Legislative Body

(a) The Mayor is the designated representative of the City and the City Council for purposes of presenting and expressing the official City position on an issue. If individual members of the Council or other Legislative Bodies are contacted by the media for a statement of official City position, the member should refer such inquiries to the Mayor. Otherwise public or media statements by a Legislative Body member should be clearly characterized as comments upon a personal viewpoint.

(b) Members of the City Council may use official City letterhead to correspond with other public officials and with consultants but any such correspondence shall state that the views expressed therein are personal and not the position of the City unless the City Council has officially adopted such position. No commission or Sub-Legislative Body may take a position officially representing the City unless authorized to do so by the City Council.

9.3 Email Policy

(a) Members of the Legislative Body are provided with City email accounts which may be utilized for the conduct of City business, including communications with constituents. Members should be aware that all such communications may be subject to the Public Records Act (Gov't Code Section 6200). Use of private email accounts for City business may also make them subject to disclosure.

(b) Members of the Legislative Body are subject to the Brown Act in the use of email. Email communications may not be used to develop a collective consensus or decision on any matter. Email communications to the entire Body should be avoided but may be permitted to provide factual information, for example such as arranging an event, where no discussion or exchange of opinions on a matter within the jurisdiction of the Legislative Body is initiated or occurs.

9.4 Clerk/Secretary

The Clerk/Secretary or his/her deputy shall attend all meetings of the Legislative Body unless excused, and shall keep the official minutes and perform such other duties as may be requested by the Legislative Body.

9.5 City Manager

The City Manager, or designee, shall attend all meetings of the Legislative Body unless excused. The City Manager may make recommendations to the Legislative Body and shall have the right to take part in all discussions of the Legislative Body, but shall have no vote. The City Manager, shall provide the Legislative Body with a staff report providing sufficient information to be the basis for any action by the Legislative Body at its meeting. Any officer or employee of the City, when directed by the City Manager, shall attend any meeting of the Legislative Body and may present information relating to matters before the Legislative Body.

9.6 General Counsel

(a) The General Counsel, or deputy, shall attend all meetings of the City Council unless excused and shall upon request of any member give an opinion, either written or oral, on questions of law. The General Counsel, or deputy, shall attend all meetings of such other Legislative Bodies as directed by the City Council or City Manager. The General Counsel serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Presiding Officer, subject to the appeal of the full Legislative Body pursuant to Section 3 of Article XI, below. All ordinances and resolutions, and all contracts, deeds, and easements or other legal instruments shall be approved as to form and legality by the General Counsel. Contracts may be approved as to form and/or legality by the General Counsel when exceeding purchasing ordinance and policy guidelines. In any case of ambiguity or uncertainty in the interpretation or application of this Manual to any procedure, the Presiding Officer may direct such question to the General Counsel for a ruling.

(b) Any member of the Legislative Body may request from the General Counsel a legal opinion regarding any matter related to the interests of the City. Where a legal opinion involves substantial cost, the request for the opinion must first be approved by the City Manager or by a majority of the Legislative Body. The General Counsel is the legal representative of the City acting through its Legislative Body. There is a continuing legal question as to whether the General Counsel may have an attorney-client relationship with any individual member of the Legislative Body or the City staff. As a consequence any discussion with the General Counsel which leads to the conclusion that the interests of the City are at risk must be revealed to all relevant members of the Legislative Body and the City staff by the General Counsel. The General Counsel shall not have an attorney-client relationship with individual councilmembers. The General Counsel is required to maintain the confidentiality of such communications from persons outside the City to the extent required or permitted by law and the code of ethics.

(c) The General Counsel has no statutory duty or authority under the Political Reform Act to provide Political Reform Act advice to any Legislative Body member but should provide advice to members when requested. However, a Legislative Body member may not rely on advice from the General Counsel to provide him or her with immunity from FPPC enforcement or prosecution. Such immunity may be obtained only through a written advice letter obtained from the FPPC, on the question in issue, by the Legislative Body member. A Legislative Body member enjoys no privilege of attorney/client confidentiality in reviewing these matters with the General Counsel. Any advice given to an individual member of a Legislative Body cannot be withheld from the rest of the City or Legislative Body. If, after receipt of an opinion of the General Counsel, the Legislative Body member wishes to participate in the decision making process with immunity from prosecution or enforcement, the General Counsel shall assist the Legislative Body member in making direct contact with the FPPC for informal or formal advice upon which the Legislative Body member can rely.

(d) *[City Council Only]*. It often happens that other jurisdictions or the League of California Cities or other regional or statewide association will ask the City to participate in the filing of a letter or brief before a court in a matter deemed to be of concern to all or a great many cities. These "friend of the court" or "amicus" briefs have the effect of informing the court how widespread will be its opinion and how that opinion will affect cities. Such participation is normally without direct cost to the City. In considering whether to direct General Counsel to file an amicus brief, the City Council shall consider whether such brief would represent or propose a position that conflicts with, or causes strife amongst, other City-related interests such as, without limitation, the interests of employee organizations, law enforcement or public safety.

i) Upon receipt of the request, the General Counsel shall make the request available through the City Manager to the Council. Upon a determination by any Council member that there is an interest in participating in the action in the manner proposed, the Council member shall inform the City Manager or General Counsel who shall place the matter as an item for discussion in closed session on the agenda of the next Legislative Body meeting. The General Counsel may otherwise place an amicus request on the agenda on his or her initiative.

ii) In lieu of the foregoing process, where there is urgency to the matter, General Counsel is authorized to undertake the filing of the letter or brief where (i) in the opinion of General Counsel the legal matter significantly affects the interests of the City, (ii) the General Counsel has consulted with and received the approval of the City Manager, (iii) the cost to the City will not exceed \$5000, and (iv) the General Counsel makes a written report of the action to the Legislative Body.

iii) Approval given to General Counsel to defend, or seek or refrain from seeking, appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a closed session consultation shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

9.7 Conflicts of Interest

All Legislative Body members are subject to the provisions of California Law, such as Chapter 1, Title 9, of the California Government Code, relative to conflicts of interest, and to conflicts of interest codes adopted by the Legislative Body. Any Legislative Body member prevented from voting because of a conflict of interest shall refrain from in any way participating in the matter giving rise to the conflict. Where abstention from a matter is made on the basis of a conflict of interest arising from a financial interest in the decision, the Legislative Body member shall announce their abstention from the matter when it is first opened, and then shall set forth the reason for the abstention with the degree of specificity at least equal to the disclosure of the Legislative Body member's financial interests on the Legislative Body member's annual statement of financial interests; immediately after such announcements, the Legislative Body member shall leave the room. The Legislative Body member shall not overhear the staff report, participate in the discussion or deliberations and shall not otherwise make or participate in making the decision or in any way attempt to use his or her official position to influence the decision. This shall not prevent the conflicted Legislative Body member from coming before the Legislative Body solely during the public comment period as an affected citizen to state his/her opinion on how the matter impacts their disqualifying interests.

9.8 Reserved

9.9 No Financial Interest in Contracts

A member of a Legislative Body shall not have a financial interest in a contract within the meaning of (Government Code §1090 *et seq.*) made in their official capacity and such contract shall be null and void whether the member participates in the making of the contract or not.

9.10 Ethical Standards

A member of a Legislative Body shall maintain the highest ethical standards and shall adhere to all laws and the ordinances and regulations of the City in carrying out their duties.

ARTICLE X- DECORUM AND ORDER

10.1 Decorum and Order – Legislative Body Members

(a) Any member of the Legislative Body wishing to speak, or any member of the public wishing to address the Legislative Body must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any member of the Legislative Body who seeks the floor when appropriately entitled to address the Legislative Body. The Legislative Body member shall confine himself or herself to the question under debate.

(b) Any member of the Legislative Body, including the Presiding Officer, may bring a matter of business properly before the Legislative Body for decision by making a motion. Any Legislative Body member, including the Presiding Officer, except the Legislative Body member making the motion, may second a motion. Once a motion is seconded, it may be opened for discussion and debate.

(c) The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the majority Legislative Body.

(d) A Legislative Body member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless a Point of Order is raised by another Legislative Body member, or unless the speaker chooses to yield to questions from another Legislative Body member.

(e) Any Legislative Body member called to order while speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall comply with ruling of the Presiding Officer.

(f) Legislative Body members shall accord the utmost courtesy to each other, to City or Legislative Body employees, and to the public appearing before the Legislative Body and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities, which disrupt, disturb or otherwise impede the orderly conduct of the Legislative Body meeting.

(g) Any Legislative Body member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Legislative Body shall require the member to so act.

(h) The members of the Legislative Body shall not engage in communications between themselves during the Legislative Body meeting (including breaks) regarding matters being considered on the agenda unless and until the Legislative Body has opened that agenda

item. In order to minimize exposure to a Brown Act violation, Legislative Body members are discouraged from discussing any City business during breaks or before and after meetings; City business may only be discussed by a quorum of Legislative Body members when it is opened as a duly-noticed agenda item.

(i) The members of the Legislative Body shall always be attentive and show respect to those addressing the Legislative Body provided that nothing shall prevent the enforcement of the rules of decorum herein.

(j) No Legislative Body member attending a meeting of another City commission or committee shall make any statement or, give the appearance or indicate in any way that they are representing the Legislative Body unless they have been authorized to do so by the Legislative Body. When making a comment at such a meeting, the Legislative Body member should make it clear that they are speaking solely as an individual. Unless officially appointed to participate on a committee, Legislative Body members should make an effort not to insert themselves into or take positions on matters which will ultimately be decided upon by the Legislative Body.

(k) The Legislative Body may punish its own members for misconduct pursuant to Section 10.5.

10.2 Decorum and Order – Employees

(a) Members of administrative staff and employees of the Legislative Body shall observe the same rules of procedure and decorum applicable to Legislative Body members. The City Manager shall ensure that all staff and employees observe such decorum. Any staff members, including the City Manager, desiring to address the Legislative Body or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to anyone individual Legislative Body member or member of the public.

(b) Questions of City staff and/or requests for follow-up or additional background information should be directed only to the City Manager, General Counsel, Assistant City Manager, or Department Heads. The Office of the City Manager should be copied on any request, except those to the General Counsel. When in doubt about what staff contact is appropriate, Legislative Body members should ask the City Manager for direction. Materials supplied to a Legislative Body member in response to a request will be made available to all members of the Legislative Body so that all have equal access to information.

(c) Legislative Body members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

10.3 Decorum and Order – Public

(a) Members of the public attending Legislative Body meetings shall observe the same rules of order and decorum applicable to the Legislative Body. All remarks and questions should be addressed to the Presiding Officer and not to any individual Legislative Body member, staff member or other person.

(b) Any person conducting their public remarks or behavior before the Legislative Body in such a way as to actually cause disruption to the conduct of the meeting may be removed from the room by the sergeant-at-arms as directed by the Presiding Officer. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar disruptive demonstrations shall not be permitted by the Presiding Officer, who may direct the sergeant-at-arms to remove such offenders from the room or call a recess of the meeting. Aggravated cases may be prosecuted on appropriate complaint signed by the Presiding Officer.

(c) Members of the public shall be allowed to video or audio record a public meeting unless such recording becomes an actual and unreasonable disruption to the Legislative Body's ability to carry-out the meeting.

10.4 Enforcement of Decorum

(a) The Banning Police Chief or designee shall be ex-officio sergeant-at-arms of the Legislative Body. He shall carry out all orders and instructions given him by the Presiding Officer for the purpose of maintaining order and decorum in the Legislative Body meeting. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant-at-arms to eject any unruly person from the Legislative Body meeting chamber or place him or her under arrest or both for conduct actually disrupting to the Legislative Body proceedings. Such person may be barred from further participation in the meeting.

(b) Examples of remarks or behavior that cause actual disruption of the Legislative Body proceedings include:

- Unauthorized remarks from the audience, stamping of feet, whistles, yells, outbursts, catcalls, cursing, applause, offensive or obscene gestures or similar demonstrations which disrupt, disturb or otherwise impede the Legislative Body proceedings
- Interrupting speakers
- Calling members of the audience names
- Extended discussion of irrelevancies
- Physical threats
- Shouting into the microphone
- Dumping items or garbage on the floor of the chamber where the proceeding is held
- Speaking too long
- Being unduly repetitious
- Constant interruptions
- Interruption of meeting to make “objections”

(c) Examples of non-disruptive conduct include:

- Silent gestures by members of the audience, such as a thumbs up or thumbs down or Nazi salute that are not otherwise disruptive of the meeting
- Catcalls or boozing during a time allowed for applause that does not otherwise disrupt the meeting
- Criticisms of public officials or staff during a time reserved for public comment that does not otherwise violate Council procedures and does not disrupt the meeting

(b)(d) As set forth in Government Code § 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Legislative Body members may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. Nothing in this Section shall prohibit the Legislative Body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

10.5 Censure of Legislative Body Members

(a) It shall be a violation of this section for any sitting member of a Legislative Body to violate any general law or regulation, and any, rule, law, ordinance or resolution of the City of Banning. It shall also be a violation of this section for any sitting member of a Legislative Body to violate an administrative policy of the City which has been adopted following a vote of the Legislative Body or the City Council on the matter and which by its terms is expressly made applicable to the Legislative Body.

(b) Any violation of the foregoing paragraph by a Legislative Body member may be punished through the administration of a public censure of the member by the member's Legislative Body. Such censure may be in addition to any other punishment applicable to the violation. For purposes of this section, "censure" shall mean the adoption of a motion setting forth a statement of disapproval of a Legislative Body member's conduct.

(c) When evaluating a request for defense made by the censured member in litigation arising from the censured conduct, the record of the censure shall be considered by the Legislative Body. Such record shall not be determinative. Failure of the Legislative Body to censure the conduct of a member does not constitute waiver of the Body's right to refuse to defend the member in an action.

(d) A Legislative Body member may not be made the subject of a motion for censure without first being given notice of the violation and an opportunity to correct the violation, if it can reasonably be corrected. Upon a continued violation or failure to correct, the charged member shall be given notice and an opportunity to be heard as follows:

- (i) Only a sitting member of the Legislative Body whose member commits the violation may initiate proceedings for the censure of one of its members.
- (ii) Proceedings shall be commenced by the presentation of a written statement of charges to the subject Legislative Body member with a copy delivered concurrently to the Clerk/Secretary by the member initiating the charge. Initiation shall not require the prior approval of the Legislative Body. The statement of charges shall be given at least ten days prior to the meeting at which the censure motion is proposed to be brought. The notice shall contain, at a minimum, the designation of the specific rule, law regulation, etc. which the member is claimed to have violated and a statement of the date, place and time at which the violation occurred. The statement shall further contain a description of the conduct of the member which is alleged to constitute the violation. The statement of charges shall be delivered to all other Legislative Body persons.
- (iii) Within seven (7) days after delivery of the statement of charges, the charged member should deliver a written response to the other members of the Legislative Body unless the charged member chooses to defer the response to the hearing.

(e) The motion for censure shall be agendaed and considered at the first regular meeting occurring 10 days following the delivery of the statement of charges to the member and Clerk/Secretary. The hearing may not be continued except upon the absence from the meeting of a member of the Legislative Body other than the member bringing the charge or the member who is the subject of the charge.

- (i) The hearing shall be conducted in an open session by the Presiding Officer unless the Presiding Officer is a party to the action, in which case the Vice Chair or some other member shall conduct the proceedings.
- (ii) The hearing shall generally proceed by a reading of the charges by the charging member. The charging member may present witnesses; the charged member may answer in rebuttal; members of the public may speak in favor or opposed to the charge; and the remaining members may speak to the charges in that order.
- (iii) Passage of the motion for censure shall require a majority vote of the members of the Legislative Body. The voting members shall not go into closed session for deliberation.

(f) If the motion for censure does not pass the proceedings shall be at an end. A new motion for censure on the same grounds of violation may not thereafter be commenced against the same Legislative Body member for a period of 1 calendar year from date of the vote.

However, new proceedings may be commenced on the same charges within the 1 year period on the vote of 4 members of the Legislative Body.

(g) If the motion for censure does pass, such motion shall become a part of the public record a copy of which shall be made available upon demand to any member of the public and notice of same shall be placed in the administrative file of the Legislative Body member.

10.6 Persons Authorized To Be Within Platform/Dais

No person except Legislative Body officials or authorized Legislative Body staff shall be permitted behind the Legislative Body dais without permission or consent of the Presiding Officer.

10.7 Personal Privilege

If a Legislative Body member is personally offended by the remarks of another member, the offended Legislative Body member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The Presiding Officer will maintain control of this discussion. The right of a member to address the Legislative Body on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned.

ARTICLE XI – PARLIMENTARY PROCUEDRES

11.1 Procedures In Absence Of Rules

(a) Unless otherwise specified in this Manual or by ordinance or resolution, meetings of the Legislative Body shall be conducted in accordance with the most recently revised edition of Robert's Rules of Order. In the event of any conflict between Robert's Rules and this Manual, the provisions of this Manual shall govern.

(b) Any provision of these rules not governed by the Government Code may be temporarily suspended by a two-thirds vote of all members of the Legislative Body. Such suspension may be moved at any time by a member. The vote on any such suspension shall be taken by yeas or nays and entered upon the record.

(c) Motions, motion procedures and precedence of motions shall be conducted in accordance with Exhibit "A" hereto.

11.2 Voting

(a) After a full opportunity for debate if it appears that there is a consensus of opinion among the members of the Legislative Body on the matter to be voted upon, the Presiding Officer may state the consensus of the Legislative Body and ask if there is any objection. If there is no objection, the consensus as so stated shall become the order of the Legislative Body. The Presiding Officer may also determine that a consensus exists following a call for a vote by any member of the Legislative Body by a Motion to Call the Question.

(b) Except as in Subsection (a) above, otherwise, all votes of the Legislative Body shall be taken by electronic vote. In the event the electronic voting machine is not functioning or otherwise unavailable, vote shall be by roll call vote. The order voting shall be alphabetical with the Presiding Officer voting last. The Clerk/Secretary shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond 'aye', 'no' or 'abstain.' After every vote the Legislative Body shall declare the result and, on all but consensus votes, shall note for the record the number of votes for or against the question. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Legislative Body.

11.3 Votes Needed

(a) Usually, in the absence of a contrary statutory provision (such as urgency measures), a majority of a quorum which constitutes a simple majority of the Legislative Body may act for that body. However, resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of a Legislative Body.

(b) State law may dictate certain instances in which the number of votes required is greater than a majority of all Legislative Body members. As a matter of convenience, questions on which the voting requirement is varied by the State statutes and these rules, include, without limitation, the following:

- (i) Levying Taxes - Ordinances providing for the Assessment and collection of taxes require the approval of two-thirds of the members of the whole Council.
- (ii) Assessment - Assessments require a two-thirds vote of the whole Council.
- (iii) Bonds and Certificates of Participation - Authorizing these financial instruments the issuing requires a two-thirds vote of the total Council.
- (iv) Eminent Domain - The exercise of Eminent Domain requires a two-thirds vote of the total Council.
- (v) Certain Parliamentary Motions – Motions requiring a supermajority vote are noted in the Motions Chart attached hereto.

(c) Any official with a conflict of interest is not counted for purposes of establishing a quorum, and must not vote on, make, participate in any way in, or attempt to influence the decision. A Legislative Body member abstaining on any other grounds than a conflict under the Political Reform Act shall be counted as present for purposes of a quorum and such abstentions are counted with the majority. The Legislative Body member who leaves the dais solely to avoid participating in a specific item shall, in absence of a conflict, be counted as if they were present but abstaining and such abstentions are also counted with the majority.

11.4 Reconsider

Any Legislative Body member who voted with the majority may move to reconsider any action at the same meeting or, within sixty (60) calendar days, request in writing to the Clerk/Secretary that it be agendized for consideration at the following meeting, provided that reconsideration shall not be permitted where a party other than the City has acted in reliance on the Legislative Body's action and would be substantially prejudiced by such reconsideration. The Clerk shall apprise the City Attorney of any facts constituting substantial prejudice and may rely upon the determination of the City Attorney. In the event that the subject of the reconsideration is a motion that failed as the result of a tie vote, any Legislative Body member who voted against the earlier motion may move for reconsideration at the following meeting. The member seeking reconsideration must have the matter agendized unless the motion will be made at the same meeting where the original action was taken. If the motion to reconsider passes, then the original item may be reconsidered at that time or agendized for the next meeting which meets any applicable noticing requirements. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Legislative Body.

11.5 Tie Votes

Tie Votes shall be lost motions unless an additional Motion is made which obtains a majority vote to break the tie. When all Legislative Body members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal. In such case the findings in support of the decision shall be those of the lower body. If a tie vote results at a time when less than all members of the Legislative Body are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Legislative Body, unless otherwise ordered by the Legislative Body.

11.6 Abstentions

Members of the Legislative Body are discouraged from abstaining from a vote for reasons other than a legally-disqualifying, financial conflicts of interest. However, if a member chooses to abstain from voting as a result of what he/she perceives as a personal or non-financial conflict of interest, the member may do so after stating for the record the nature of the perceived conflict. In the event of such a perceived conflict (as opposed to a legally-disqualifying conflict), the member is not required to leave the dais.

(a) A Legislative Body member shall generally express their positions on all matters except those where they are required to abstain due to legally recognized conflict of interest.

(b) A Legislative Body member who has appealed the action of any person or body of the City on a matter which does not constitute a conflict of interest for the member under any law, may participate in the hearing on the appeal, unless there is clear and convincing evidence that such member is not objective or the member feels that they are unable to remain neutral, or as may be otherwise advised by the General Counsel. Notwithstanding any contrary

provisions herein, in bringing an appeal, the Legislative Body member need not give reasons for making the appeal.

(c) A Legislative Body member may abstain from action on a matter where in the member's opinion, there might be a public perception that participation in the discussion or decision would be inappropriate even though the member has no disqualifying financial interest within the meaning of FPPC rules and regulations.

11.7 Votes Of Members Previously Absent

(a) A Legislative Body member who was not present at a meeting should generally not vote on the approval of minutes for that meeting, but the voting on such minutes shall have no effect on the validity of the minutes.

(b) A Legislative Body member may vote on a continued item after an absence from the earlier public hearing of the matter if, prior to the vote, the member affirms on the record that they have familiarized themselves with the record of the earlier meeting and are prepared to vote on the issue. If the member shall abstain from the vote, the member shall be counted towards the quorum on the issue and the abstention shall be counted with the vote of the majority of the quorum.

(c) The forgoing shall not apply to the matter of a vote on the minutes of a meeting at which the member was not in attendance. In that instance, the member abstaining on the grounds of non-attendance at the meeting to which the minutes pertain shall not be counted towards the quorum on the issue and the abstention shall not be counted with the votes of the majority of the quorum.

11.8 Appeals by Members of Legislative Body

Except where otherwise provided, a member of the Legislative Body shall be deemed an interested person in any matter by a subordinate body and shall have standing to appeal to the Legislative Body any decision by a Sub-Legislative Body, or any determination made by any official of City by filing a written appeal. The appeal shall not state any grounds for the appeal and the resulting hearing shall be *de novo*. The appeal must be filed within 10 days of the making of the decision being appealed and shall be filed with the Clerk/Secretary who shall give written notice to the applicant, and provide written notice to other persons as required for the original action. The hearing shall be held at the first regular meeting of the Council for which notice can be legally given. No appeal fee shall be required to be paid for such appeals.

11.9 Findings and Decisions

Decisions of a Legislative Body, when acting as a quasi adjudicative body (public hearings) should be framed in terms of "findings" of fact, potentially relevant conclusions of law, and ultimate decisions showing the basis for the decision and the nexus between the findings, the conclusions and the decision. The Legislative Body members must consider any legally-mandated findings applicable to a matter and consider the evidence presented to them in light of such findings in making their decisions.

ARTICLE XII- PROCEDURES FOR CONSIDERATION OF DEMANDS FOR CORRECTIVE ACTION

12.1 Requirement of Written Demand

Prior to any person commencing a judicial action for injunction or mandamus to declare any action taken by the Legislative Body void because of failure to observe Brown Act requirements, such person must first serve upon the Clerk/Secretary a written demand clearly describing the challenged action, the nature of the claimed violation, and the corrective action sought. Such demand must be served upon the Clerk/Secretary within ninety (90) days of the alleged violation or thirty (30) days if the action was taken in open session but in violation of § 54952.2 of the Government Code. Failure to serve any such demand within this thirty (30) day period shall result in the loss of any right to challenge any action alleged to have been taken in violation of §§ 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 of the Government Code.

If the written demand is timely served, the Legislative Body has up to thirty (30) days to cure and correct its action. If the Legislative Body does not act, any lawsuit must be filed within the next fifteen (15) days.

12.2 Consideration of Corrective Action

Upon receipt of such a demand, consideration of the demand shall immediately be placed on the agenda for the next meeting of the Legislative Body. If the demand is received less than 72 hours prior to the time set for the next meeting, the Legislative Body may determine that the notice constitutes the initiation of litigation, and that the need to take action on the threatened litigation arose subsequent to the posting of the agenda, and may consider it at that meeting pursuant to Article VI Section 9, above. A description of any item so placed on the agenda shall include both consideration of the demand, and the possibility of corrective action by the Legislative Body.

In considering such demands, the Legislative Body shall first determine by motion whether to reconsider the prior action. The motion to reconsider shall be in order as long as made by a party on the prevailing side. If no motion to reconsider is carried the Clerk/Secretary shall inform the demanding party in writing of the Legislative Body's decision not to cure or correct the challenged action. (See, § 11.4 hereof.)

12.3 Implementing Corrective Action

If a motion to reconsider passes, the Presiding Officer may entertain a motion to take corrective action. Any motion taking corrective action shall address the concerns raised in the consideration of corrective action. The motion taking corrective action may include a motion to rescind prior action taken, as appropriate. Passage of a motion to rescind invalidates prior action only as of the time of the passage of the motion, and not from the date of the initial action. A motion implementing corrective action resulting from a written demand is out of order if the action complained of: (i) was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness, or any contract, agreement, or incident thereto; (ii) gave rise to a contractual obligation upon which a party has, in good faith, detrimentally relied; or (iii) was taken in connection with the collection of any tax.

In any event, the Legislative Body shall notify the party making the demand in writing of its decision to take corrective action, and shall describe any corrective action taken. This notice shall be given to the demanding party as soon as possible after the meeting, but in no event more than 30 days after receipt of the demand.

ARTICLE XIII – MISCELLANOUS

13.1 Interpretation

This Manual shall be liberally construed to effectuate its purpose and no ordinance, resolution, proceeding or other action of the Legislative Body shall be invalidated or the legality thereof otherwise affected by the failure or omission of the Legislative Body to technically comply with, observe or follow the within rules. The City Council may, by resolution, adopt further rules of interpretation or practice.

13.2 Amendments

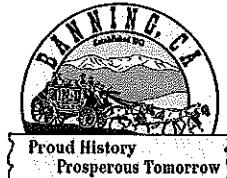
This Manual may be amended from time to time as necessary by resolution passed by a majority vote of the City Council at any regular or special meeting, provided that no such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all Legislative Body members serving the City. Such notice shall identify the section or sections of the Manual proposed to be amended.

13.3 Power to Issue Subpoenas

The Legislative Body may issue subpoenas requiring attendance of witnesses or production of books or other document for evidence or testimony any action or proceeding pending before it. (Gov't Code Section 37104.) Subpoenas shall be signed by the Presiding Officer and attested by the Clerk. They may be served as subpoenas are in civil actions.

EXHIBIT “B”

BANNING CITY COUNCIL MEETING PRESENTATION POLICY



BANNING CITY COUNCIL MEETING PRESENTATION POLICY

Presentation Purpose

City Council presentations are for providing information to the Mayor and Council, City management, and the community about activities of interest and value including:

- Activities, events and infrastructure projects relating to the City
- Honors and celebrations for organizations, corporations and residents related to Banning
- Honors and celebrations for organizations, corporations and resident which reflect their service to the Banning community.
- Honors and recognitions for City staff for outstanding service or commitment to the City's mission and goals.
- Please note this is not the appropriate time to seek funds from the City and/or endorsements from City Council or discuss politics.

Presentation Length

All presentations are to be no more than five minutes in length; this is to include all speakers for the group being recognized.

Presentation Schedule

City Council begins at 5:00 p.m. with an invocation and pledge to the American flag followed by presentations. All honorees or groups are to arrive no later than 4:45 p.m.

Presentation Location

Presentations take place in the Council Chambers inside Banning City Hall located at 99 E. Ramsey Street. Parking is available in the Police Department parking lot located at 125 E. Ramsey Street (just off Hays Street) adjacent to the Council Chambers, or in the City Hall parking lot located at the corner of Hays and San Gorgonio.

Presentation Technical Support

The City has the capability to display PowerPoint (or equivalent) during the presentation. If a PowerPoint is to be used during the presentation:

- The PowerPoint is to be no more than 10 slides with limited text; and
- To be submitted to the City Clerk's Office no later than the Thursday prior to the scheduled Tuesday City Council meeting (2nd and 4th Tuesdays of the month).
 - PowerPoints are subject to editing for appropriateness
 - PowerPoints which do not meet these standards will not be used

**CITY COUNCIL AGENDA
PUBLIC HEARING**

Date: November 12, 2013

TO: City Council

FROM: Phil Holder, Lieutenant

SUBJECT: Resolution 2013-104. 2013/2014 Avoid the 30 Enforcement Program Grant

RECOMMENDATION: "The City Council adopt Resolution 2013-104 authorizing the Banning Police Department to participate in the 2013/14 Avoid the 30 Enforcement Program."

JUSTIFICATION: Banning Police Officers will participate in the program on an overtime basis during pre-authorized DUI operations scheduled by the Riverside Police Department who is this year's grant coordinator. The City of Banning shall be reimbursed for its costs to participate in the program at 150% of the officers' normal hourly rate.

BACKGROUND: The Avoid the 30 enforcement program is designed to draw upon the talents of Riverside County law enforcement agencies, media advocacy, and community coalitions to work towards the common goal of reducing the number of people driving vehicles under the influence of alcohol, other drugs, or while drowsy. The Banning Police Department's participation in this program will involve active enforcement campaigns in the City of Banning, as well as the local region. The primary goal is to make the roadways in Banning and throughout Riverside County safer for everyone who drives a vehicle responsibly. The effective dates of the program are between October 1, 2013 and September 30, 2014.

ACTION PLAN: Obtain City Council approval for the City of Banning to sign an MOU with the City of Riverside to participate in the 2013/14 Avoid the 30 Enforcement Program. Once signed, Banning Police Officers will participate in active enforcement on an overtime basis on specific dates, to be determined by the Riverside Police Department.

STRATEGIC PLAN INTEGRATION: Council approval of this recommendation will help facilitate the Police Department's goal of improving traffic safety within the City of Banning.

FISCAL DATA: The overall grant allows for a total of \$294,000 to be shared by agencies participating in program operations. Overtime costs incurred by the City for participation in this program will be reimbursed at a rate of 150% of the officers' normal hourly rate by the Riverside Police Department, who is the Grant Coordinator.

RECOMMENDED BY:



Phil Holder
Lieutenant

REVIEWED BY:



June Overholt
Administrative Services Director

APPROVED BY:



Andrew Takata
City Manager

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RESOLUTION NO. 2013-104

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BANNING AUTHORIZING THE CITY OF BANNING TO SIGN AN MOU WITH THE CITY OF RIVERSIDE, THUS ALLOWING THE BANNING POLICE DEPARTMENT TO PARTICPATE IN THE 2013/14 AVOID THE 30 ENFORCEMENT PROGRAM.

WHEREAS, the City of Banning Police Department is responsible for the security and safety of the Citizens in Banning; and

WHEREAS, funds provided through the Avoid the 30 Enforcement Program Grant will assist in supplementing traffic safety in the City; and

WHEREAS, the City's procedures requires the City Council to adopt a resolution authorizing the expenditure of funds procured through grants.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Banning approves the Banning Police Department's participation in the 2013/14 Avoid the 30 Enforcement Program and authorizes the City of Banning to sign an MOU with the City of Riverside sanctioning its participation with the understanding the City of Banning shall be reimbursed for officers participating in the program at 150% of their normal hourly rate. The Finance Department is authorized to make necessary budget adjustments related to the Police Department's participation in this program.

PASSED, APPROVED, AND ADOPTED this 12th day of November, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk
City of Banning

**APPROVED AS TO FORM
AND LEGAL CONTENT:**

David J. Aleshire, City Attorney
Aleshire & Wynder, LLC

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2013-104 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 12th day of November 2013, by the following to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning, California

**CITY COUNCIL AGENDA
PUBLIC HEARING**

DATE: November 12, 2013

TO: City Council

FROM: Doug Clarke, Assistant Fire Marshal

SUBJECT: Ordinance No. 1468 - Adoption of the Latest Edition of California Fire Code

RECOMMENDATION: That the Council introduces the first reading of Ordinance No. 1468 and schedule the second reading of the Ordinance for the December 10, 2013 City Council meeting.

JUSTIFICATION: The State's Health and Safety Code requires local governments to adopt the most recent editions of the model codes related to construction. The California Fire Code is included in the Construction Codes. If the City Council approves Ordinance No. 1468 the most recent edition of the California Fire Code with the applicable amendments will be in effect within the City of Banning as required by State law. This procedure is in accordance with California Government Code Title 5, Division 1, Part 1, as published by the Building Standards Bulletin 09-02.

BACKGROUND/ANALYSIS: The State's Health and Safety Code Section 17958 mandates that the California Building Standards Commission adopts and publishes the California Building Standards Code (Title 24 California Code of Regulations) every three (3) years. The 2013 Edition of the California Fire Code becomes effective on January 1, 2014.

Ordinance No. 1468 amends Chapter 8.16 of the Municipal Code by repealing references to the prior editions of the model code.

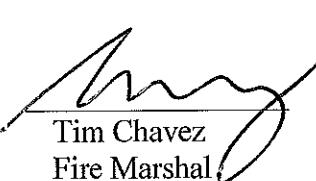
FISCAL REVIEW: No fiscal impact.

CONCLUSION: That the City Council approve Ordinance No. 1468 adopting the latest edition of the California Fire Code which will be in effect within the City of Banning as required by State law.

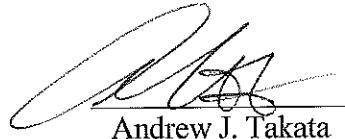
PREPARED BY:


Doug Clarke
Assistant Fire Marshal

REVIEWED BY:


Tim Chavez
Fire Marshal

APPROVED BY:


Andrew J. Takata
City Manager

Attachments
Fire Ordinance 1468

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ORDINANCE NO. 1468

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA REPEALING CHAPTER 8.16 OF THE BANNING MUNICIPAL CODE AND ADOPTING THE 2013 CALIFORNIA FIRE CODE AS IT IS AMENDED IN THIS ORDINANCE FOR, 1) REGULATING AND GOVERNING THE SAFEGUARD OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS [ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES] AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF BANNING, AND 2) PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR.

WHEREAS, the California Fire Code contains regulations consistent with nationally recognized accepted practices for safeguarding, to a reasonable degree, life and property from the hazards of (i) fire and explosion, (ii) dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and (iii) hazardous conditions in the use or occupancy of buildings or premises; and

WHEREAS, the City of Banning has historically adopted and followed the most current standards set forth in California Fire Code (the "Fire Code"); and

WHEREAS, the California Fire Code was recently updated to a 2013 Edition;

NOW THEREFORE BE IT HEREBY ORDAINED that an Ordinance of the City of Banning adopting the 2013 Edition of the California Fire Code in its entirety be referred to as the Fire Code of the City of Banning, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Banning providing for the issuance of permits and collection of fees. The above-referenced codes are adopted in their entirety as amended herein below.

SECTION 1. FINDINGS IN SUPPORT OF ADOPTING THE INTERNATIONAL AND STATE CODES

The City Council of the City of Banning hereby finds as follows:

- (1) Every three years the State of California adopts a new California Fire Code, as part of the California Building Standards Code, which becomes effective as to the City of Banning 180 days after publication by the California Building Standards Commission.

- (2) The California Fire Code, California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code 2013 Edition, and the California Fire Code Standards published by International Code Council, are nationally recognized compilations of proposed rules, regulations, and standards of said organization.
- (3) The International Fire Code has been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the California Government Code and said code has been adopted and amended by the California Building Standards Commission into the California Code of Regulations (CCR) as Title 24 Part 9, Title 24 Part 2, Title 24 Part 3, Title 24 Part 5, California Building Code, California Mechanical Code, California Plumbing Code, and California Electrical Code 2013 Edition.
- (4) That one (1) copy of each of the California Fire Code and the California Code Standards, California Building Code, California Plumbing Code, California Mechanical Code, California Residential Code and California Electrical Code, has been certified by the City Clerk of the City of Banning to be a true copy, and has been filed for use and examination by the public in the office of the City Clerk of the City of Banning prior to the adoption of this ordinance.
- (5) That the sections of the California Fire Code and California Fire Code Standards may be referred to by the same number used in said published compilation preceded by the words "City of Banning Fire Code Section" or "International Fire Code Section" or "Fire Code Section."
- (6) That added protection for new development is necessary to supplement normal Fire Department response resources available in areas impacted by new development to provide immediate fire protection for life and safety of single-family residential and multiple occupancy occupants during fire occurrence. The additional requirements and standards herein, including, but not limited to, enhanced on-site protection of property and occupants, are necessary to properly protect the health, safety, and welfare of the existing and future residents and workers of the City of Banning, and based thereon, Riverside County may establish more restrictive standards reasonably necessary to provide fire protection for life and property because of local climatic, geological or topographical conditions.
- (a) Climatic Conditions: Generally, the City of Banning has an arid climate. Annual rainfall averages about 15 inches. Hot, strong, dry Santa Ana winds are common to areas within the City. These winds constitute a contributing factor that causes small fires originating in high density development presently being constructed in the City of Banning that spread quickly and create the need for an increased level of fire protection. This added protection, including, but not limited to, on-site protection, will supplement normal Fire Department response available in new development, and provide immediate fire protection

for life and safety of multiple occupancy occupants during fire occurrence.

(b) Geologic and Topographic:

1. The City of Banning includes mountainous, brush covered wildlands, and agricultural lands. Elevation ranges from twenty-two hundred (2,200) feet above sea level to over six thousand (6,000) feet high. Topography extends from flat to 25% slope for habitable land. Travel distances in rural and wildland areas often place Fire Department response times to emergencies at risk. This condition makes the need for enhanced on-site protection for property occupants necessary.
2. Traffic and circulation in urban areas are an impetus to extreme travel distances in rural and wild land areas, often increasing Fire Department response time to emergencies, thus increasing risk to life and property, thus creating a need for enhanced on-site protection.
3. There is a major earthquake fault, the San Andreas, which bisects the City. In addition, there are numerous minor faults. There are numerous areas within the City that are subject to earthquakes, landslides, wind erosion, blown sand, flooding, and wildfires. Placement of multiple occupancy buildings, location of arterial roads, and Fire Department staffing constraints due to revenue limiting State legislation, have made it difficult for the Fire Department to locate additional fire stations and provide staffing to fire companies and personnel sufficient to control fires in single and multi-story retail, commercial and industrial buildings, making enhanced built-in protection necessary.

SECTION 2. ADOPTION OF INTERNATIONAL AND STATE FIRE CODES

Chapter 8.16 of the City of Banning's Municipal Code is hereby repealed in its entirety and fully replaced to read as follows:

“Chapter 8.16 FIRE PROTECTION CODE

- 8.16.010 Adoption of the international and state codes.
- 8.16.020 Amendments to California Fire Code
- 8.16.030 Full copy of codes; maintenance of codes
- 8.16.040 ‘Municipality’ defined
- 8.16.050 Penalties

Section 8.16.010 Adoption of the international and state codes.

The City Council of the City of Banning hereby adopts as amended, revised and supplemented the California Fire Code edition 2013 California Code of Regulations Title 24 Part 9 and Part 2 in its entirety. The provisions of the above referenced codes,

standards and appendices shall apply to all the unincorporated areas and to incorporated areas of the City of Banning through ratification.

The provisions of the above-referenced codes, chapters, standards, and appendices adopted shall include any amendments, revisions, and supplements made subsequent to the adoption of this ordinance.

Section 8.16.020 Amendments to California Fire Code.

The codes, chapters, standards and appendices are amended as specifically set forth in the following chapters herein:

CHAPTER 1. ADMINISTRATION PERMITS

Section 101.4 of the California Fire Code is hereby amended to read as follows:

Section 101.4 SEVERABILITY

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being expressly declared that this ordinance and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted, irrespective of the fact that one or more other section, subsection, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

Section 103.4 of the California Fire Code is hereby amended to read as follows:

Section 103.4 LIABILITIES

Any liability against the City of Banning or any officer or employee shall be as provided for in California Government Code and case law.

Fire suppression, investigation and rescue or emergency medical costs are recoverable in accordance with California Health and Safety Code Sections 13009 and 13009.1.

Any person who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Government Code Section 53150, et seq. Any expense incurred by the fire department for securing such an emergency situation shall constitute a debt of such person and shall be collectable by the City of Banning or political subdivision thereof, if incorporated, in the same manner as in the case of an obligation under contract, expressed or implied.

GENERAL AUTHORITY AND RESPONSIBILITIES

Section 104.3.2 of the California Fire Code is hereby added to read as follows:

Section 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 Board of Supervisors.
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 Riverside County 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, Peace Officers and Public Officers of the Riverside County Fire Department.
 - c. The Riverside County Sheriff and any deputy sheriff.
 - d. The Police Chief and any Police Officer of any city served by the Riverside County Fire Department.
 - e. Officers of the California Highway Patrol.
 - f. Code Officers of the Riverside County Code Enforcement Department.
 - g. Peace Officers of the California Department of Parks and Recreation.
 - h. The law enforcement officer of the Federal Bureau of Land Management.

Section 104.6.5 of the California Fire Code is hereby added to read as follows:

Section 104.6.5 RECORDS AND REPORTS

Requests for copies of public and legal documents, photographs, etc., relating to department activities are available as authorized by law through the Fire Department's Custodian of Records. All document requests shall be in writing,

accompanied by a check made payable to the City of Banning, in the amount(s) set forth in the City of Banning's municipal code.

Section 104.12 of the California Fire Code is hereby added to read as follows:

104.12 AUTHORITY OF THE FIRE CHIEF

The chief is hereby given the authority to officially determine and publicly announce the closure of any hazardous fire area or portion thereof. However, any closure by the chief for a period of more than fifteen (15) days must be approved by the City Council of Banning within fifteen (15) days of the chief's original order of closure. No person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas therein, during such time as the area is closed to entry. This section shall not prohibit residents or owners of private property within any closure area, or their invitees, from going in or being upon their lands. This section does not apply to any entry, in the course of duty by a peace officer or any duly authorized public officer, member of any fire department, Riverside County Fire Department or member of the U.S. Forest Service or California Department of Forestry and Fire Protection, nor does this section apply to National Forest Land in any respect. During periods of closure, the chief shall erect and maintain at all entrances to the closed area, sufficient signs giving adequate notice of closure.

Section 113.6 of the California Fire Code is hereby added to read as follows:

Section 113.6 INSPECTION AND PERMIT FEES

A fee shall be charged for each inspection and permit issued. The fee schedule shall be established by the City of Banning's City Council and reviewed annually.

CHAPTER 2. DEFINITIONS are adopted in its entirety with the following amendments:

Section 202 of the California Fire Code is hereby amended to add the following to the list of definitions:

FIRE CHIEF or **CHIEF** shall mean the Fire Chief of the County of Riverside or his authorized representative.

FIRE PROTECTION ENGINEER shall mean 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 and be licensed in California.

HAZARDOUS FIRE AREA is land other than State designated fire hazard severity zone of FHSZ or local designation of FHSZ which is covered with grass, grain, brush, or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion.

SKY LANTERN is an unmanned device that incorporates an open flame in order to make the device airborne

CHAPTER 3. GENERAL PRECAUTIONS AGAINST FIRE is adopted in its entirety with the following amendments:

Section 304.1.2.1 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.1 FUEL MODIFICATION REQUIREMENTS FOR NEW CONSTRUCTION

All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the Banning Fire Marshal's office concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the Banning Fire Marshal's office prior to the issuance of a grading permit.
3. The fuel modification plan shall meet the criteria set forth in the fuel modification policy of the Banning Fire Marshal's office guidelines.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall be approved by the Banning Fire Marshal's office.
5. All elements of the fuel modification shall be maintained in accordance with the California Fire Code.

Section 304.1.2.2 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.2 UNUSUAL CIRCUMSTANCES

The Banning Fire Marshal's office may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case any of the following conditions exist:

1. Difficult terrain
2. Danger of erosion

3. Presence of plants included in any state and federal resources agencies, California Native Plant Society and County approved list of wildlife, plants, and rare, endangered and/or threatened species.
4. Stands or groves of trees or heritage trees
5. Other unusual circumstances that make strict compliance with the clearance of vegetation provisions undesirable or impractical.

Section 304.1.2.3 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.3 TRESPASSING ON POSTED PROPERTY

When the Fire Chief determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until conditions warrant termination of closure. Such areas shall be posted as herein provided.

1. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.
2. Trespassing. Entering and remaining within areas closed and posted is prohibited. Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

Section 304.1.2.4 of the California Fire Code is hereby added to read as follows:

Section 304.1.2.4 OUTDOOR FIRES

Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the Riverside County Fire Department.

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum 30 feet from a grass, grain, brush, or forest covered area. Permanent barbecues, portable barbecues, outdoor barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

Section 308.1.6.3 of the California Fire Code is hereby added to read as follows:

SECTION 308.1.6.3 SKY LANTERNS

No person shall release or cause to be released an untethered sky lantern

Section 309.7 of the California Fire Code is hereby added to read as follows:

309.7 SPILL CONTAINMENT

Each track of batteries or group of racks shall be provided with a liquid tight four (4) inch spill control barrier which extends at least one (1) inch beyond the battery rack or group of racks in all directions.

CHAPTER 4. EMERGENCY PLANNING AND PREPAREDNESS is adopted in its entirety with the following amendments:

Section 404 of the California Fire Code is hereby amended to add as follows:

Section 404.2 - #16 FIRE SAFETY AND EVACUATION PLANS

An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings:

16. Windowless buildings having an occupant load of 50 or more.

CHAPTER 5. FIRE SERVICE FEATURE FIRE is adopted in its entirety with the following amendments:

Section 501.2 of the California Fire Code is hereby amended to add as follows:

501.2 TIMING OF INSTALLATION

Fire apparatus access roads and a permanent water supply for fire protection shall be installed and made serviceable prior to and during the time of construction. Temporary/permanent street signs shall be installed at each intersection when construction of new roadways allows passage by vehicles.

Exception: When alternative methods are approved by the Chief.

Section 503.1 of the California Fire Code is hereby amended to add as follows:

503.1 WHERE REQUIRED

Fire apparatus access roads shall be provided and maintained in accordance with Section 503.1.1 through 503.1.3 set forth herein below. The Riverside County Fire Department shall be the only authority authorized to designate fire lanes.

Section 503.1.1 of the California Fire Code is amended to add the following exception:

Section 503.1.1 Exception 2

Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

Section 503.2.2 of the California Fire Code is amended to add the following exception:

Section 503.2.2 AUTHORITY

The Riverside County Fire Department shall be the only authority authorized to designate fire apparatus access roads and fire lanes as defined in Section 502. The fire code official shall have the authority to modify the minimum fire lane access widths where they are inadequate for fire or rescue operations.

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

Section 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.”

Section 503.2 of the California Fire Code is hereby amended to add as follows:

503.2 FIRE APPARATUS ACCESS ROADS

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 curb exists or a rolled curb is installed, a 6 inch wide red strip or approved posted signs applied the full length of the fire apparatus access road shall be installed.

Exception: On school grounds this requirement shall be implemented as approved by the Chief.

Section 503.7 of the California Fire Code is hereby amended to add as follows:

Section 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.”

Section 504.1 of the California Fire Code is amended to add the following language to the end of the first paragraph:

Section 504.1 REQUIRED ACESSES:

Where ground ladder access is the only means to reach the highest point on the building, the finished grade on all exterior sides of buildings shall be flat and free of any obstructions that would interfere with ground ladder placement. This distance from the building to finished grade shall be determined by the Fire Chief.

Section 505.1 of the California Fire Code shall be further amended to read as the follows:

505.1 PREMISES IDENTIFICATION

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where access is by means of private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Commercial, multi-family residential and industrial buildings shall have a minimum of twelve (12) inch numbers with suite numbers being a minimum of six (6) inches in size. All suites shall have a minimum of six (6) inch high letters and/or numbers on both front and rear doors. Single-family residences and multi-family residential units shall have four (4) inch letters and/or numbers, as approved by the fire code official.

Section 507.1 of the California Fire Code is hereby amended to add the following information at the end of the first paragraph:

507.1 REQUIRED WATER SUPPLY

An approved permanent water supply capable of supplying the required fire flow for fire protection shall be provided by the developer prior to the commencement of construction to all premises upon which buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Water supplies for fire protection and hydrants shall be in accordance with Appendix B and C.

Section 507.5.5 of the California Fire Code is amended to add the following language:

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.

Section 507.5.7 of the California Fire Code is hereby amended to add 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.

- A. Residential Standard—one 4 inch outlet, and one 2 ½ inch outlet.
- B. Super Hydrant Standard—one 4 inch outlet, and two 2 ½ inch outlet.
- C. Super Hydrant Enhanced—two 4 inch outlet, and one 2 ½ inch outlet.

Fire hydrant locations shall be visually indicated with approved blue dot hydrant marker. 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.

CHAPTER 6. BUILDING SERVICES AND SYSTEMS is adopted in its entirety with the following amendments:

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.

Section 609.2 of the California Fire Code is hereby amended to add as follows:

Added 609.2 WHERE REQUIRED

Exception: Fire Stations where the use of the commercial appliance is by station personnel and not for the intention of a commercial cooking facility as defined by the California Mechanical Code.

CHAPTER 7. FIRE RESISTIVE-RATED CONSTRUCTION shall be adopted in its entirety without amendments or deletions.

CHAPTER 8. INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS shall be adopted in its entirety without amendments or deletions.

CHAPTER 9. FIRE PROTECTION SYSTEMS is adopted in its entirety with the following amendments:

Section 903.2 of the California Fire Code is deleted in its entirety and replaced with the following:

Section 903.2 WHERE REQUIRED

In all new buildings and structures which are 3,600 square feet or greater an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the California Fire Code is requiring more restrictive requirements in Sections 903.2.1, 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.4, 903.2.5, 903.2.5.2, 903.2.6, 903.2.7, 903.2.8, 903.2.9, 903.2.10, 903.2.11.6 903.2.16, 903.2.18, the more restrictive requirement shall take precedence. The following exceptions in the California Fire Code shall not be allowed:

- a. Exception in Section 903.2.3
- b. Exception in Section 903.2.6.2
- c. Exception in Section 903.2.8
- d. Exception in Section 903.2.11.3

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 multi-family manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

CHAPTER 10. MEANS OF EGRESS shall be adopted in its entirety without amendments or deletions.

CHAPTER 11. CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS shall only adopt the California State Fire Marshal's amendments.

CHAPTERS 12 THROUGH 19 ARE RESERVED

CHAPTER 20. AVIATION FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 21. DRY CLEANING shall be adopted in its entirety without amendments or deletions.

CHAPTER 22. COMBUSTIBLE DUST-PRODUCING OPERATIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 23. MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES shall be adopted in its entirety without amendments or deletions.

CHAPTER 24. FLAMMABLE FINISHES shall be adopted in its entirety without amendments or deletions.

CHAPTER 25. FRUIT AND CROP RIPING shall be adopted in its entirety without amendments or deletions.

CHAPTER 26. FUMIGATION AND INSECTICIDAL FOGGING shall be adopted in its entirety without amendments or deletions.

CHAPTER 27. SEMICONDUCTOR FABRICATION FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 28. LUMBER YARDS AND WOODWORKING FACILITIES shall be adopted in its entirety without amendments or deletions.

CHAPTER 29. MANUFACTURE OF ORGANIC COATINGS shall be adopted in its entirety without amendments or deletions.

CHAPTER 30. INDUSTRIAL OVENS shall be adopted in its entirety without amendments or deletions.

CHAPTER 31. TENTS AND OTHER MEMBRANE STRUCTURES shall be adopted in its entirety without amendments or deletions.

CHAPTER 32. HIGH-PILED COMBUSTIBLE STORAGE is adopted in its entirety with the following amendments:

Section 3204.2 of the California Fire Code is hereby added 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 discussions 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 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.

CHAPTER 33. FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION shall be adopted in its entirety without amendments or deletions.

CHAPTER 34. TIRE REBUILDING AND TIRE STORAGE shall be adopted in its entirety without amendments or deletions.

CHAPTER 35. WELDING AND OTHER HOT WORK shall be adopted in its entirety without amendments or deletions.

CHAPTER 36. MARINAS shall be adopted in its entirety without amendments or deletions.

CHAPTERS 37 THROUGH 47 – RESERVED

CHAPTER 48. MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUND STAGES, APPROVED REPRODUCTION FACILITIES AND PRODUCTION LOCATIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 49. REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS is adopted in its entirety with the following amendments:

Section 4904 of the California Fire Code is hereby amended to add a new Section 4904.3 to read as follows:

Section 4904.3 HIGH FIRE HAZARD SEVERITY ZONE MAPS

The County of Riverside Board of Supervisors hereby designates Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection and pursuant to Government Code Sections 51175 through 51189, as designated on a map titled "Very High Fire Hazard Severity Zones in LRA", dated 4/8/2010, and retained on file at the Clerk of this Board, the office of the County and pursuant to Government Code Sections 51175 through 51189, as designated by the Fire Chief of Riverside County, the Office of the State Fire Marshal, and is more readily available at:

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones.php.

This map will supersede other maps previously adopted by the County of Riverside designating high fire hazard areas.

Within the designated land areas as adopted by the County of Riverside Board of Supervisors and in accordance with the Government Code Sections 51175 through 51189, and in accordance with section 104.3 the following shall apply when required: Per section 51182(a) A person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by the local agency (Riverside County Fire Department) pursuant to Section 51179, shall at all times do all of the following:

- (1) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in following paragraphs.
- (2) The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100 foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion.
- (3) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.
- (4) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.
- (5) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.
- (6) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.
- (7) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

- (8) Prior to constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification (approved building plan/job card) from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure. (b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property. (c) The Department of Forestry and Fire Protection shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat, and suggestions to minimize or eliminate the risk of flammability of non-vegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

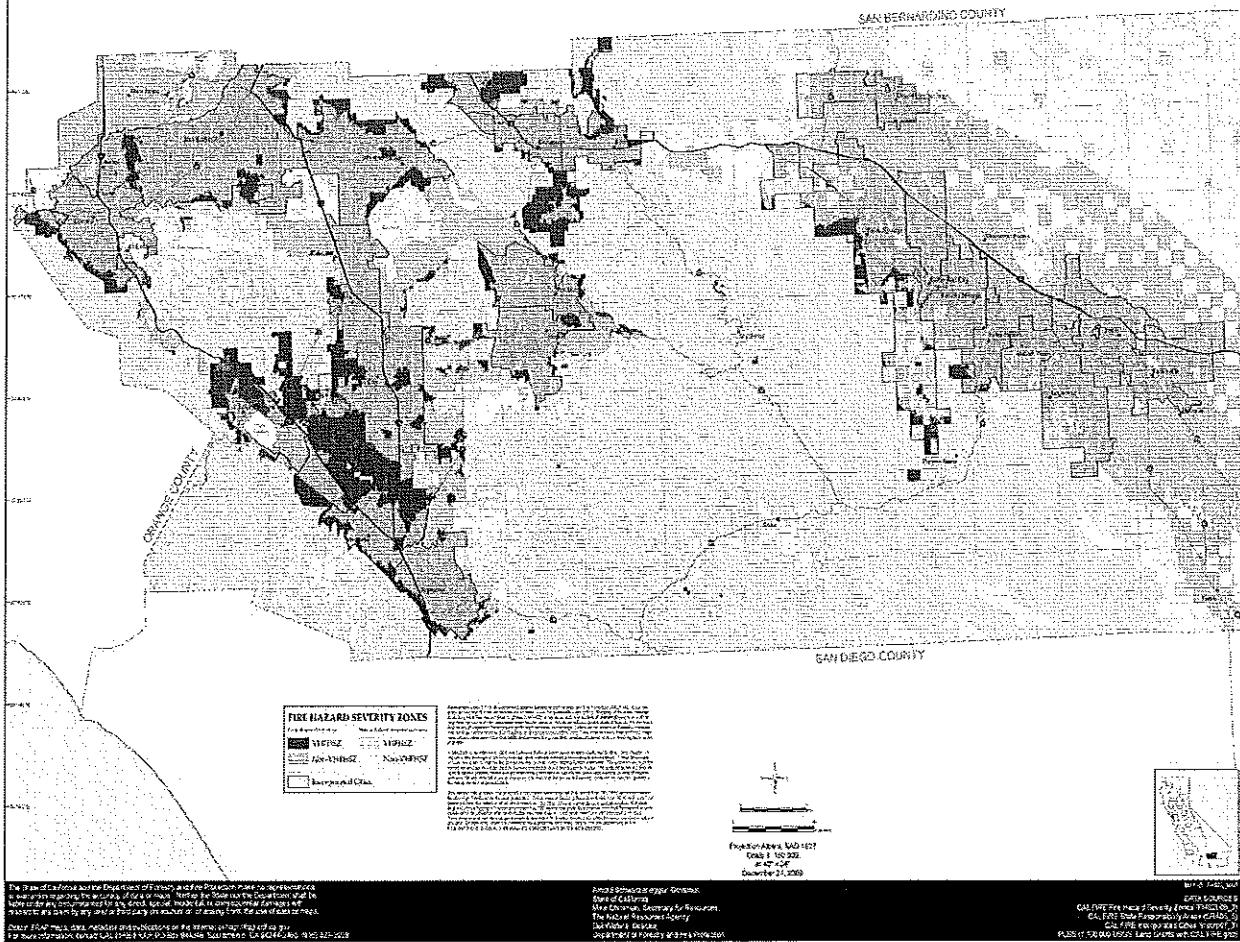
See the following maps for reference and contact the Riverside County Fire Department for further information.



WESTERN RIVERSIDE COUNTY

VERY HIGH FIRE HAZARD SEVERITY ZONES IN LRA

As Recommended By CAL FIRE

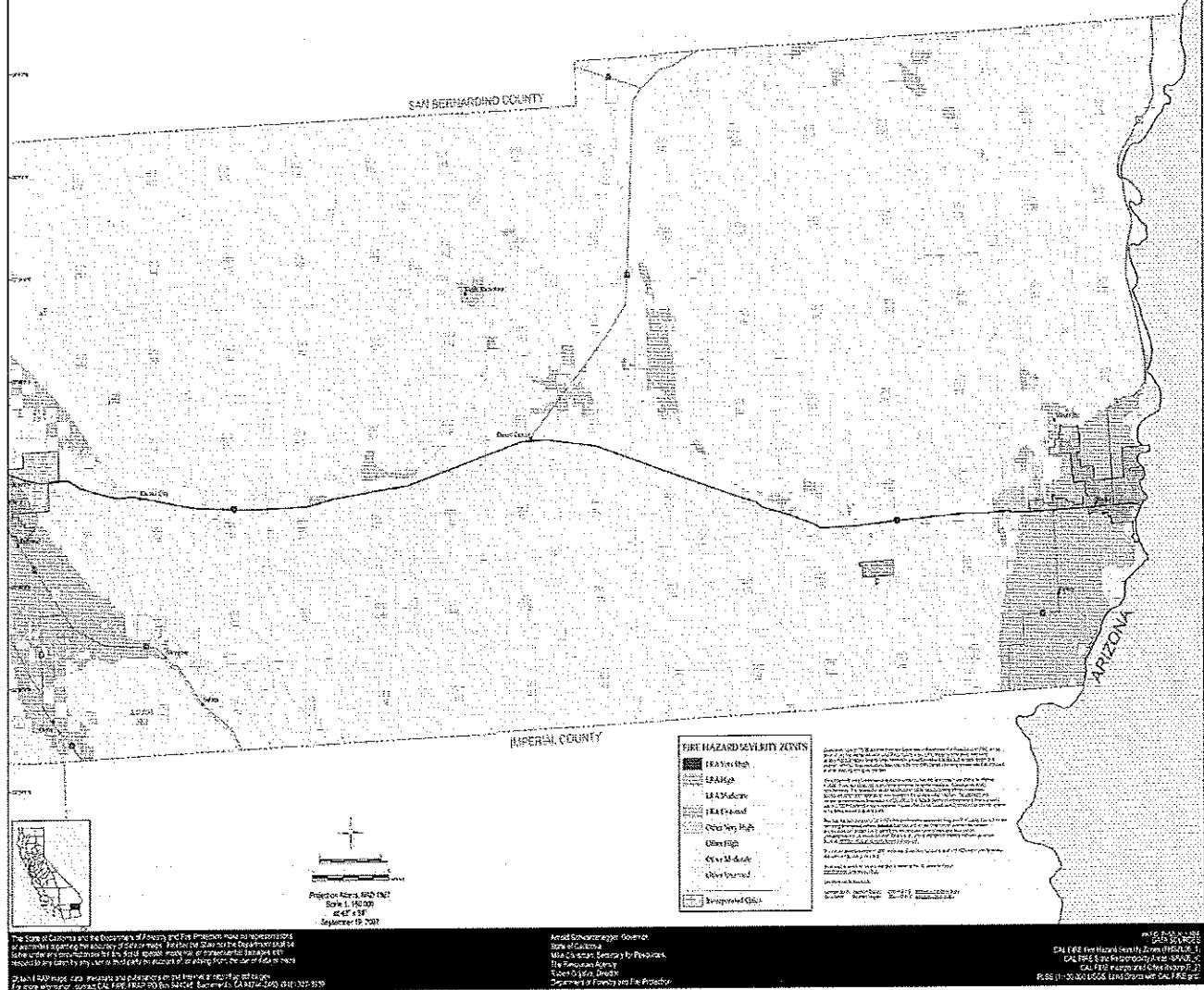


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EASTERN RIVERSIDE COUNTY

DRAFT FIRE HAZARD SEVERITY ZONES IN LRA



CHAPTER 50. HAZARDOUS MATERIALS – GENERAL PROVISIONS shall be adopted in its entirety without amendments or deletions.

CHAPTER 51. AEROSOLS shall be adopted in its entirety without amendments or deletions.

CHAPTER 52. COMBUSTIBLE FIBERS shall be adopted in its entirety without amendments or deletions.

CHAPTER 53. COMPRESSED GASES shall be adopted in its entirety without amendments or deletions.

CHAPTER 54. CORROSIVE MATERIAL shall be adopted in its entirety without amendments or deletions.

CHAPTER 55. CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 56. EXPLOSIVES AND FIREWORKS shall be adopted in its entirety without amendments or deletions.

CHAPTER 57. FLAMMABLE AND COMBUSTIBLE LIQUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 58. FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 59. FLAMMABLE SOLIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 60. HIGHLY TOXIC AND TOXIC MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 61. LIQUIFIED PETROLEUM GASES shall be adopted in its entirety without amendments or deletions.

CHAPTER 62. ORGANIC PEROXIDES shall be adopted in its entirety without amendments or deletions.

CHAPTER 63. OXIDIZERS, OXIDIZING GASES AND OXIDIZING CRYOGENIC FLUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTER 64. PYROPHORIC MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 65. PYROXYLIN (CELLULOSE NITRATE) PLASTICS shall be adopted in its entirety without amendments or deletions.

CHAPTER 66. UNSTABLE (REACTIVE) MATERIALS shall be adopted in its entirety without amendments or deletions.

CHAPTER 67. WATER-REACTIVE SOLIDS AND LIQUIDS shall be adopted in its entirety without amendments or deletions.

CHAPTERS 67 THROUGH 79 RESERVED

CHAPTER 80. REFERENCE AND STANDARDS shall be adopted in its entirety without amendments or deletions.

APPENDICES

All Appendices to the California Fire Code are adopted in their entirety except as follows:

APPENDIX B

Section B-105.2 EXCEPTION FIRST SENTENCE

A reduction in required fire flow of up to 50 percent as approved is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with section 903.3.1.1 or 903.3.1.2 of the California Fire Code.

APPENDIX BB shall NOT be adopted or amended.

APPENDIX C Fire hydrant locations are amended to read as follows:

Section C102.1

Fire hydrants shall be provided at street intersections and along required fire apparatus access roads and adjacent public streets. Fire hydrants used or installed for the frontage requirements as stated by Table C105.1 shall be on the building side of fire department access roads and adjacent public streets.

APPENDIX CC shall NOT be adopted or amended.

APPENDIX D shall NOT be adopted or amended.

APPENDIX E shall be adopted in its entirety without amendments or deletions.

APPENDIX F shall be adopted in its entirety without amendments or deletions.

APPENDIX G shall be adopted in its entirety without amendments or deletions.

APPENDIX H shall be adopted in its entirety without amendments or deletions.

APPENDIX I shall NOT be adopted or amended.

APPENDIX J shall NOT be adopted or amended.

APPENDIX K shall NOT be adopted or amended.

Section 8.16.030 Full copy of codes; maintenance of codes

One full copy of the state fire codes described in this chapter has been deposited in the office of the city clerk and shall be at all times maintained by the city clerk for use and examination by the public, excepting that one copy of the adopted codes may be kept in the office of the chief enforcement officer for such codes.

Section 8.16.040 'Municipality' defined

Wherever the word "municipality" is used in the fire prevention code adopted by this chapter, it means the city.

Section 8.16.050 Penalties

It shall be unlawful for any person, firm, corporation or association of persons to violate any provision of this ordinance, or to violate the provisions of any permit granted pursuant to this ordinance. Any person, firm, corporation or association of persons violating any provision of this ordinance or the provisions of any permit granted pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person or entity shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance or the provisions of any permit granted pursuant to this ordinance is committed, continued or permitted.

Any person, firm, corporation or association of persons so convicted shall be (1) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a first violation; (2) guilty of an infraction offense and punishable by a fine not exceeding three hundred dollars (\$300.00) for a second violation on the same site. The third and any additional violations on the same site shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first

offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person or entity from the responsibility for correcting the violation."

SECTION 3. FURTHER PROCESS FOR ADOPTION

After first reading, this ordinance shall be adopted pursuant to the procedures set forth in Government Code Section 50022.3. To wit, after the first reading of the title of the adopting ordinance and of the title of the code to be adopted hereby the City Clerk is directed to schedule a public hearing thereon. Notice of the hearing shall be published pursuant to Section 6066 in a newspaper of general circulation. The notice shall state the time and place of the hearing. It shall also state that copies of the codes being adopted by reference are on file with the Clerk and are open to public inspection. The notice shall also contain a description which the legislative body deems sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

SECTION 4. SEVERABILITY

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidance or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

Deborah Franklin, Mayor
City of Banning

ATTEST:

Marie A. Calderon, City Clerk

APPROVED AS TO FORM AND LEGAL CONTENT:

Dave J. Aleshire, City Attorney

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance No. 1468 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 12th day of November, 2013, and was duly adopted at a regular meeting of said City Council on the _____ day of _____, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie A. Calderon, City Clerk
City of Banning, California

**ACCOUNTS PAYABLE AND
PAYROLL WARRANTS FOR THE
MONTH OF SEPTEMBER, 2013**

*City Council Agenda
11/12/13*

VEND NO	SEQ#	VENDOR NAME	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR BANK-ISSUED AMOUNT
0000083605	00	AGUIRRE & JENNIFER, LUT	00 08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS	30.86	30.86
0004956	00	AIR & HOSE SOURCE INC	00 09/14/2013	702-3800-480.38-52	FILTER METAL BOWL	45.44	45.44
02-23724	00	PI0850 026023 00 09/14/2013	702-3800-480.38-52	SPRAY NOZZELS	33.05	33.05	
02-23726	00	PI0851 026023 00 09/14/2013	702-3800-480.38-52	HEX REDUCER BUSHING	4.36	4.36	
02-23731	00	PI0852 026023 00 09/15/2013	702-3800-480.38-52	PUSH LOCK HOSE	20.13	20.13	
02-23739	00	PI0853 026023 00 09/15/2013	702-3800-480.38-52				
0002454	00	AIRGAS WEST	00 08/25/2013	670-7000-473.45-05	NITROGEN	102.98	102.98
9911485395	00	PI0821 026022 00 08/25/2013	670-7000-473.45-05			128.60	128.60
0004994	00	ALESHIRE & WYNDER, LLP	00 07/30/2013	001-0000-223.18-00	VENDOR TOTAL *	128.60	128.60
24764	00	004766	00 07/30/2013	002-0000-222.35-00	PARDEE, LEGAL SVCS - JUN	1,975.00	1,975.00
24772	00	004766	00 07/30/2013	002-0000-222.36-00	PARD COA LEGAL SVCS - JUN	7,668.81	7,668.81
24772	00	004766	00 07/30/2013	002-0000-222.36-00	HLND ENA LEGAL SVCS - JUN	418.00	418.00
24772	00	004766	00 07/30/2013	002-02800-361.41-02	PARD COA LEGAL SVCS - JUN	7,668.81	7,668.81
24772	00	004766	00 07/30/2013	002-02800-441.33-04	PARD COA LEGAL SVCS - JUN	7,668.81	7,668.81
24775	00	004766	00 07/30/2013	002-02800-441.33-04	HLND ENA LEGAL SVCS - JUN	418.00	418.00
24775	00	004766	00 07/30/2013	002-02800-441.33-04	HLND ENA LEGAL SVCS - JUN	418.00	418.00
24753	00	004758	00 07/30/2013	700-5300-480.33-04	GENERAL LEGAL SVCS - JUN	2,598.00	2,598.00
24754	00	004759	00 07/30/2013	700-5300-480.33-04	LITIGAT LEGAL SVCS - JUN	366.40	366.40
24755	00	004760	00 07/30/2013	700-5300-480.33-04	PERSONNL LEGAL SVCS - JUN	4,794.00	4,794.00
24756	00	004761	00 07/30/2013	700-5300-480.33-04	PLANNING LEGAL SVCS - JUN	3,877.30	3,877.30
24757	00	004762	00 07/30/2013	700-5300-480.33-04	PUB WRKS LEGAL SVCS - JUN	1,568.00	1,568.00
24758	00	004763	00 07/30/2013	700-5300-480.33-04	UTILITY LEGAL SVCS - JUN	209.00	209.00
24759	00	004764	00 07/30/2013	700-5300-480.33-04	POLICE LEGAL SVCS - JUN	203.88	203.88
24760	00	004765	00 07/30/2013	700-5300-480.33-04	CODE ENF LEGAL SVCS - JUN	1,410.00	1,410.00
24761	00	004766	00 07/30/2013	700-5300-480.33-04	AGENCY LEGAL SVCS - JUN	2,374.70	2,374.70
24762	00	004766	00 07/30/2013	700-5300-480.33-04	WATER LEGAL SVCS - JUN	431.00	431.00
24763	00	004766	00 07/30/2013	700-5300-480.33-04	CONDWTN LEGAL SVCS - JUN	1,141.91	1,141.91
24765	00	004766	00 07/30/2013	700-5300-480.33-04	AG REAL LEGAL SVCS - JUN	260.00	260.00
24766	00	004766	00 07/30/2013	700-5300-480.33-04	BENCH LEGAL SVCS - JUN	209.00	209.00
24767	00	004766	00 07/30/2013	700-5300-480.33-04	FIELD LEGAL SVCS - JUN	610.02	610.02
24768	00	004766	00 07/30/2013	700-5300-480.33-04	MASCARO LEGAL SVCS - JUN	5,776.75	5,776.75
24769	00	004766	00 07/30/2013	700-5300-480.33-04	PD PRSNL LEGAL SVCS - JUN	6,688.00	6,688.00
24770	00	004766	00 07/30/2013	700-5300-480.33-04	LABOR LEGAL SVCS - JUN	374.30	374.30
24771	00	004766	00 07/30/2013	700-5300-480.33-04	DERREAU LEGAL SVCS - JUN	35,642.12	35,642.12
24773	00	004766	00 07/30/2013	700-5300-480.33-04	SUC AGCY LEGAL SVCS - JUN	3,211.00	3,211.00
24774	00	004766	00 07/30/2013	700-5300-480.33-04	ODDFLWS LEGAL SVCS - JUN	11,871.00	11,871.00
0002298	00	ALTURA CREDIT UNION	00 09/06/2013	001-0000-204.80-06	VENDOR TOTAL *	94,678.19	94,678.19
20130906	00	PRO906			PAYROLL SUMMARY	1,260.00	1,260.00
00000903	00	AMERICAN AIR SERVICE			VENDOR TOTAL *	1,260.00	1,260.00

VEND NO	SEQ#	VENDOR NAME	ITEM	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER F.O. NO	BIN#	ACCOUNT NO	DESCRIPTION	
REIMBURSEMENT	REIMBURSEMENT	DATE	DATE		
00000903	00	AMERICAN AIR SERVICE	001-3200-412-30-21	SENIOR CENTER REPAIRS	100.00
32510		PI0865 026224	00 08/07/2013	BANNING AIRPORT REPAIRS	112.96
32575		PI0871 026224	00 07/29/2013	BANNING AIRPORT REPAIRS	204.20
32579		PI0872 026224	00 07/30/2013	REPAIR A/C MIDWAY SUB	148.60
32606		PI0818 026224	00 08/14/2013		
				VENDOR TOTAL *	565.76
00066526	00	AMIE L.C.	001-4000-461-23-15	TENNIS INSTRUCTOR	70.00
AUG 2013		000481	00 08/31/2013		
0099001	00	ANDERSON &, EVELYN	001-0000-218-22-22	UB CR REFUND-FINALS	70.00
0000083035		UT	00 08/31/2013		
0005310	00	ARRETICHE, RAYMOND	001-2200-421-23-06	OFCR INVLYD CRSE GAS	147.16
REIMBURSEMENT		000482	00 08/19/2013		
0006456	00	ARROW STAFFING SERVICE	001-2200-421-23-27	ADAMSON, S (W/E 8/24/13)	48.50
00073534		000503	00 08/26/2013		
0003072	00	ASSOC OF RIVERSIDE COUNTY	001-2200-421-23-03	MEMBERSHIP DUES - PURVIS	453.60
001		000501	00 08/29/2013		
0099001	00	BAKER, LOIS J	001-0000-218-22-22	UB CR REFUND-FINALS	200.00
0000022443		UT	00 08/31/2013		
00000939	00	BANNING POLICE OFFICERS ASSOC	001-0000-204-50-00	POLICE OFFCR ASSN DUES	133.83
AUG 2013		000494	00 08/31/2013		
0005091	00	BEAUMONT DO IT BEST HOME CENTER	201-4060-446-36-65	CORD CHANNELS	133.83
376147		PI0854 026027	00 08/05/2013		
376147		PI0855 026027	00 08/05/2013		
				VENDOR TOTAL *	2,400.00
0003471	00	BEAUMONT, CITY OF	610-5800-351-35-80	RECTIFY BUS TICKETS	164.25
2013-96		004753	00 06/30/2013	610-5800-351-35-81	162.76
2013-96		004754	00 06/30/2013	RECTIFY BUS TICKETS	209.12
2013-96		000489	00 08/26/2013	610-5800-351-35-80	89.15
2013-96		000490	00 08/26/2013	RECTIFY BUS TICKETS	
				VENDOR TOTAL *	625.28
0001529	00	BURK, DIANE	660-6300-471-36-07	WA TASK FORCE LUNCH MTG	35.19
REIMBURSEMENT		000555	00 08/27/2013		
REIMBURSEMENT		000544	00 08/31/2013		
				VENDOR TOTAL *	261.68

VEND NO	SEQ#	VENDOR NAME	ITEM	CHECK	EFT, EPAY OR HAND- ISSUED AMOUNT
INVOICE NO	VOUCHER NO	BNK CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	AMOUNT
0001529	00	BURK, DUANE		VENDOR TOTAL *	296.87
0003780	00	CALIFORNIA LAW ENFORCE ASSN	001-0000-204.80-13	POLICE LTD PREMIUMS	661.50
SEP 2013		000530	00 09/03/2013	VENDOR TOTAL *	661.50
0005344	00	CHACON, ARTHUR	700-5300-480.23-05	DERREAU CASE MEALS/MILEAGE	193.82
MEALS/MILEAGE		000547	00 08/12/2013	VENDOR TOTAL *	193.82
0004157	00	COGBILL, IRENE JANE	001-4000-461.23-15	TOT TIME INSTRUCTOR	147.00
AUG 2013		000482	00 08/31/2013	VENDOR TOTAL *	147.00
0005877	00	COLONIAL INSURANCE	001-0000-204.80-09	ACCIDENT PREMIUMS	2,789.22
SEP 2013		000537	00 09/05/2013	CANCER PREMIUMS	1,855.08
SEP 2013		000538	00 09/05/2013	CRITICAL ILLNESS PREMIUMS	1,550.29
SEP 2013		000539	00 09/05/2013	HOSP CONFINEMENT PREMIUMS	1,562.18
SEP 2013		000540	00 09/05/2013	SUPP DISABILITY PREMIUMS	5,542.95
SEP 2013		000541	00 09/05/2013	UNIVERSAL LIFE PREMIUMS	2,177.42
SEP 2013		000542	00 09/05/2013	VENDOR TOTAL *	15,489.14
00099001	00	COOK, BETTE	001-0000-218.22-22	UB CR REFUND-FINALS	236.50
000032851		UT	00 08/31/2013	VENDOR TOTAL *	236.50
0006214	00	CORELOGIC INFORMATION SOLUTIONS INC	001-2400-422.30-17	METROSCAN SOFTWARE-FD	33.34
80911560		PI0848 026241	00 07/31/2013	VENDOR TOTAL *	33.34
0002232	00	COUNSELLING TEAM INTERNATIONAL, THE	001-1300-412.33-32	PSYCH ASSESSMENTS	550.00
21569		PI0838 026078	00 08/29/2013	VENDOR TOTAL *	550.00
0005025	00	CUSTOM SERVICE SYSTEMS	001-4000-461.33-18	SUB DAY PORTER SERVICES	163.34
51920		000499	00 08/20/2013	SUB DAY PORTER SERVICES	163.33
51920		000500	00 08/20/2013	SUB DAY PORTER SERVICES	163.33
51920		000500	00 08/20/2013	VENDOR TOTAL *	490.00
0006149	00	CYBERTEK	001-2060-446.89-48	2 TB 7.2K RPM NEARLINE SA	1,326.98
4216		PI0860 026149	00 08/21/2013	VENDOR TOTAL *	1,326.98
0003752	00	DANCEL, JESSIE	001-4000-461.23-15	KARATE INSTRUCTOR	287.00
AUG 2013		000482	00 08/31/2013	VENDOR TOTAL *	287.00
0006109	00	DE ZORZI, PATRICK M. & SHIRLEY M.			

VEND NO	SEQ#	VENDOR NAME	ITEM	CHECK	EFT, EPAY OR HAND-ISSUED
INVOICE NO	VOUCHER NO	P.O. NO	ACCOUNT NO	DESCRIPTION	AMOUNT
0006109	00	DE ZORZI, PATRICK M. & SHIRLEY M.	2301 W RAMSEY ST	2,878.94	
50TH PMT	000528	00 09/01/2013	830-9200-490-61-16	4,428.66	
50TH PMT	000529	00 09/01/2013	830-9200-490-62-16	2301 W RAMSEY ST	
			VENDOR TOTAL *	7,307.60	
0005155	00	DIAMOND HILLS AUTO GROUP INC	3 CHEV CAPRICE	84,194.84	
1874	00	PI0919 025206 00 09/28/2013	001-2279-421.90-52	84,194.84	
			VENDOR TOTAL *	84,194.84	
0099001	00	DUPRE, DESTRIE N	UB CR REFUND-FINALS	3.11	
00069699	00	UT 00 08/31/2013	001-0000-218.22-22	3.11	
			VENDOR TOTAL *	3.11	
0002753	00	ENTERPRISE RENT-A-CAR	189.87		
90048861116	00	000504 00 08/31/2013	001-2200-421.23-05	189.87	
			VENDOR TOTAL *	189.87	
0002544	00	FISHER, ROBERT	189.87		
MEALS 8/13-14	000546	00 08/12/2013	700-5300-480.23-05	189.87	
			DEREAU CASE MEALS	36.00	
			VENDOR TOTAL *	36.00	
0004894	00	GALLS RETAIL CA	189.87		
336799	00	PI0866 026207 00 08/18/2013	203-2200-446.36-04	87.58	
336802	00	PI0867 026207 00 08/18/2013	203-2200-446.36-04	92.86	
336815	00	PI0868 026207 00 08/18/2013	203-2200-446.36-04	103.66	
336876	00	PI0869 026207 00 08/18/2013	203-2200-446.36-04	136.53	
336921	00	PI0870 026207 00 08/18/2013	203-2200-446.36-04	165.32	
			VENDOR TOTAL *	585.95	
0001375	00	GAS COMPANY THE	189.87		
0702683751AU13PI0859 026141	00	08/20/2013	001-2200-421.26-06	62.36	
05602682006AG13PI0842 026111	00	08/20/2013	001-2400-422.26-06	48.34	
05602682001AG13PI0839 026150	00	08/20/2013	001-4000-461.26-06	16.30	
09142474007AG13PI0840 026150	00	08/20/2013	001-4050-461.26-06	94.39	
			VENDOR TOTAL *	221.39	
0000448	00	GRAINGER	516.15		
9191340331	00	PI0826 026042 00 07/15/2013	660-6300-471.45-08	516.15	
			BALL VALVE WITH ARM		
0005395	00	GRAVES & KING LLP	VENDOR TOTAL *	516.15	
1307-0009478	00	000557 00 08/26/2013	700-5040-480.33-01	DEFENSE COSTS	
			VENDOR TOTAL *	8,133.23	
0099001	00	GREEN, LINDSEY	28.13		
000080907	00	UT 00 08/29/2013	001-0000-218.22-22	28.13	
			UB CR REFUND-FINALS		
0002564	00	HOLDER, PHILLIP	VENDOR TOTAL *	28.13	
REIMBURSEMENT	000491	00 07/02/2013	001-2200-421.36-00	CD PAGES, LABELS, ETC.	
			CHECK	40.79	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM NO	DESCRIPTION	AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0002564	00	HOLDER, PHILLIP	00 08/27/2013	001-2200-421.23-06	FBINAA TRAINING PARKING	30.00	
		REIMBURSEMENT			VENDOR TOTAL *	70.79	
0099001	00	HUANG, STEVEN & JULIA	00 08/31/2013	001-0000-218.22-22	UB CR REFUND-FINALS	3.05	
000084231		UT			VENDOR TOTAL *	3.05	
0099001	00	HYATT REGENCY SACRAMENTO	00 01/03/2013	001-1000-411.23-05	NEW COUNCIL MBR'S TRAINING		
326KRTWH		001952			VENDOR TOTAL *		
0099001	00	I H 2 PROPERTY WEST	00 08/31/2013	001-0000-218.22-22	UB CR REFUND-FINALS	110.76	
000084271		UT			VENDOR TOTAL *	110.76	
0001146	00	I.B.E.W. LOCAL 47	00 08/31/2013	001-0000-204.53-00	UNION DUES - GENERAL UNIT	6,161.17	
AUG 2013		000523			VENDOR TOTAL *	6,161.17	
0004086	00	I.B.E.W. LOCAL 47 (PAC)	00 08/31/2013	001-0000-204.80-01	PAC DUES	86.00	
AUG 2013		000496			VENDOR TOTAL *	86.00	
0005217	00	IBEW LOCAL 47 RETIREE MEDICAL TRUST			PAYROLL SUMMARY		
20130906		PRO906	00 09/06/2013	001-0000-204.80-10			
0002297	00	ICMA RETIREMENT TRUST	00 09/06/2013	001-0000-204.16-00	PAYROLL SUMMARY		
20130906		PRO906			VENDOR TOTAL *		
0005511	00	KABOO LEASING CO			BLACK OFF FLANGES	2,026.32	
341167		PI0843 0262339	00 08/13/2013	660-6300-471.45-06	INSTALL VALVE @SAN G & WI	800.00	
341166		PI0844 0262339	00 07/25/2013	660-6300-471.45-06		420.00	
0005930	00	KELLY, PATRICK	00 08/12/2013	700-5300-480.23-05	DERREAU CASE MEALS	1,220.00	
MEALS 8/13-14		000545			VENDOR TOTAL *	1,220.00	
0099001	00	KINSER, JOHN & CATHERINE			DERREAU CASE MEALS	36.00	
00049491		UT	00 08/29/2013		VENDOR TOTAL *	36.00	
0099001	00	KOSTIUK, ANTONIO			UB CR REFUND-FINALS	14.75	
000068311		UT	00 08/31/2013	001-0000-218.22-22	VENDOR TOTAL *	14.75	
0004968	00	LITHOPASS PRINTING, FORMS,			VENDOR TOTAL *	15.13	
					VENDOR TOTAL *	15.13	

VEND NO	SEQ#	VENDOR NAME VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004968 29580	00	LITHOPASS PRINTING, FORMS PI0856 026046 00 09/08/2013		761-3100-480-23-02	BUS CARDS - CUST SVC	64.80	
0099001 000084733	00	LOPEZ, ALICIA & MANUEL F UT	00 08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS	64.80	
0005763 AUG 2013	00	LOPEZ, CARMEN S 000482	00 08/31/2013	001-4000-461.23-15	ZUMBA INSTRUCTOR	42.84	
0099001 000082895	00	MAGDALENO, LUIS UT	00 08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS	42.84	
0099001 000084323	00	MANASEN &, JAMES UT	00 08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS	311.50	
0001721 OT MEAL	00	MARTINEZ, DAVE 8/19/13000555	00 08/19/2013	660-6300-471.25-06	WA MTR TURN ON - EUCALYPT	97.51	
0000287 M-1780 M-1780	00	MC AVOY & MARKHAM PI0813 PI0835 PI0836	00 08/15/2013 00 08/22/2013 00 08/22/2013	670-0000-131.00-00 670-7000-473.30-06 670-7000-473.30-06	ELECTRIC EQUIP. & HARDWARE ELECTRIC EQUIP. & HARDWARE SHIPPING AND HANDLING	53.92	
0099001 000060287	00	MENDIETA, ROBBIN HUDSON UT	00 08/31/2013	001-0000-218.22-22	UB CR REFUND-FINALS	14.00	
0099001 000082033	00	MINER, EDWARD J & LORENA J UT	00 08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS	14.00	
0001545 30076	00	MR. APPLIANCE 000498	00 08/28/2013	001-4010-461.30-06	REPAIR POOL REFRIDGERATOR	7.83	
0006013 00232651	00	MUNICIPAL CODE CORPORATION 000555	00 08/27/2013	001-1400-412.33-72	CODE BOOK SUP # 25	279.53	
0002301 20130906	00	NATIONWIDE RETIREMENT SOLUTIONS PRO906	00 09/06/2013	001-0000-204.16-00	PAYROLL SUMMARY	279.53	
0006431	00	NI GOVERNMENT SERVICES, INC		VENDOR TOTAL *	VENDOR TOTAL *	826.11	
				VENDOR TOTAL *	VENDOR TOTAL *	1,484.51	
						1,484.51	

VEND NO	SEQ#	INVOICE NO	VOUCHER NO	VENDOR NAME	P.O. NO	BNK DATE	CHECK/DUE DATE	ACCOUNT NO	ITEM NO	DESCRIPTION	CHECK AMOUNT	AMOUNT	EFIT, EPAY OR HAND-ISSUED AMOUNT
0006431	00	3070720191	PI0847	NI GOVERNMENT SERVICES INC	026200	08/01/2013	001-2400-422.26-07	AUGUST SAT PHONE-FD			38.89		
0005575	00	NOLAN, MIKE	000482	OFFICE DEPOT	00	08/29/2013	001-1300-412.25-09	VENDOR REIMBURSEMENT		VENDOR TOTAL *	38.89		
0002460	00	664765098001	PI0861	OFFICE DEPOT	026214	00 09/10/2013	001-2200-421.36-00	PAPER CLIPS		VENDOR TOTAL *	1,464.36		
		664765369001	PI0862	OFFICE DEPOT	026214	00 09/10/2013	001-2200-421.36-00	STAPLES, TONER, CLIEBOARDS		VENDOR TOTAL *	1,464.36		
		664765370001	PI0863	OFFICE DEPOT	026214	00 09/11/2013	001-2200-421.36-00	TONER -- DB		VENDOR TOTAL *	18.58		
		664765371001	PI0864	OFFICE DEPOT	026214	00 09/11/2013	001-2200-421.36-00	TONER		VENDOR TOTAL *	200.28		
		669440514002	PI0873	OFFICE DEPOT	026050	00 09/28/2013	001-3000-442.36-00	CALLENDAR		VENDOR TOTAL *	284.61		
		664715776001	PI0857	OFFICE DEPOT	026050	00 09/14/2013	610-5800-434.36-00	AP STAMP		VENDOR TOTAL *	92.72		
		664715776001	PI0858	OFFICE DEPOT	026050	00 09/14/2013	761-3100-480.36-00	AP STAMP		VENDOR TOTAL *	20.51		
		637955	PI0822	OFFICE MAX CONTRACT INC	026051	00 08/18/2013	670-7000-473.36-00	STENO PADS, BINDER CLIPS		VENDOR TOTAL *	39.95		
		666970	PI0823	OFFICE MAX CONTRACT INC	026051	00 08/20/2013	670-7000-473.36-00	COL-ERASE, PENSIL (RED)		VENDOR TOTAL *	75.75		
0006226	00	1710205	PI0775	OLIN CORPORATION DBA	026157	00 08/08/2013	660-6300-471.36-08	SODIUM HYPOCHLORITE		VENDOR TOTAL *	13.72		
0005076	00	\$4035054.001	PI0812	ONE SOURCE DISTRIBUTORS	00	08/13/2013	670-0000-131.00-00	ELEC UTIL OVERHEAD		VENDOR TOTAL *	89.47		
0099001	00	000065191	UT	PAR ELECTRICAL CONTRACTORS, INC	00	08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS		VENDOR TOTAL *	2,970.45		
		000065191	UT	PAR ELECTRICAL CONTRACTORS, INC	00	08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS		VENDOR TOTAL *	356.40		
0005191	00	20130906	PR0906	PARS	00	09/06/2013	001-0000-204.25-00	PAYROLL SUMMARY		VENDOR TOTAL *	356.40		
0099001	00	000064667	UT	PEPPERTREE APARTMENTS	00	08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS		VENDOR TOTAL *	22.43		
		000082079	UT	PERRY, ROBIN & CLAUDIA	00	08/29/2013	001-0000-218.22-22	UB CR REFUND-FINALS		VENDOR TOTAL *	281.80		
0002430	00	2832	000548	PETTY CASH CUSTODIAN	00	08/12/2013	001-2200-421.23-06	CLEARS MTG		VENDOR TOTAL *	17.51		
										VENDOR TOTAL *	8.92		
										VENDOR TOTAL *	17.51		
										VENDOR TOTAL *	20.00		

VEND NO	SEQ#	VENDOR NAME	ITEM	DESCRIPTION	CHECK AMOUNT	EFT, EBAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER NO	P.O. NO	BIN#	CHECK/DUE DATE	ACCOUNT NO	
0002430	00	PETTY CASH CUSTODIAN - POLICE	001-2200-421.36-00	BATTERIES FOR METAL DETEC	7.01	
2833		000549	00 08/12/2013	CLEAR MTG COURT PARKING	20.00	
2834		000550	00 08/12/2013	CAR WASH SUPPLIES	14.00	
2835		000551	00 08/12/2013	BIOHAZARD WASTEBASKET	5.93	
2836		000552	00 08/12/2013	CLEARERS MTG	9.18	
2837		000553	00 08/12/2013	COURT PARKING DEREAU	20.00	
2838		000555	00 08/12/2013	COURT PARKING DEREAU	24.00	
2839		000554	00 08/12/2013	COURT PARKING DEREAU	15.00	
2840		000555	00 08/12/2013	COURT PARKING DEREAU	135.12	
0004411	00	PRE-PAID LEGAL SERVICES, INC	001-0000-204.80-07	VENDOR TOTAL *	481.30	
AUG 2013		000522	00 08/31/2013	PREPAID LEGAL PREMIUMS		
0005115	00	PURVIS, LEONARD	00 09/05/2013	VENDOR TOTAL *	481.30	
REIMBURSMENT		000532		IACP CONF REGISTRATION	275.00	
00099001	00	RAMIREZ, CHRISTINE	00 08/31/2013	VENDOR TOTAL *	275.00	
000076537	00	UT	00 08/31/2013	UB CR REFUND-FINALS	18.78	
0099001	00	REZNICK, MARSHA	00 08/31/2013	VENDOR TOTAL *	18.78	
000049415	00	UT	00 09/05/2013	UB CR REFUND-FINALS	201.51	
0001327	00	RIV. CO. CLERK RECORDER	001-2400-422.23-39	VENDOR TOTAL *	201.51	
RELEASEES	000199	00	08/14/2013	PENDANCY/LEIN RELEASES		
RELEASEES	000199	00	09/05/2013	PENDANCY/LEIN RELEASES		
0001643	00	RIV. CO. FIRE DEPARTMENT	001-0000-219.00-00	VENDOR TOTAL *	253.00	
231409		004755	00 06/30/2013	APR - JUN FIRE SVCS	176.00-	
0001641	00	RIV. CO. TREASURER	00 09/03/2013	VENDOR TOTAL *	468,551.14	
540202002-3		000530	00 09/03/2013	2011-12 & 2012-13 PROP TX	468,551.14	
0001641	00	RIV. CO. TREASURER,CK GRP-1	00 09/03/2013	VENDOR TOTAL *	3,203.01	
540202003-4		000530	00 09/03/2013	2011-12 & 2012-13 PROP TX	3,203.01	
0001641	00	RIV. CO. TREASURER,CK GRP-2	00 09/03/2013	VENDOR TOTAL *	611.92	
540204009-6		000530	00 09/03/2013	2011-12 & 2012-13 PROP TX	10,796.03	
0006477	00	ROBERT HALF INTERNATIONAL -	00 08/12/2013	VENDOR TOTAL *	10,796.03	
38517832		000506		WILLIAMS, L (W/E 8/9/13)	85.70	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM NO	DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0006477	00	ROBERT HALF INTERNATIONAL	00 08/12/2013	001-3000-442-23-27	WILLIAMS, L (W/E 8/16/13)	85.95	
38563993	000514		00 08/12/2013	001-3200-412-23-27	WILLIAMS, L (W/E 8/9/13)	138.29	
38517832	000515		00 08/12/2013	001-3200-412-23-27	WILLIAMS, L (W/E 8/9/13)	138.70	
38563993	000508		00 08/12/2013	100-4900-431-23-27	WILLIAMS, L (W/E 8/9/13)	243.47	
38517832	000516		00 08/12/2013	100-4900-431-23-27	WILLIAMS, L (W/E 8/9/13)	244.20	
38517832	000509		00 08/12/2013	600-5100-435-23-27	WILLIAMS, L (W/E 8/9/13)	97.39	
38563993	000517		00 08/12/2013	600-5100-435-23-27	WILLIAMS, L (W/E 8/9/13)	97.68	
38517832	000510		00 08/12/2013	660-6300-471-23-27	WILLIAMS, L (W/E 8/9/13)	136.35	
38563993	000518		00 08/12/2013	660-6300-471-23-27	WILLIAMS, L (W/E 8/9/13)	136.75	
38517832	000511		00 08/12/2013	680-8000-454-23-27	WILLIAMS, L (W/E 8/9/13)	136.35	
38563993	000519		00 08/12/2013	680-8000-454-23-27	WILLIAMS, L (W/E 8/9/13)	136.75	
38517832	000512		00 08/12/2013	690-9600-453-23-27	WILLIAMS, L (W/E 8/9/13)	136.35	
38563993	000520		00 08/12/2013	690-9600-453-23-27	WILLIAMS, L (W/E 8/9/13)	136.75	
0006071	00	ROCKWELL, AMBER	00 09/03/2013	001-1300-412-25-09	VENDOR TOTAL *	1,950.68	
TUITION	000530				VENDOR REIMBURSEMENT	3,229.00	
0003857	00	SAN BERNARDINO COUNTY SHERIFF'S	00 09/05/2013	001-2200-421-23-06	VENDOR TOTAL *	3,229.00	
TUITION	000536				VENDOR REIMBURSEMENT	315.00	
0005998	00	SAN BERNARDINO PUBLIC EMPLOYEES	00 08/31/2013	001-0000-204-51-00	VENDOR TOTAL *	315.00	
AUG 2013	000495				CBAM DUES	216.00	
0092001	00	SCHUTTLZ, KRISTEN	00 08/31/2013	001-0000-218-22-22	VENDOR TOTAL *	216.00	
000083701	00	UT			UB CR REFUND-FINALS	105.57	
0002353	00	SHERATON GRAND SACRAMENTO HOTEL	00 09/03/2013	001-1000-411-23-05	VENDOR TOTAL *	105.57	
175667102	00	000525			LEAGUE CONF HOTEL - BOTT'S	497.19	
0002353	00	SHERATON GRAND SACRAMENTO HOTEL CK GRP-1	00 09/03/2013	001-1000-411-23-05	VENDOR TOTAL *	497.19	
335667102	00	000526			LEAGUE CONF HOTEL - WELCH	331.46	
0002353	00	SHERATON GRAND SACRAMENTO HOTEL CK GRP-2	00 09/03/2013	001-1000-411-23-05	VENDOR TOTAL *	331.46	
245667102	00	000527			LEAGUE CONF HOTEL - FRANK	331.46	
0001561	00	SMART & FINAL	00 08/22/2013	001-1000-411-36-00	VENDOR TOTAL *	331.46	
195260	PI0849	025404	00 08/26/2013	201-4050-446-36-00	WATER, PLATES, ETC.	47.83	
196273	PI0837	026063	00 08/26/2013	201-4050-446-36-00	COFFEE, SUPPLIES	38.29	
0006123	00	SMITH, LOIS E			VENDOR TOTAL *	86.12	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT. EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT. EPAY OR HAND-ISSUED AMOUNT
0005310 REIMBURSEMENT 00 ARRETACHE, RAYMOND 00 09/10/2013 001-2200-421.36-00 LEGAL INDEXES 40.76						
0006456 00 ARROW STAFFING SERVICE 00 09/02/2013 001-2200-421.23-27 ADAMSON, S (W/E 8/31/13) VENDOR TOTAL *	00073609	000580	00 09/02/2013		40.76	40.76
0006190 00 ASSURANT EMPLOYEE BENEFITS 00 09/11/2013 001-0000-204.32-00 DENTAL PREMIUMS 453.60	SEPT 2013	000599	00 09/11/2013			453.60
0006190 00 ASSURANT EMPLOYEE BENEFITS 00 09/11/2013 001-0000-204.30-00 LIFE PREMIUMS 453.60	000600	00 09/11/2013				453.60
0006190 00 ASSURANT EMPLOYEE BENEFITS 00 09/11/2013 001-0000-204.14-00 LTD-STD PREMIUMS 5,195.65	SEPT 2013	000601	00 09/11/2013			5,195.65
0006175 00 AT&T CALNET 2 00 08/01/2013 001-2200-421.26-05 DP PROCESSING & SOFTWARE 16,691.72	000004571589	PI1034	026173 00			16,691.72
000004571645 00 AT&T MOBILITY 026174 00 08/19/2013 001-2200-421.26-05 DP PROCESSING & SOFTWARE 659.98	PI1042	026173 00	09/01/2013			659.98
0003844 00 AT&T MOBILITY 026174 00 08/19/2013 001-2200-421.26-05 DP PROCESSING & SOFTWARE 1,319.96	999374722X0813	PI1016				1,319.96
0005872 00 AVILA, VINCENT 00 09/20/2013 001-2200-421.23-06 PSP TRAINING MEAL 139.88	MEAL 9/20/2013	000585	00 09/20/2013			139.88
0005301 00 BABCOCK, EVERETT 00 09/18/2013 001-2200-421.23-06 PSP TRAINING MEAL 12.00	MEAL 9/18/2013	000586	00 09/18/2013			12.00
0006091 00 BEAUMONT DO IT BEST HOME CENTER 00 09/04/2013 001-3200-412.36-00 BATTERIES 12.00		PI0922	026027 00			12.00
377257 00 BEAUMONT DO IT BEST HOME CENTER 00 08/28/2013 001-3600-461.36-00 FOUNTAIN REPAIR - SANCHEZ 64.54	PI0931	026027	00 08/28/2013			64.54
377258 00 BEAUMONT DO IT BEST HOME CENTER 00 08/28/2013 001-3600-461.36-00 FOUNTAIN REPAIR - SANCHEZ 9.91	PI0932	026027	00 08/28/2013			9.91
377198 00 BEAUMONT DO IT BEST HOME CENTER 00 08/27/2013 100-4900-431.36-00 PAINT & SUPPLIES 3.87	PI0929	026027	00 08/27/2013			3.87
377198 00 BEAUMONT DO IT BEST HOME CENTER 00 08/27/2013 100-4900-431.38-54 PAINT & SUPPLIES 6.23	PI0930	026027	00 08/27/2013			6.23
376927 00 BEAUMONT DO IT BEST HOME CENTER 00 08/21/2013 702-3800-480.38-52 DISH DETERGENT 29.56	PI0920	026027	00 08/21/2013			29.56
376926 00 BEAUMONT DO IT BEST HOME CENTER 00 08/21/2013 702-3800-480.38-52 BOLTS 7.11	PI0928	026027	00 08/21/2013			7.11
0004923 00 BEAUMONT LAWNMOWER 00 08/14/2013 111-4900-432.30-01 TRIMMER LINE 12.8.35		PI0876	026029 00			12.8.35
PO20111052 00 BEAUMONT LAWNMOWER 00 08/14/2013 111-4900-432.30-01 TRIMMER LINE PARTS 92.77	PO20111053	PI0933	026029 00			92.77
0005577 00 BENNETT, MICHAEL 00 09/20/2013 001-2200-421.23-06 PSP TRAINING MEAL 384.69	MEAL 9/20/2013	000587	00 09/20/2013			384.69
0005201 00 C & S ENGINEERS, INC 00 09/20/2013 001-2200-421.23-06 PSP TRAINING MEAL 12.00						12.00
				VENDOR TOTAL *		
				VENDOR TOTAL *		
				VENDOR TOTAL *		

VEND NO	SEQ#	VENDOR NAME NO	VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0005201 0141728	00	C & S ENGINEERS, INC PI0874 025150 00	09/21/2013	600-5100-435.90-10	FUEL FACILITY DESIGN		581.25	
0004000 989951	00	CALIFORNIA STATE OF PI1043 026203 00	09/05/2013	001-2200-421.33-94	MISCELLANEOUS SERVICES		1,368.00	1,368.00
0005171 MEAL 9/16/2013	00	CALLAHAN, BRIAN 000588	09/16/2013	001-2200-421.23-06	PSP TRAINING MEAL		12.00	12.00
0000095 319192	00	CALOLYMPIC GLOVE & SAFETY CO, INC PI0827 026129 00	08/12/2013	660-6300-471.45-16	SAFETY EQUIPMENT		98.56	
319192		PI0829 026129 00	08/12/2013	660-6300-471.45-16	SHIPPING AND HANDLING		6.14	273.55
319193		PI0831 026129 00	08/20/2013	660-6300-471.45-16	SAFETY EQUIPMENT		9.62	9.62
319192		PI0833 026129 00	08/20/2013	660-6300-471.45-16	SHIPPING AND HANDLING		98.56	
319192		PI0828 026129 00	08/12/2013	670-7000-473.45-16	SAFETY EQUIPMENT		6.15	273.58
319192		PI0830 026129 00	08/12/2013	670-7000-473.45-16	SHIPPING AND HANDLING		273.58	
319193		PI0832 026129 00	08/20/2013	670-7000-473.45-16	SAFETY EQUIPMENT		9.63	
319193		PI0834 026129 00	08/20/2013	670-7000-473.45-16	SHIPPING AND HANDLING			
0001010 38894323	00	CHEVRON AND TEXACO BUSINESS PI0881 026098 00	08/22/2013	702-3800-480.36-11	MONTHLY BILL		775.79	
0006082 SEPT 2013	00	CIGNA HEALTHCARE 000604 00	09/11/2013	001-0000-204.31-00	HEALTH PREMIUMS		60.33	60.33
0002125 613773	00	CLA-VAL PI0988 025582 00	06/26/2013	660-6300-471.45-06	TUBINGS & FITTINGS		72,490.25	72,490.25
0006347 BA327	00	CLASEN, HOWARD J PI1021 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-541045002		529.29	529.29
BA328		PI1022 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-541082016			200.00
BA329		PI1023 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-541082017			200.00
BA330		PI1024 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-534151023			439.05
BA331		PI1025 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-535120001			255.00
BA332		PI1026 026190 00	08/26/2013	001-2400-422.23-39	WEED ABATEMENT-419112019			1,429.92
0000120 0954-432795	00	CONSOLIDATED ELECTRICAL PI0953 026243 00	07/25/2013	001-3200-412.36-00	LIGHT BULBS		3,108.97	
0006214 80951297	00	CORELOGIC INFORMATION SOLUTIONS INC PI1041 026241 00	08/31/2013	001-2400-422.30-17	METRO SCAN SOFTWARE		324.97	324.97
					VENDOR TOTAL *		33.34	

VEND NO	SEQ#	VENDOR NAME VOUCHER P.O. NO	BNK NO	ACCOUNT NO	BNK CHECK/DUE DATE	ITEM DESCRIPTION	AMOUNT	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0006214	00	CORELOGIC INFORMATION SOLUTIONS INC	004779	00 08/05/2013	001-3000-442.30-17	METRO SCAN - MAY METRO SCAN - JUN	66.68	66.68	66.68
60037200	00	004781	00 08/05/2013	001-3000-442.30-17	VENDOR TOTAL *		166.70		
0003412	00	CREATIVE BUS SALES INC	PI0877	026032 00 08/30/2013	702-3800-480.38-52	COMPRESSOR MOUNT UNIT 230 BATTERY DR LATCH UNIT 232	222.41	222.41	57.22
5041061	00	PI0878	026032 00 09/06/2013	702-3800-480.38-52	VENDOR TOTAL *		279.63		
5041498	00	DANIELS TIRE SERVICE	PI0883	026100 00 08/14/2013	702-3800-480.23-49	TIRES	3.50	3.50	230.08
230068914	00	PI0884	026100 00 08/14/2013	702-3800-480.38-52	VENDOR TOTAL *		233.58		
230068914	00	DATA TICKET INC	PI1035	025804 00 07/03/2013	001-2740-442.33-11	HEARING DECISION - FLORES	211.40	211.40	
47831	00	DEPARTMENT OF HEALTH SERVICES	000588	00 09/10/2013	660-6300-471.41-04	DIST CERT RENEWAL D2	211.40	211.40	
30515	00	DIAMOND HILLS AUTO GROUP INC	PI0948	026244 00 09/02/2013	702-3800-480.38-52	SENSOR UNIT #612	60.00	60.00	
480479CYN	00	PI0949	026244 00 09/13/2013	702-3800-480.30-05	UNIT 49 PWR STERING REPAR		123.43	123.43	
481244CYN	00	PI0950	026244 00 09/15/2013	702-3800-480.38-52	SEAL UNIT #804		635.51	635.51	
CVCS126747	00	PI0951	026244 00 09/16/2013	702-3800-480.30-05	UNIT 49 TROE SNSR REPAIRS		6.61	6.61	
CVCS126829	00	PI0952	026244 00 09/20/2013	702-3800-480.30-05	ALIGNMENT UNIT 49		508.53	508.53	
					VENDOR TOTAL *		79.95	79.95	
					VENDOR TOTAL *		1,354.03	1,354.03	
0001059	00	DOOLITTLE JAMES M	PI1081	026252 00 08/29/2013	430-2900-441.90-15	TAP SEWER LINE-RAMSEY & S	5,000.00	5,000.00	
0246	00				VENDOR TOTAL *		5,000.00	5,000.00	
0000814	00	E.S. BABCOCK & SONS INC	PI10905	026234 00 08/20/2013	660-6300-471.23-32	ANALYTICAL SERVICES	550.00	550.00	
BH30269-0030	00	PI10906	026234 00 08/20/2013	660-6300-471.23-32	ANALYTICAL SERVICES		165.00	165.00	
BH30294-0030	00	PI10907	026234 00 08/22/2013	660-6300-471.23-32	ANALYTICAL SERVICES		1,300.00	1,300.00	
BH30552-0030	00	PI10916	026234 00 07/25/2013	660-6300-471.23-32	ANALYTICAL SERVICES		3,300.00	3,300.00	
BG30874-0030	00	PI10917	026234 00 07/30/2013	660-6300-471.23-32	ANALYTICAL SERVICES		1,650.00	1,650.00	
BG31079-0030	00	PI10989	026234 00 08/05/2013	660-6300-471.23-32	ANALYTICAL SERVICES		45.00	45.00	
BH30292-0030	00	PI10990	026234 00 08/17/2013	660-6300-471.23-32	ANALYTICAL SERVICES		165.00	165.00	
BH30278-0030	00	PI10991	026234 00 08/20/2013	660-6300-471.23-32	ANALYTICAL SERVICES		975.00	975.00	
BH30770-0030	00	PI10992	026234 00 08/24/2013	660-6300-471.23-32	ANALYTICAL SERVICES		60.00	60.00	
BH30771-0030	00	PI10993	026234 00 08/24/2013	660-6300-471.23-32	ANALYTICAL SERVICES		165.00	165.00	
BG30124-0030	00	PI10995	026234 00 07/16/2013	660-6300-471.23-32	ANALYTICAL SERVICES		225.00	225.00	
BG30447-0030	00	PI10996	026234 00 07/20/2013	660-6300-471.23-32	ANALYTICAL SERVICES		165.00	165.00	
BG31217-0030	00	PI10997	026234 00 07/15/2013	660-6300-471.23-32	ANALYTICAL SERVICES		90.00	90.00	
					VENDOR TOTAL *		15.00	15.00	

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/P.DUE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	ERT, EPAY OR HAND ISSUED AMOUNT
0000814	00	E.S. BABCOCK & SONS, INC.						
BG31155-0030	PI0999	026234	00	07/25/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	90.00	
BG31155-0030	PI1000	026234	00	07/30/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	165.00	
BG311679-0030	PI1001	026234	00	08/02/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	165.00	
BG31673-0030	PI1002	026234	00	08/03/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	60.00	
BG31679-0030	PI1003	026234	00	08/03/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	60.00	
BG31823-0030	PI1004	026234	00	08/03/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	270.00	
BG32226-0030	PI1005	026234	00	08/08/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	90.00	
BG3286-0030	PI1006	026234	00	08/09/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	90.00	
BG32390-0030	PI1007	026234	00	08/10/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	165.00	
BG32820-0030	PI1008	026234	00	08/15/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	90.00	
BG32843-0030	PI1009	026234	00	08/15/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	150.00	
BG32853-0030	PI1010	026234	00	08/15/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	150.00	
BH32510-0030	PI1029	026234	00	08/10/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	190.00	
BH32668-0030	PI1030	026234	00	09/11/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	165.00	
BH32804-0030	PI1031	026234	00	09/12/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	90.00	
BH32005-0030	PI1032	026234	00	09/19/2013	660-6300-471-23-32	ANALYTICAL SERVICES WATER	60.00	
BG31566-0030	PI0980	026210	00	07/18/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	40.00	
BG30788-0030	PI0983	026210	00	07/17/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	40.00	
BG30788-0030	PI0984	026210	00	07/24/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	1,125.00	
BG30881-0030	PI0985	026210	00	07/25/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	40.00	
BG31536-0030	PI0986	026210	00	08/02/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	695.00	
BG32423-0030	PI0987	026210	00	08/15/2013	680-8000-454-23-32	ANALYTICAL SERVICES WW	40.00	
BH32577-0030	PI0994	026210	00	08/10/2013	680-8000-454-23-32	ANALYTICAL SERVICES WATER	40.00	
BH32157-0030	PI1027	026210	00	09/10/2013	680-8000-454-23-32	ANALYTICAL SERVICES WATER	40.00	
						VENDOR TOTAL *		12,860.00
0004993	00	ESCALANTE, TERRI						
2013-730	PI0923	026038	00	09/02/2013	001-1300-412-41-16	NOTARY SERVICES	10.00	
2013-904	PI1033	026038	00	09/11/2013	001-2740-442-23-07	NOTARY SERVICES	40.00	
						VENDOR TOTAL *		50.00
00000109	00	FLEET SERVICES INC						
5232270010	PI0882	026099	00	09/04/2013	7002-3800-480-38-52	UNIT #223 EXCHANGE SHOE	23.12	
52322110053	PI0910	026099	00	08/19/2013	7002-3800-480-38-52	UNIT 815 WATER DEPT	154.36	
5232230056	PI0924	026099	00	08/24/2013	7002-3800-480-38-52	SHOP INVENTORY	50.50	
52322190062	PI0935	026099	00	08/27/2013	7002-3800-480-38-52	RELAY WITH DIODE	22.29	
5232260024	PI0936	026099	00	09/03/2013	7002-3800-480-38-52	PPV 6PSI	29.57	
						VENDOR TOTAL *		304.84
0006062	00	FOSTER, SCOTT						
REIMBURSMENT	000597	00	09/11/2013	001-4010-461-23-06	AQUATICS CLASS MILEAGE	139.56		
REIMBURSMENT	000598	00	09/11/2013	001-4010-461-23-06	AQUATICS CLASS MEALS	34.33		
0006188	00	FRANKLIN MECHANICAL SYSTEMS, INC						
210757	000590	00	08/23/2013	001-2200-421.90-15	AC UNIT FOR DISPATCH	173.89		
0000448	00	GRAINGER						12,850.00
						VENDOR TOTAL *		12,850.00

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT/EPAY OR HAND-ISSUED AMOUNT
89053423	00	LAYNE CHRISTENSEN COMPANY	660-6300-471.95-08	C-6 REPAIR & INSTALL	82,764.34	82,764.34
0001620	00	LIU P.E. PETER H.	001-3000-442.33-53	TRAFFIC IMPACT ANALYSIS	3,400.00	3,400.00
2013-02		PI0947 026213 00	001-3000-351.35-61	TRAFFIC IMPACT ANALYSIS	3,400.00	3,400.00
2013-02		000594 00	002-0000-222.30-28	TRAFFIC IMPACT ANALYSIS		
2013-02		000595 00				
0006395	00	LOERA, JACK	00 09/20/2013	001-2200-421.23-06 PSP TRAINING MEAL	3,400.00	
MEAL	9/20/2013	000588				
0006398	00	LSA ASSOCIATES INC	002-0000-222.30-30	PARDEE GENERAL PLAN AMEND	5,162.50	5,162.50
123718		PI0925 025177 00	002-2830-441.33-11	PARDEE GENERAL PLAN AMEND	5,162.50	5,162.50
123718		000565 00	002-2830-351.35-30	PARDEE GENERAL PLAN AMEND		
0004765	00	MAGNUM BREEZE II INC DBA	002-3800-480.38-52	SPOTLIGHT FOR PD CAR	5,162.50	5,162.50
13342		PI0946 026169 00				
0006612	00	MARINA LANDSCAPE INC	660-6300-471.45-07	MONTHLY MAINT JUNE13	218.18	218.18
1830906300		PI1068 025922 00	660-6300-471.45-07	MONTHLY MAINT JULY13	1,000.00	1,000.00
1830907300		PI1069 025922 00	660-6300-471.45-07	MONTHLY MAINT JULY13	1,000.00	1,000.00
1830906300		PI1068 025922 00	660-6300-471.45-07	MONTHLY MAINT JUNE13		
0001721	00	MARTINEZ, DAVE	660-6300-471.25-06	WA RECONNECT CALL OUT	14.00	14.00
OT MEAL	8/22/13000582	00	08/22/2013	WA LEAK CALL OUT - RAMSEY		
OT MEAL	8/28/13000583	00	08/28/2013			
0006191	00	MCDONALD ROY	661-6300-471.90-78	FLUME RESTORATION	28.00	28.00
2013-8		PI0927 0265928 00	08/31/2013			
0000384	00	NAPA AUTO PARTS	702-3800-480.38-52	06 CV - TEMP ACCUMULAT	5,817.09	5,817.09
8223932		PI0885 026104 00	08/13/2013	702-3800-480.38-52 RELAY	25.91	25.91
8224067		PI0886 026104 00	08/14/2013	702-3800-480.38-52 RELAY	30.00	30.00
8224375		PI0887 026104 00	08/15/2013	702-3800-480.38-52 RELAY	30.00	30.00
8224750		PI0937 026104 00	08/20/2013	702-3800-480.38-52 SHOP INVENTORY	111.22	111.22
8225846		PI0938 026104 00	08/27/2013	702-3800-480.38-52 RELAYS	80.64	80.64
8225929		PI0939 026104 00	08/28/2013	702-3800-480.38-52 SPARK PLUG	12.29	12.29
8223315		PI0954 026104 00	08/08/2013	702-3800-480.38-52 HOSE ASSEMBLY	12.59	12.59
8224204		PI0955 026104 00	08/15/2013	702-3800-480.38-52 POST QUILE	51.12	51.12
8224886		PI0956 026104 00	08/21/2013	702-3800-480.38-52 OIL DRAIN	12.95	12.95
8225260		PI0957 026104 00	08/23/2013	702-3800-480.38-52 UNIT 213 LIT OFF SET		

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000384	00	NAPA AUTO PARTS						
825385		PI0958 026104 00	08/23/2013	702-3800-480-38-52	UNIT 40 TEMP COMPRESSOR	312.60		
825386		PI0959 026104 00	08/23/2013	702-3800-480-38-52	UNIT 40 TEMP FLUSH SOL	11.87		
826226		PI0960 026104 00	08/29/2013	702-3800-480-38-52	PART UNIT #213	2.15		
826272		PI0961 026104 00	08/30/2013	702-3800-480-38-52	UNIT 223 CIG LIGHTER	5.39		
826353		PI0962 026104 00	08/30/2013	702-3800-480-38-52	UNIT 223 SCOTT SEAL	75.58		
					VENDOR TOTAL *	884.60		
0006431	00	NT GOVERNMENT SERVICES INC	00 09/03/2013	001-2400-422-26-07	AUGUST SAT PHONE-FD	38.89		
30080728161		PI1040 026200 00			VENDOR TOTAL *	38.89		
0006660	00	NORMAN A. TRAUB ASSOCIATES INC	00 08/07/2013	001-2200-421-33-11	INVESTIGATION SERVICES	3,332.73		
13084		PI1017 026249 00	09/03/2013	001-2200-421-33-11	INVESTIGATION SERVICES	2,036.23		
13084.1		PI1067 026249 00			VENDOR TOTAL *	5,368.96		
0004076	00	O'REILLY AUTO PARTS						
26778-248510		PI0888 026105 00	09/13/2013	702-3800-480-38-52	MISC PARTS	128.07		
26778-249391		PI0963 026105 00	09/20/2013	702-3800-480-38-52	AC HOSE	170.49		
26778-249443		PI0964 026105 00	09/20/2013	702-3800-480-38-52	WASHER KITS	129.12		
26778-249561		PI0965 026105 00	09/21/2013	702-3800-480-38-52	BRAKE PADS	129.08		
					VENDOR TOTAL *	436.76		
0005811	00	OERTEL, ERICH	00 09/05/88	00 09/10/2013	001-2200-421-23-06	HPCPF TRAINING MEAL	12.00	
MEAL 9/18/2013					VENDOR TOTAL *	12.00		
0002460	00	OFFICE DEPOT						
673154031001		PI1078 026214 00	09/28/2013	001-2200-421-36-00	REPORT CVRS, TAPE, PENS	31.50		
673154031001		PI1080 026214 00	09/24/2013	001-2200-421-36-00	USB FOR RCD'S	21.59		
					VENDOR TOTAL *	53.09		
0002686	00	PACKHAM & TOOHEY INC						
081313		PI0903 026211 00	08/13/2013	600-5100-435-30-06	MONTHLY INSPECTION	200.00		
081313		PI0912 026211 00	07/22/2013	600-5100-435-30-06	MONTHLY INSPECTION	100.00		
081313		PI0904 026211 00	08/13/2013	702-3800-480-30-06	MONTHLY INSPECTION	125.00		
072213		PI0913 026211 00	07/22/2013	702-3800-480-30-06	MONTHLY INSPECTION	125.00		
					VENDOR TOTAL *	550.00		
0002487	00	PARKHOUSE TIRE, INC.						
2010354055		PI0940 026106 00	09/10/2013	702-3800-480-23-49	TIRES	21.00		
2010354055		PI0941 026106 00	09/10/2013	702-3800-480-38-52	TIRES	1,273.71		
0005440	00	PEREAA, SANDRA	00 000588	00 09/05/2013	001-2200-421-23-06	PSP TRAINING MEAL	12.00	
MEAL 9/5/2013					VENDOR TOTAL *	1,294.71		
0000858	00	PRUDENTIAL OVERALL SUPPLY						
					VENDOR TOTAL *	12.00		

VEND NO	SEQ#	INVOICE NO	VENOR NAME	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM NO	DESCRIPTION	AMOUNT	EFT	EPAY	OR HAND-ISSUED	AMOUNT
00000858	00	PRUDENTIAL	OVERALL SUPPLY						BUILDING MAIN UNIFORM					
20686492		PTI048	025408	00	05/07/2013		001-3200-412-25-02				2.10			
20692721		PTI1085	025408	00	05/21/2013		001-3200-412-25-02				2.10			
20699828		PTI1094	025408	00	06/04/2013		001-3200-412-25-02				2.10			
20702792		PTI1103	025408	00	06/13/2013		001-3200-412-25-02				2.10			
20706658		PTI1114	025408	00	06/18/2013		001-3200-412-25-02				2.10			
20709477		PTI1125	025408	00	06/25/2013		001-3200-412-25-02				2.10			
20689589		PTI1135	025408	00	05/28/2013		001-3200-412-25-02				2.10			
20696505		PTI1144	025408	00	05/28/2013		001-3200-412-25-02				2.10			
2103121		004690	025408	00	08/09/2013		001-3600-461-25-02				6.60			
20682640		PTI1061	025408	00	04/30/2013		001-3600-461-25-02				6.65			
20686491		PTI1074	025408	00	05/21/2013		001-3600-461-25-02				6.65			
20692719		PTI1084	025408	00	06/04/2013		001-3600-461-25-02				6.65			
20699827		PTI1093	025408	00	06/14/2013		001-3600-461-25-02				6.65			
20696505		PTI1102	025408	00	06/11/2013		001-3600-461-25-02				6.65			
20706657		PTI1113	025408	00	06/18/2013		001-3600-461-25-02				6.65			
20709476		PTI1124	025408	00	06/25/2013		001-3600-461-25-02				6.65			
20689588		PTI1134	025408	00	05/14/2013		001-3600-461-25-02				6.65			
2066483		PTI1107	025408	00	06/04/2013		001-3600-461-25-02				6.65			
20699825		PTI1109	025408	00	06/11/2013		001-3600-461-25-02				6.65			
20702789		PTI1110	025408	00	06/18/2013		001-3600-461-25-02				6.65			
20706655		PTI1121	025408	00	06/25/2013		001-3600-461-25-02				6.65			
20709474		PTI1131	025408	00	05/14/2013		001-3600-461-25-02				6.65			
20689584		PTI1140	025408	00	05/05/2013		001-3600-461-25-02				6.65			
20692716		PTI1140	025408	00	05/21/2013		001-3600-461-25-02				6.65			
20696502		PTI1140	025408	00	05/05/2013		001-3600-461-25-02				6.65			
21013124		PTI11070	025408	00	06/28/2013		610-5800-434-25-02				215.75			
20686490		PTI1072	025408	00	05/07/2013		610-5800-434-25-02				55.69			
2101082		PTI1091	025408	00	06/04/2013		610-5800-434-25-02				55.69			
20692717		PTI1111	025408	00	06/18/2013		610-5800-434-25-02				55.69			
20706656		PTI1112	025408	00	06/14/2013		610-5800-434-25-02				55.69			
20689587		PTI1132	025408	00	05/14/2013		610-5800-434-25-02				55.69			
20696503		PTI1142	025408	00	05/28/2013		610-5800-434-25-02				55.69			
20686490		PTI1173	025408	00	05/07/2013		610-5800-434-25-02				55.69			
20692717		PTI1183	025408	00	06/01/2013		610-5800-434-25-02				55.69			
20699826		PTI1192	025408	00	06/04/2013		610-5800-434-25-02				55.69			
20709475		PTI1112	025408	00	06/18/2013		610-5850-434-25-02				52.00			
20689587		PTI1123	025408	00	05/14/2013		610-5850-434-25-02				52.00			
20696503		PTI1143	025408	00	05/28/2013		610-5850-434-25-02				52.00			
20686485		PTI1046	025408	00	05/07/2013		610-5800-471-25-02				52.00			
20669789		PTI1050	025408	00	04/02/2013		660-6300-471-25-02				52.00			
20679773		PTI1053	025408	00	04/23/2013		660-6300-471-25-02				52.00			
20682634		PTI1057	025408	00	04/30/2013		660-6300-471-25-02				52.00			
20702785		PTI1097	025408	00	06/11/2013		660-6300-471-25-02				52.00			
20706651		PTI1106	025408	00	06/18/2013		660-6300-471-25-02				52.00			
21013393		PTI1117	025408	00	06/25/2013		660-6300-471-25-02				52.00			
206755987		PTI1052	025408	00	09/09/2013		670-7000-473-25-02				353.82			
											123.91			

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND ISSUED AMOUNT
2068643	00	PRUDENTIAL OVERALL SUPPLY	00	04/07/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91	
220686494		PII1062 025408 00	05/07/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
20692727		PII1075 025408 00	05/21/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220699830		PII1087 025408 00	06/04/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220702794		PII1096 025408 00	06/11/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220706660		PII1105 025408 00	06/18/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220709479		PII1116 025408 00	06/25/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220689592		PII1127 025408 00	07/02/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220696507		PII1137 025408 00	07/28/2013	670-7000-473-25-02	ELECTRIC UNIFORMS	123.91		
220686486		PII1146 025408 00	08/07/2013	680-8000-454-25-02	WW UNIFORMS	115.00		
220669790		PII11047 025408 00	04/02/2013	680-8000-454-25-02	WW UNIFORMS	113.50		
220709774		PII11051 025408 00	04/30/2013	680-8000-454-25-02	WW UNIFORMS	115.00		
220682635		PII11058 025408 00	06/11/2013	680-8000-454-25-02	WW UNIFORMS	115.00		
220702786		PII11098 025408 00	06/18/2013	680-8000-454-25-02	WW UNIFORMS	115.00		
220709471		PII11107 025408 00	06/25/2013	680-8000-454-25-02	WW UNIFORMS	115.00		
221011934		PII11118 025408 00	04/23/2013	702-3800-480-25-02	FLEET UNIFORMS	117.48-		
004687		004687 025408 00	08/09/2013	702-3800-480-25-02	FLEET UNIFORMS	116.39-		
004691		004691 025408 00	04/23/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220679776		PII1056 025408 00	04/23/2013	702-3800-480-25-02	FLEET UNIFORMS	115.60		
220679776		PII1059 025408 00	04/30/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220682637		PII1060 025408 00	06/04/2013	702-3800-480-25-02	FLEET UNIFORMS	115.60		
220682637		PII1088 025408 00	06/04/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220698824		PII1089 025408 00	06/04/2013	702-3800-480-25-02	FLEET UNIFORMS	115.60		
220698824		PII1099 025408 00	06/11/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220702788		PII1100 025408 00	06/18/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220706654		PII1108 025408 00	06/18/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220706654		PII1109 025408 00	06/25/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
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220689583		PII1129 025408 00	05/14/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
22092715		PII1130 025408 00	05/21/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
220689583		PII1138 025408 00	05/21/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
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220689583		PII1147 025408 00	05/21/2013	702-3800-480-25-02	FLEET UNIFORMS	111.68		
221013393		PII1014 025408 00	09/09/2013	761-3110-480-25-02	OVERCHARGE REFUNDS	265.48-		
220686493		PII1049 025408 00	05/07/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
22092724		PII1086 025408 00	05/21/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220698229		PII1095 025408 00	06/04/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220702793		PII1104 025408 00	06/11/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220706659		PII1115 025408 00	06/18/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220709478		PII1126 025408 00	06/25/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220689591		PII1136 025408 00	05/14/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
220696506		PII1145 025408 00	05/28/2013	761-3110-480-25-02	FSR UNIFORMS	20.00		
0004759	00	RACEWAY FORD INC	09/09/2013	702-3800-480-30-05	UNIT 230 A/C REPAIRS	1,107.98		
63771		PI0900 026117 00			VENDOR TOTAL *	1,853.25		

VEND NO	SEQ#	VENDOR NAME	BNK VOUCHER NO	P.O. NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EBAY OR HAND-ISSUED AMOUNT
0004759	00	RACEWAY FORD INC					VENDOR TOTAL *	1,107.98	
0099001	00	RAMIREZ, CHRISTINE	UT	00	09/09/2013	001-0000-218.22-22	UB CR REFUND	110.80	
0001555	00	RECORD GAZETTE, THE					VENDOR TOTAL *	110.80	
00091937	00	PI0908 026057 00	08/05/2013			001-2800-441.23-01	CUP 12-8002 PC	106.38	
00091940	00	PI0909 026057 00	08/05/2013			001-2800-441.23-01	ZTA 13-97503 & ORD 1469	100.63	
00092580	00	PI0880 026057 00	08/19/2013			110-5514-461.90-67	CDBG ADVERTISEMENT	483.00	
00000237	00	REDLANDS FORD					VENDOR TOTAL *	690.01	
5075301	00	PI0966 026107 00	08/15/2013			702-3800-480.38-52	PARKING BRAKE CABLE	54.05	
507523	00	PI0967 026107 00	08/26/2013			702-3800-480.38-52	WHEEL ASSEMBLY	157.42	
0004344	00	RELIABLE OFFICE SOLUTIONS					VENDOR TOTAL *	211.47	
654302-0	00	PI1044 026251 00	07/30/2013			001-2200-421.30-06	EQUIPMENT MAINT & REPAIR	25.15	
654303-0	00	PI1045 026251 00	07/30/2013			001-2200-421.30-06	EQUIPMENT MAINT & REPAIR	2.48	
0005926	00	REMOTE SATELLITE SYSTEMS INT. INC					VENDOR TOTAL *	27.63	
00059488	00	PI1077 026140 00	10/06/2013			001-2200-421.26-05	SATELLITE PHONE SVR	48.95	
0001327	00	RIV. CO. CLERK RECORDER					VENDOR TOTAL *	48.95	
RELEASES	000578	00	08/31/2013			001-2740-442.23-07	PENDANCY/LEIN RELEASES	52.00	
RELEASES	000579	00	08/31/2013			001-2740-442.23-07	FRAUD PROT TRUST FUND	40.00	
0003097	00	RIV. CO. DEPT OF ENVIRONMENTAL					VENDOR TOTAL *	92.00	
APR 1 - JUN 30	004777	00	08/13/2013			100-4900-431.23-24	VECTOR CONTROL	196.00	
0002946	00	RIVERSIDE, CITY OF					VENDOR TOTAL *	196.00	
214779	00	000605 00	09/09/2013			670-7010-473.33-11	UTILITY SVCS AGMT TSK ASNMT	4,500.00	
0003314	00	ROBERTSON'S					VENDOR TOTAL *	4,500.00	
197046	00	PI0982 026060 00	08/20/2013			660-6300-471.45-17	FILL SAND	624.35	
0003125	00	SAN GORGONIO PASS WATER AGENCY					VENDOR TOTAL *	624.35	
13-00049	00	PI1063 026159 00	09/03/2013			660-6300-471.27-14	PCS WATER AUGUST 2013	31,700.00	
0005336	00	SCCI INC DBA					VENDOR TOTAL *	31,700.00	
104250	00	PI0914 026223 00	07/16/2013			660-6300-471.33-11	SAFTY MTG 7/11/13 FORKLIF	250.00	

VEND NO	SEQ#	VENDOR NAME VOUCHER P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT/EPAY OR HAND-ISSUED AMOUNT
0005336	00	SCCI, INC	DBA			VENDOR TOTAL *	250.00	
0003856	00	SCHOEN, NICHOLAS	00	09/19/2013	001-2200-421.23-06	PSP TRAINING MEAL	12.00	
0001561	00	SMART & FINAL	026063	00	08/26/2013	VENDOR TOTAL *	12.00	
196271		PI0921	026063	00	201-4060-446.36-65	SENIOR MEAL	200.16	
0006127	00	SMITH, BRANDON	00	09/18/2013	001-2200-421.23-06	VENDOR TOTAL *	200.16	
MEAL	9/18/2013	000588	00	09/18/2013	001-2200-421.23-06	PSP TRAINING MEAL	12.00	
0001377	00	SO CAL WEST COAST ELECTRIC,	INC			VENDOR TOTAL *	12.00	
14277		PI0902	026187	00	08/20/2013	001-3200-412.30-02	FIRE DEPT BALLAST REPAIRS	203.52
14254		PI0979	026187	00	08/20/2013	001-3200-412.30-02	CHANGE BALLAST AT PD	89.67
0006565	00	SONSRAY MACHINERY LLC				VENDOR TOTAL *	293.19	
B21010		PI0977	026162	00	08/23/2013	702-3800-480.38-52	TUBE HYD EMERGENCY	173.89
B21089		PI0978	026162	00	08/27/2013	702-3800-480.38-52	RETURNED PART	215.62
B21094		000505	00	08/27/2013	702-3800-480.38-52	VENDOR TOTAL *	173.89-	
0000396	00	STAR AUTO PARTS				VENDOR TOTAL *	215.62	
1-880546		PI0891	026109	00	08/08/2013	702-3800-480.38-52	RADIATOR UNIT #66	106.24
1-881153		PI0892	026109	00	08/12/2013	702-3800-480.38-52	A/C CONDENSER	107.33
1-881393		PI0893	026109	00	08/13/2013	702-3800-480.38-52	BLOWER MOTOR RESISTOR	17.46
1-881400		PI0894	026109	00	08/13/2013	702-3800-480.38-52	ORANGE ORIFICE TUBE	2.25
1-882687		PI0895	026109	00	08/19/2013	702-3800-480.38-52	BATTERIES	269.87
1-882689		PI0896	026109	00	08/19/2013	702-3800-480.38-52	UPPER CYL. LUBE	25.73
1-882992		PI0897	026109	00	08/20/2013	702-3800-480.38-52	LUBE & FUEL FILTERS	71.71
1-883031		PI0898	026109	00	08/20/2013	702-3800-480.38-52	PARTS UNIT #224	149.43
1-8847401		PI0911	026109	00	07/24/2013	702-3800-480.38-52	QD ELECTRONIC CLEANER	34.15
1-884104		PI0942	026109	00	08/24/2013	702-3800-480.38-52	BLADE FUSE	5.09
1-884127		PI0943	026109	00	08/26/2013	702-3800-480.38-52	SPARK PLUGS & AIR FILTER	3.59
1-884218		PI0944	026109	00	08/27/2013	702-3800-480.38-52	STARTING FLUID	15.98
1-884330		PI0945	026109	00	08/27/2013	702-3800-480.38-52	O-RING	3.43
1-880245		PI0968	026109	00	08/07/2013	702-3800-480.38-52	BRAKE CABLE	1.62
1-880576		PI0969	026109	00	08/08/2013	702-3800-480.38-52	BRAKE CABLES	13.40
1-881408		PI0970	026109	00	08/13/2013	702-3800-480.38-52	SNAP-IN VALVE TR415	3.82
1-881804		PI0971	026109	00	08/14/2013	702-3800-480.38-52	AIR FILTER, LUBE FILTER	3.89
1-82856		PI0972	026109	00	08/20/2013	702-3800-480.38-52	TRANSMISSION FLUID	14.30
1-883069		PI0973	026109	00	08/21/2013	702-3800-480.38-52	TRANSMISSION FLUID	20.11
1-883179		PI0974	026109	00	08/21/2013	702-3800-480.38-52	BRAKE ROTOR	33.19
1-883506		PI0975	026109	00	08/21/2013	702-3800-480.38-52	SENSA-TRAC PASS	79.86
1-881566		PI0976	026109	00	08/22/2013	702-3800-480.38-52	RETURN BRAKE CABLE	58.04
		000576	00	08/13/2013	702-3800-480.38-52		18.25-	

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0000396 1-881567	00	STAR AUTO PARTS 000577	00 08/13/2013	702-3800-480.38-52 RETURN BRAKE CABLE	20.56-
0005562 TUITION	00	STUART, HOLLY 000581	00 08/26/2013	001-1300-412.25-09 TUITION REIMBURSEMENT	1,036.68
0006617 6	00	SUNRISE SERVICES PI0899 026110 00	08/29/2013	001-3200-412.36-03 JANITORIAL SUPPLIES	1,548.00
0005805 MEAL 9/18/2013	00	TAMMANY, NISSA 000588	00 09/18/2013	001-2200-421.23-06 PSP TRAINING MEAL	1,548.00
0004206 849-1575 849-8256	00	VERIZON CALIFORNIA AUG13 PI1020 026112 00 AUG13PI1032 026250 00	08/13/2013 08/16/2013	001-2200-421.26-05 SUSPECT PHONE 001-2200-421.26-05 POTS LINE	1,993.70
0005369 9710627400	00	VERIZON WIRELESS PI1028 026217 00	08/26/2013	001-2200-421.26-05 LAPTOP WIRELESS SVC	1,993.70
0005873 MEAL 9/16/2013	00	VOELTZ, RAY 000588	00 09/16/2013	001-2200-421.23-06 PSP TRAINING MEAL	12.00
0004846 W007155	00	WE-DO EQUIPMENT REPAIR & SUPPLY INC 000575	00 08/24/2013	702-3800-480.30-05 UNIT 339 HYDRAULIC REPAIR	12.00
0000873 069913763 069913763	00	XEROX CORPORATION PI1018 026221 00 PI1019 026221 00	09/01/2013 09/01/2013	001-2200-421.30-06 EQUIPMENT MAINT & REPAIR 001-2200-421.32-06 EQUIPMENT MAINT & REPAIR	426.49
0002857 MEAL 9/18/2013	00	YOUNGBLOOD, RICHARD 000588	00 09/18/2013	001-2200-421.23-06 PSP TRAINING MEAL	12.00
0099001 000078457 000078457	00	ZHANG , CHARLENE X UTT UTT	00 07/07/2011 00 09/12/2013	001-0000-218.22-22 UB CR REFUND-FINALS 001-0000-218.22-22 UB CR REFUND-FINALS	12.00
				VENDOR TOTAL *	1,303.63
				HAND ISSUED TOTAL *	71.51
				TOTAL EXPENDITURES ***	349,421.09
					71.51-

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VEND NO	SEQ#	VENDOR NAME	ACCOUNT	ITEM	EFT, EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER P.O. NO	BNK	CHECK/DUE NO	DESCRIPTION	AMOUNT

0099001 00

GRAND TOTAL ****

349,349.58

VEND NO	SEQ#	VENDOR NAME INVOICE NO	VOUCHER P.O. NO	BNK DATE	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0002073	00	A-Z BUS SALES, INC.	PI1153 026093	00 08/29/2013	00 08/29/2013	702-3800-480.38-52	UNIT 222 - KNOB ROLL STOP	367.48	367.48
BI59761							VENDOR TOTAL *		
0000034	00	AL'S KUBOTA TRACTOR	PI1176 026025	00 09/30/2013	00 09/30/2013	660-6300-471.45-16	AIR FILTER, AIR CLEANER	103.81	
327508			PI1220 026025	00 09/30/2013	00 09/30/2013	670-7000-473.45-16	DIAGNOSIS & SHARPENER	47.00	
327509			PI1224 026225	00 09/30/2013	00 09/30/2013	670-7000-473.89-56	TOOLS, HAND (NOT CLASSED)	1,005.65	
327510							VENDOR TOTAL *		
0006643	00	ALLEN REBUILT, INC	004786	00 04/02/2013	00 04/02/2013	702-3800-480.30-05	CYLINDER REPAIR - UNIT 222	216.00	216.00
9							VENDOR TOTAL *		
0099001	00	ALMANZA, BEATRICE E	UT 09/15/2013	00 09/15/2013	00 09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	16.20	16.20
000084067							VENDOR TOTAL *		
0002298	00	ALITURA CREDIT UNION	PRO920	00 09/20/2013	00 09/20/2013	001-0000-204.80-06	PAYOUT SUMMARY	1,260.00	1,260.00
20130920							VENDOR TOTAL *		
0003517	00	AQUA SOURCE COMMERCIAL POOL	PI1301 025896	00 06/17/2013	00 06/17/2013	001-4010-461.30-12	REPLACE WATER FLOW SWITCH	938.10	938.10
35423							VENDOR TOTAL *		
0005215	00	ARTAS, JOE	OT MEAL 9/14/1300694	00 09/14/2013	00 09/14/2013	670-7000-473.25-06	PWR OUTAGE CALL OUT	14.00	14.00
							VENDOR TOTAL *		
0006456	00	ARROW STAFFING SERVICE	000645	00 09/09/2013	00 09/09/2013	001-2200-421.23-27	ADAMSON, S (W/E 9/7/13)	453.60	453.60
00073698							VENDOR TOTAL *		
0099001	00	ASASHI JAPANESE MASSAGE	UT 09/15/2013	00 09/15/2013	00 09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	224.53	224.53
000077875							VENDOR TOTAL *		
0003008	00	ASPLUNDH TREE EXPERT CO.	PI1303 026265	00 09/06/2013	00 08/30/2013	670-7000-473.23-17	ELECTRIC DEPT SERVICES	3,514.80	
74G67113			PI1304 026265	00 08/30/2013	00 08/30/2013	670-7000-473.23-17	ELECTRIC DEPT SERVICES	2,636.10	
73U09513			PI1305 026265	00 08/30/2013	00 08/30/2013	670-7000-473.23-17	ELECTRIC DEPT SERVICES	3,514.80	
73U09613			PI1306 026265	00 08/30/2013	00 08/30/2013	670-7000-473.23-17	ELECTRIC DEPT SERVICES	3,514.80	
73U09713							VENDOR TOTAL *		
0006554	00	B.W. SIMMONS, INC	PI1280 025784	00 08/27/2013	00 08/27/2013	673-7000-473.90-16	2012-03 CORP YARD WALL	13,180.50	
6 BANNING							VENDOR TOTAL *		
0004522	00	BARNHART, SCOTT						228,793.06	
							VENDOR TOTAL *		

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VEND NO	SEQ#	VENDOR NAME INVOICE NO	BNK VOUCHER P.O. NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EBAY OR HAND-ISSUED AMOUNT
0004522	00	BARNHART, SCOTT	00	09/09/2013	660-6300-471.25-06	SWR LINE REPLCMT @ FLORD	28.00	28.00
OT MEALS	9/6/13000680					VENDOR TOTAL *		
0006091	00	BEAUMONT DO IT BEST HOME CENTER	00	07/03/2013	001-2400-422.33-95	PLUMBING SUPPLIES-FS89	13.73	
374600		PI11265 026027 00 09/04/2013			001-2400-422.33-95	PHONE SUPPLIES-ES89	16.06	
377600		PI11238 026027 00 09/16/2013			001-2400-422.33-95	KEYS FOR FIRE ADMIN	12.02	
378086		PI11239 026027 00 09/16/2013			001-2400-422.33-95	KEY FOR FIRE ADMIN	1.72	
378090		PI11240 026027 00 09/16/2013			100-4900-431.36-00	NO PARKING SIGNS	36.19	
377556		PI1177 026027 00 09/04/2013			702-3800-480.38-52	UNAPPLIED PMT CREDIT	25.14	
G41487		004787 00 04/24/2013				VENDOR TOTAL *		54.58
0004923	00	BEAUMONT LAWNMOWER	00	08/14/2013	100-4900-431.36-00	TRIMMER HEAD	70.15	
PO20111061		PI1149 026029 00 08/14/2013			702-3800-480.38-52	AIR FILTER	15.11	
PO20111060		PI1148 026029 00 08/14/2013				VENDOR TOTAL *		85.26
0002051	00	BIO-TOX LABORATORIES	00	09/09/2013	001-2200-421.33-31	MISCELLANEOUS SERVICES	2,117.00	
27484		PI1261 026178 00 09/09/2013			001-2200-421.33-31	MISCELLANEOUS SERVICES	2,183.00	
27483		PI1263 026209 00 09/09/2013			001-2200-421.33-31	MISCELLANEOUS SERVICES	2,251.00	
27485		PI1264 026209 00 09/09/2013			001-2200-421.33-31	MISCELLANEOUS SERVICES		
0099001	00	BOUCHARD, TRISTA	00	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	2,551.00	
000082425		UT				VENDOR TOTAL *		86.30
0099001	00	BUCHANAN PROPERTIES	00	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	86.30	
000084307		UT				VENDOR TOTAL *		20.00
0004577	00	CALDERON, SANDRA B	00	09/15/2013	001-2740-442.25-10	VISION REIMBURSEMENT	20.00	
EYEWEAR		00664				VENDOR TOTAL *		250.00
0004000	00	CALIFORNIA, STATE OF				VENDOR TOTAL *		250.00
991591		PI1309 026266 00 09/05/2013			001-1300-412.33-11	FINGERPRINTS - AUG	32.00	
992677		PI1262 026195 00 09/09/2013			001-2200-421.33-31	MISCELLANEOUS SERVICES	170.00	
R-08826	00	CARTE GRAPH SYSTEMS INC.			001-3000-442.30-17	CARTEFLEX RENEWAL	3,866.40	
0005980		PI1190 026257 00 10/01/2013				VENDOR TOTAL *		3,866.40
0099001	00	CHIANG GUERRERO & YOLANDA	00	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	5.47	
000081351		UT				VENDOR TOTAL *		5.47
0001022	00	COOPERATIVE PERSONNEL SVCS.						

VEND NO	SEQ#	VENDOR NAME	BNK VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
80951167	001022	00 COOPERATIVE PERSONNEL SVCS.	000685	00 07/29/2013	001-1300-412-41-17	ACCT CLERK CREDIT	35.00-	700.70-
TRTRN20109	SOP35348	000687	000692	00 09/05/2013	001-1300-412-41-17	CASHIER EXAM	35.00-	
TRTRN20708				00 09/13/2013	001-1300-412-41-17	CASHIER RETURN		
60037201	006214	00 CORELOGIC INFORMATION SOLUTIONS INC	PII1611 026240 00 08/05/2013	001-3000-442-30-17	MONTHLY USER FEES	VENDOR TOTAL *	630.70	
80951167			PII162 026240 00 08/31/2013	001-3000-442-30-17	MONTHLY USER FEES			
5040939	003412	00 CREATIVE BUS SALES INC	PII1266 026032 00 08/01/2013	610-5800-434-89-56	BICYCLE RACK & PARTS	VENDOR TOTAL *	133.36	
5040935			PII150 026032 00 08/26/2013	702-3800-480-38-52	ARM ASSY, SUPPORT			
4212	006149	00 CYBERTEK	PII194 026154 00 08/15/2013	703-3700-480-90-48	BARRACUDA MSG ARCHIVER	VENDOR TOTAL *	2,053.10	
0004223	900	D'SPAIN, PAMELA	9/12/13000674	00 09/12/2013	001-1900-412-23-06	CMRTA MEETING	VENDOR TOTAL *	5,829.01
0005335	900	DATUIN JR, CORNELIO	9/12/13000677	00 09/12/2013	001-1900-412-23-06	FISCAL POLICY TRAINING	VENDOR TOTAL *	52.32
XJ6T9K457	003787	00 DELL MARKETING LP	PII151 026035 00 08/23/2013	001-3000-442-89-48	DUAL MONITORS	VENDOR TOTAL *	41.25	
479102CVW	0005155	00 DIAMOND HILLS AUTO GROUP INC	PII163 026244 00 08/12/2013	702-3800-480-38-52	UNIT 213 - TUBE, PLUNGER	VENDOR TOTAL *	41.25	
21323879153	005552	00 DIRECTV	PII245 026123 00 09/10/2013	001-2200-421-26-09	TV SVC MOBILE CMD CTR	VENDOR TOTAL *	491.80	
0006424	000	DOLLAR TREE STORES	000637	00 09/17/2013	201-4060-446-36-65	BINGGO SUPPLIES	VENDOR TOTAL *	180.00
BH30159-0030	000814	00 E.S. BABCOCK & SONS INC	PII915 026234 00 07/17/2013	660-6300-471-23-32	ANALYTICAL SERVICES	VENDOR TOTAL *	180.00	
BH30032-0030			PII226 026234 00 09/18/2013	660-6300-471-23-32	ANALYTICAL SERVICES			
BH30619-0030			PII229 026234 00 08/23/2013	660-6300-471-23-32	ANALYTICAL SERVICES			
BH30777-0030			PII230 026234 00 08/24/2013	660-6300-471-23-32	ANALYTICAL SERVICES			
BH31015-0030			PII231 026234 00 08/27/2013	660-6300-471-23-32	ANALYTICAL SERVICES			

VEND NO	SEQ#	VENDOR NAME	ITEM DESCRIPTION	CHECK AMOUNT	EFT/EPAY OR HAND-ISSUED AMOUNT
0000814	00	E.S. BABCOCK & SONS, INC			
BH31198-0030	PI1232	026234 00 08/28/2013	660-6300-471-23-32	ANALYTICAL SERVICES	90.00
BH31587-0030	PI1233	026234 00 08/31/2013	660-6300-471-23-32	ANALYTICAL SERVICES	165.00
BH32868-0030	PI1234	026234 00 09/13/2013	660-6300-471-23-32	ANALYTICAL SERVICES	165.00
BH33010-0030	PI1235	026234 00 09/14/2013	660-6300-471-23-32	ANALYTICAL SERVICES	105.00
BH32020-0030	PI1248	026234 00 10/01/2013	660-6300-471-23-32	ANALYTICAL SVCS UCMR	1,725.00
BH31057-0030	PI1257	026234 00 08/27/2013	660-6300-471-23-32	ANALYTICAL SERVICES	5,080.00
BH31356-0030	PI1258	026234 00 08/30/2013	660-6300-471-23-32	ANALYTICAL SVCS UCMR	5,080.00
B130014-0030	PI1225	026210 00 09/18/2013	680-8000-454-23-32	ANALYTICAL SERVICES	40.00
BH31202-0030	PI1227	026210 00 08/28/2013	680-8000-454-23-32	ANALYTICAL SERVICES	40.00
BH31604-0030	PI1228	026210 00 08/31/2013	680-8000-454-23-32	ANALYTICAL SERVICES	40.00
			VENDOR TOTAL *		20,905.00
0003207	00	ELIZONDO, MARIO			
OT MEALS 9/5/13000680	00	09/09/2013	670-7000-473-25-06	STORM DMGE CALL OUTS	28.00
OT MEAL 9/10/13000693	00	09/10/2013	670-7000-473-25-06	DWN PWR LINE CALL OUT	14.00
			VENDOR TOTAL *		42.00
0005399	00	FOX OCCUPATIONAL MEDICAL CENTER			
22683-44969	PI1259	026041 00 09/04/2013	700-5020-480-41-14	PHYSICAL EXAMS	613.00
			VENDOR TOTAL *		613.00
0001375	00	GAS COMPANY, THE			
1266249600113PI1241	026111	00 09/12/2013	001-2400-422-26-06	SEPT GAS-FD	20.69
13392459007AG13PI1154	026101	00 08/23/2013	600-5100-435-26-06	JUL 24 - AUG 22	19.29
			VENDOR TOTAL *		39.98
0000393	00	HD SUPPLY POWER SOLUTIONS LTD			
2355192-00	PI1219	00 08/29/2013	670-0000-131.00-00	WIRE	7,819.20
			VENDOR TOTAL *		7,819.20
0001550	00	HD SUPPLY WATERWORKS LTD			
B395011	PI1236	00 09/24/2013	660-0000-131.00-00	BOLT & NUT KIT	364.23
B390923	PI1196	00 09/20/2013	660-6300-471.45-08	HEX HEAD BOLT, HEX NUT, W	32.49
			VENDOR TOTAL *		396.72
0003874	00	HEMET OIL COMPANY			
8112726	PI1182	026043 00 08/29/2013	702-3800-480-36-14	OIL	633.63
9114287	PI1274	026102 00 09/10/2013	702-3800-480-36-11	DIESEL FUEL	5,589.44
9114473	PI1275	026102 00 09/10/2013	702-3800-480-36-11	GASOLINE	24,197.39
8112157	PI1281	026102 00 08/19/2013	702-3800-480-36-11	GASOLINE	21,889.24
81122156	PI1282	026102 00 08/19/2013	702-3800-480-36-11	DIESEL FUEL	6,738.30
			VENDOR TOTAL *		59,048.00
0099001	00	HERNANDEZ CASTANEDA, CHRISTIAN			
000084683	UT	00 09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	2.74
			VENDOR TOTAL *		2.74
0005217	00	IBEW LOCAL 47 RETIREE MEDICAL TRUST			
20130920	PR0920	00 09/20/2013	001-0000-204.80-10	PAYROLL SUMMARY	1,773.02

**EXPENDITURE APPROVAL LIST
AS OF: 10/31/2013 CH**

EXPENDITURE APPROVAL LIST
AS OF: 10/31/2013 CHECK DATE: 09/19/2013

5

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	DESCRIPTION	CHECK	EFT, EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER NO	P.O. NO	DATE	NO	DATE	DESCRIPTION		AMOUNT	
0005217	00	IBEW LOCAL 47 RETIREE MEDICAL TRUST				VENDOR TOTAL *			1,773.02
0002297	00	ICWA RETIREMENT TRUST	457	09/20/2013	001-0000-204.16-00	PAYROLL SUMMARY			2,026.32
20130920		PRO920	00			VENDOR TOTAL *			2,026.32
0002274	00	INLAND WATER WORKS SUPPLY CO.				VENDOR TOTAL *			
255612		PI1184	00	08/29/2013	660-0000-131.00-00	BRASS CHECK VALVE, AERVOE			88.78
255613		PI1185	00	08/29/2013	660-0000-131.00-00	BRASS CHECK VALVE, AERVOE			288.20
255614		PI1186	00	08/29/2013	660-0000-131.00-00	BOLT & NUT SETS			961.20
255742		PI1187	00	08/29/2013	660-0000-131.00-00	BRASS ELL & COUPLINGS			887.26
254987		PI1285	00	09/04/2013	660-0000-131.00-00	BRASS NIPPLE			191.27
		PI1300	00	08/12/2013	680-8000-454.45-16	EPOXY KIT			71.28
						VENDOR TOTAL *			2,487.99
0005857	00	J G TUCKER & SON INC				VENDOR TOTAL *			
00081177		PI1222 026212	00	09/06/2013	670-7000-473.45-16	RADIO & TELECOMMUNICATION			113.40
00081177		PI1223 026212	00	09/06/2013	670-7000-473.45-16	SHIPPING AND HANDLING			10.94
0006651	00	JAYTOWN INDUSTRIES INC/CK GRP-1				VENDOR TOTAL *			124.34
1617		000671	00	08/13/2013	610-5800-434.36-00	CITY SEALS FOR SHELTERS			
0009001	00	KLER, AMANJIT S		09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS			280.80
000084441		UT				VENDOR TOTAL *			280.80
0004386	00	LANCE, SOLL & LUNCHARD, LLP				VENDOR TOTAL *			45.27
7603		PI1295 00	04/30/2013		001-1900-412.33-12	2012 FINAL GVT AUDIT			991.31
7603		PI1296 00	04/30/2013		761-3100-480.33-12	2012 FINAL GVT AUDIT			2,155.69
0006654	00	LEAF				VENDOR TOTAL *			3,147.00
100-2259957-001PI1188		026236 00	09/01/2013		610-5800-434.32-06	SEPTEMBER COPIER LEASE			151.67
100-2259957-001PI1189		026236 00	09/11/2013		610-5850-434.32-06	SEPTEMBER COPIER LEASE			151.68
09202013	00	LEAGUE OF CALIFORNIA CITIES				VENDOR TOTAL *			303.35
09202013		000678 00	09/11/2013		001-1000-411.23-05	ANNUAL BREAKFAST CONF			25.00
09202013		000679 00	09/11/2013		001-1000-411.23-05	ANNUAL BREAKFAST CONF			0.25
0099001	00	LEGENBELL, JIM		09/12/2013		VENDOR TOTAL *			25.25
84823-51054		000660 00			675-7020-473.42-35	ENERGY STAR AC REBATE			750.00
0003870	00	LEXISNEXIS MATTHEW BENDER				VENDOR TOTAL *			750.00
160860120130831PI1255		026208 00	09/25/2013		001-2200-421.41-20	INVESTIGATION SERVICES			170.00

VEND NO	SEQ#	VENDOR NAME	BNK VOUCHER P. O. NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY, HAND- ISSUED AMOUNT
00003870	00	LEXISNEXIS	MATTHEW BENDER			VENDOR TOTAL *	170.00	
0004968	00	LITHOPASS	PRINTING FORMS			BUSINESS CARDS - SPECK	43.20	
29769	PII178	026046	00 10/06/2013			BUSINESS CARDS-CHAON	43.20	
29770	PII179	026046	00 10/06/2013			OPERATIONS DEFECT RPT	198.96	
29733	PII177	026046	00 09/29/2013			FIXED RTE PSNGR SLIPS	248.51	
29629	PII168	026046	00 09/17/2013			VENDOR TOTAL *	533.87	
0005097	00	LYNCH, MIKE	00 09/05/2013			NO WTR CALL OUT - PORTER	14.00	
OT MEAL	9/5/13	000680				VENDOR TOTAL *	14.00	
0004765	00	MAGNUM BREEZE II, INC DBA				AUTO & TRUCK ACCESSORIES	549.71	
13381	PTI1250	025426	00 09/24/2013			ELECTRIC EQUIP. & HARDWARE	28.02	
13381	PTI1251	025426	00 09/24/2013			RADIO & TELECOMMUNICATION	1,180.47	
13381	PTI1252	025426	00 09/24/2013			100 WATT SPEAKER W/BRACK	180.07	
13315	PTI159	026169	00 09/08/2013			TROUBLESHOOT LIGHTBAR	146.10	
13377	PTI160	026169	00 09/24/2013			VENDOR TOTAL *	2,084.37	
0099001	00	MALONE JR, CHARLIE G	00 09/15/2013			NO WTR CALL OUT - PORTER	175.00	
000018851		UT				VENDOR TOTAL *	175.00	
00006612	00	MARINA LANDSCAPE, INC				AUTO & TRUCK ACCESSORIES	549.71	
1830906300	PTI1068	025922	00 09/12/2013			ELECTRIC EQUIP. & HARDWARE	28.02	
1830906300	PTI1068	025922	00 09/19/2013			RADIO & TELECOMMUNICATION	1,180.47	
1830906300	PTI1068	025922	00 09/12/2013			100 WATT SPEAKER W/BRACK	180.07	
1830907300	PTI1069	025922	00 09/12/2013			TROUBLESHOOT LIGHTBAR	146.10	
1830907300	PTI1069	025922	00 09/19/2013			VENDOR TOTAL *	2,000.00	
0001721	00	MARTINEZ, DAVE	00 09/16/2013			NO WTR CALL OUT - PORTER	175.00	
OT MEAL	9/12/13000680					VENDOR TOTAL *	175.00	
0001068	00	MATICH CORPORATION				AUTO & TRUCK ACCESSORIES	549.71	
158111	PTI1191	026047	00 08/22/2013			ELECTRIC EQUIP. & HARDWARE	28.02	
0000287	00	MC AVOY & MARKHAM				RADIO & TELECOMMUNICATION	1,180.47	
133839-1	PTI1302	00	08/15/2013			100 WATT SPEAKER W/BRACK	180.07	
0001212	00	MCLAUGHLIN, TIM				TROUBLESHOOT LIGHTBAR	146.10	
OT MEALS	9/5/13000680					VENDOR TOTAL *	2,000.00	
0006402	00	MITSUBISHI ELECTRIC & ELECTRONICS				NO WTR CALL OUT - PORTER	175.00	

VEND NO	SEQ#	VENDOR NAME	ITEM DESCRIPTION	CHECK AMOUNT	EFT/EPAY OR HAND-ISSUED AMOUNT
241899	00	MITSUBISHI ELECTRIC & ELECTRONICS	REGULAR MONTHLY SERVICE	270.00	
20130920	00	NATIONWIDE RETIREMENT SOLUTIONS	VENDOR TOTAL *	270.00	
		PRO920 00 09/20/2013 001-0000-204.16-00	PAYROLL SUMMARY		1,484.51
0002301	00	O'REILLY AUTO PARTS	VENDOR TOTAL *		1,484.51
2678-249710	00	PI1155 026105 00 09/22/2013	702-3800-480.38-52	UNIT 32 - COMPRESSOR, ET	278.64
2678-249799	00	PI1156 026105 00 09/23/2013	702-3800-480.38-52	AC HOSE FOR #32	344.87
0004076	00	OFFICE DEPOT	VENDOR TOTAL *		623.51
673216384001	00	PI1307 026050 00 09/28/2013	001-1900-412.36-00	BINDING SUPPLIES	47.00
671836389001	00	PI1152 026050 00 09/16/2013	001-3000-442.36-00	FILE RAILS, ENVELOPES, ET	302.61
0001277	00	PACIFIC ALARM SERVICE	VENDOR TOTAL *		349.61
R 94355	00	PI1205 025629 00 06/01/2013	001-2200-421.23-19	ALARM SVCS - JUN	215.00
R 94355	00	PI1206 025629 00 06/01/2013	001-2400-412.23-19	ALARM SVCS - JUN	442.50
R 94355	00	PI1207 025629 00 06/01/2013	001-3200-412.23-19	ALARM SVCS - JUN	174.50
R 94355	00	PI1208 025629 00 06/01/2013	001-3600-461.23-19	ALARM SVCS - JUN	101.00
R 94355	00	PI1209 025629 00 06/01/2013	001-4000-461.23-19	ALARM SVCS - JUN	153.50
R 94355	00	PI1210 025629 00 06/01/2013	001-4010-461.23-19	ALARM SVCS - JUN	62.50
R 94355	00	PI1211 025629 00 06/01/2013	001-4900-431.23-19	ALARM SVCS - JUN	18.54
R 94355	00	PI1212 025629 00 06/01/2013	201-4060-461.23-19	ALARM SVCS - JUN	99.50
R 94355	00	PI1213 025629 00 06/01/2013	600-5100-435.23-19	ALARM SVCS - JUN	49.50
R 94355	00	PI1214 025629 00 06/01/2013	660-6300-471.23-19	ALARM SVCS - JUN	57.50
R 94355	00	PI1215 025629 00 06/01/2013	660-6300-471.23-19	ALARM SVCS - JUN	18.51
R 94355	00	PI1216 025629 00 06/01/2013	670-7000-473.23-19	ALARM SVCS - JUN	33.43
R 94355	00	PI1217 025629 00 06/01/2013	702-3800-480.23-19	ALARM SVCS - JUN	18.51
R 94355	00	PI1218 025629 00 06/01/2013	761-3110-480.23-19	ALARM SVCS - JUN	18.51
0002487	00	PARKHOUSE TIRE, INC.	VENDOR TOTAL *		1,063.00
20130920	00	PI0889 026106 00 09/10/2013	702-3800-480.23-49	TIRES	7.00
2030113102	00	PI0890 026106 00 09/10/2013	702-3800-480.38-52	TIRES	1,448.54
2010353305	00	PI1157 026106 00 10/10/2013	702-3800-480.23-49	TIRES	3.50
2010353305	00	PI1158 026106 00 10/10/2013	702-3800-480.38-52	TIRES	294.71
0005191	00	PARS	VENDOR TOTAL *		1,753.75
20130920	00	PRO920	PAYROLL SUMMARY		186.60
005003	00	PARSONS WATER & INFRASTRUCTURE INC	VENDOR TOTAL *		186.60
1308A739	00	PI1181 020185 00 09/22/2013	683-8000-454.90-78	WWTP EXPANSION DESIGN&CM	1,891.50
0099001	00	PEPPERTREE APARTMENTS	VENDOR TOTAL *		1,891.50

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	BFT/ EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER P.O. NO							
0099001	00	PEPPERTREE APARTMENTS	UT	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	37.36	
0000064667			UT	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	41.11	
0000064667						VENDOR TOTAL *	78.47	
0099001	00	PORTER JR &, RONALD L	UT	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	125.15	
0000084949						VENDOR TOTAL *	125.15	
00000858	00	PRUDENTIAL OVERALL SUPPLY	PI1203	025408 00 06/11/2013	610-5800-434.25-02	TRANSIT UNIFORMS	55.69	
20702790			PI1204	025408 00 06/11/2013	610-5850-434.25-02	TRANSIT UNIFORMS	8.86	
20682642			PI1328	025408 00 04/30/2013	761-3110-480.25-02	FSR UNIFORMS	20.00	
00052442	00	PUBLIC AGENCY RETIREMENT SERVICES	000619	09/11/2013	001-1900-412.33-11	PARS ADMIN - JUL	84.55	
26758						VENDOR TOTAL *	84.55	
0005115	00	PURVIS, LEONARD	006655	09/15/2013	001-2200-421.23-05	IACP CONF FLIGHT	407.80	
REIMBURSEMENT						VENDOR TOTAL *	407.80	
0004759	00	RACEWAY FORD INC	PI1165	026117 00 09/30/2013	702-3800-480.30-05	UNIT 40 - REPLIC ENT STRUT	219.00	
665267			PI1172	026117 00 09/23/2013	702-3800-480.30-05	UNIT 35 - ABS/BRAKE REPAR	865.37	
664541			PI1173	026117 00 09/23/2013	702-3800-480.30-05	UNIT 605 - TRANS REPLCMT	2,616.99	
0001555	00	RECORD GAZETTE THE	270813AR	026242 00 09/06/2013	001-5400-446.41-86	BANNING HISTORY BOOKS	3,701.36	
						VENDOR TOTAL *	3,701.36	
0006610	00	REDLANDS BLUEPRINT & COMMERCIAL	PI1169	026058 00 08/2013	110-5514-461.90-67	2013-03 - PLANS/SPECS	2,695.00	
93896			PI1170	026058 00 08/29/2013	110-5514-461.90-67	2013-03 PLANS AND SPECS	313.09	
93952			PI1167	026058 00 08/07/2013	430-2900-441.90-15	2013-05 - SPECS	181.29	
93817			PI1168	026058 00 08/08/2013	430-2900-441.90-15	2013-05 - PLANS	34.83	
93895			PI1166	026058 00 08/06/2013	660-6300-471.23-02	2011-01W - PLANS & SPECS	12.74	
93886						VENDOR TOTAL *	183.77	
0004344	00	RELIABLE OFFICE SOLUTIONS	PI1200	026059 00 07/30/2013	001-4000-461.36-00	PAPER	725.72	
654156-0			PI1201	026059 00 07/30/2013	001-4050-461.36-00	PAPER	101.16	
654156-0			PI1202	026059 00 07/30/2013	610-5800-434.36-00	PAPER	101.16	
0001317	00	RIVERSIDE, COUNTY OF	000635	08/31/2013	001-2200-321.18-06	PARKING CITATION ASSMTS	303.48	
AUG 2013						VENDOR TOTAL *	303.48	
0006477	00	ROBERT HALF INTERNATIONAL				VENDOR TOTAL *	300.10	
						VENDOR TOTAL *	300.10	

VEND NO	SEQ#	VENDOR NAME	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER P.O. NO	BNK ACCOUNT NO	ACCOUNT NO	DATE	CHECK DATE
0006477	00	ROBERT HALF INTERNATIONAL			
38610178	000626	00 08/26/2013	001-3000-442-23-27	WILLIAMS, L (W/E 8/23/13)	85.16
38694255	000638	00 09/09/2013	001-3000-442-23-27	WILLIAMS, L (W/E 9/6/13)	63.28
38655258	000648	00 09/02/2013	001-3000-442-23-27	WILLIAMS, L (W/E 8/30/13)	88.06
38610178	000627	00 08/26/2013	001-3200-412-23-27	WILLIAMS, L (W/E 8/23/13)	137.43
38694255	000639	00 09/09/2013	001-3200-412-23-27	WILLIAMS, L (W/E 9/6/13)	102.11
38655258	000649	00 09/02/2013	001-3200-412-23-27	WILLIAMS, L (W/E 8/30/13)	142.10
38610178	000628	00 08/26/2013	100-4900-431-23-27	WILLIAMS, L (W/E 8/23/13)	244.95
38694255	000640	00 09/09/2013	100-4900-431-23-27	WILLIAMS, L (W/E 9/6/13)	179.79
38655258	000650	00 09/02/2013	100-4900-431-23-27	WILLIAMS, L (W/E 8/30/13)	250.19
38610178	000629	00 08/26/2013	600-5100-435-23-27	WILLIAMS, L (W/E 8/23/13)	96.78
38694255	000641	00 09/09/2013	600-5100-435-23-27	WILLIAMS, L (W/E 9/6/13)	71.91
38655258	000651	00 09/02/2013	600-5100-435-23-27	WILLIAMS, L (W/E 8/30/13)	100.07
38610178	000630	00 08/26/2013	600-6300-471-23-27	WILLIAMS, L (W/E 8/23/13)	135.49
38694255	000642	00 09/09/2013	600-6300-471-23-27	WILLIAMS, L (W/E 9/6/13)	100.67
38655258	000652	00 09/02/2013	600-6300-471-23-27	WILLIAMS, L (W/E 8/30/13)	140.11
38610178	000631	00 08/26/2013	680-8000-454-23-27	WILLIAMS, L (W/E 8/23/13)	135.49
38694255	000643	00 09/09/2013	680-8000-454-23-27	WILLIAMS, L (W/E 9/6/13)	100.67
38655258	000653	00 09/02/2013	680-8000-454-23-27	WILLIAMS, L (W/E 8/30/13)	140.11
38610178	000632	00 08/26/2013	690-9600-453-23-27	WILLIAMS, L (W/E 8/23/13)	135.49
38694255	000644	00 09/09/2013	690-9600-453-23-27	WILLIAMS, L (W/E 9/6/13)	100.67
38655258	000654	00 09/02/2013	690-9600-453-23-27	WILLIAMS, L (W/E 8/30/13)	140.11
			VENDOR TOTAL *		2,687.64
0006071	00	ROCKWELL, AMBER COMP LOAN	00 09/17/2013	761-0000-116-21-02 COMPUTER LOAN	1,223.49
0099001	00	SAN GORGONIO MEMORIAL HOSPITAL	00 09/02/2013	001-2200-421-36-07 GOLF TOUN DINNER - PURVIS	1,223.49
09242013	000655			VENDOR TOTAL *	60.00
0003841	00	SASE COMPANY, INC.	00 07/24/2013	001-0000-201-10-00 SALES AND USE TAX CUTTER SET	60.00
INV121667	000624	00 07/24/2013	702-3800-430.38-52	VENDOR TOTAL *	40.98-
INV121667	000623	00 07/24/2013	702-3800-430.38-52	VENDOR TOTAL *	596.03
0099001	00	SCALISE, SHIRLEY	00 09/12/2013	675-7020-473-42-66 ENERGY STAR WINDOW REBATE	555.05
41935-17836	000662	00 09/15/2013	001-0000-218.22-22 UB CR REFUND-FINALS	224.00	
0099001	00	SINGJAM &, MOEI	00 09/15/2013	VENDOR TOTAL *	224.00
000083499	00	SITETECH INC	00 09/22/2013	660-6300-471.33-11 CONSTRUCTION SURVEYING	14.32
130810	00	PI1249	00 09/22/2013	VENDOR TOTAL *	2,050.00
0001561	00	SMART & FINAL		VENDOR TOTAL *	2,050.00

VEND NO	SEQ#	VENDOR NAME INVOICE NO	VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001561 190648 190648 190648	00	SMART & FINAL	PI1271 026063 00 09/12/2013 PI1272 026063 00 09/12/2013 PI1273 026063 00 09/12/2013	001-4000-461-36-00 201-4050-446-36-00 610-5800-434-36-00	CLEANING SUP/SR/CCCTR/TR CLEANING SUP/SR/CCCTR/TR CLEANING SUP/SR/CCCTR/TR	VENDOR TOTAL *	90.82	30.28 30.27 30.27
0004391 OT MEALS 9/5/13000680	00	SMITH, JASON	00 09/09/2013	670-7000-473.25-06	STORM DMGE CALL OUTS	VENDOR TOTAL *	28.00	28.00
0099001 83409-5198	00	SNYDER, GERALD	00 09/12/2013	675-7020-473.42-66	ENERGY STAR WINDOW REBATE	VENDOR TOTAL *	28.00	28.00
0001370 2633150 2634198	00	SOUTH COAST AIR QUALITY	00 08/05/2013 00 08/05/2013 00 08/05/2013	680-8000-454.41-04 680-8000-454.41-04	ICE EM ELEC GEN - DIESEL LAST FY EMISSIONS	VENDOR TOTAL *	722.00	722.00
0001371 2011958816AUG13PI1221	00	SOUTHERN CALIFORNIA EDISON	026198 00 09/05/2013	670-7000-473.26-04	AUG 1 - SEP 1	VENDOR TOTAL *	58.27	58.27
0099001 000083163	00	SPENCER, LINETTE H	00 09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	VENDOR TOTAL *	58.27	58.27
0003952 72782	00	STATEWIDE TOWING & RECOVERY, INC	00 08/19/2013	702-3800-480.30-05	UNIT 809 - TOWING SVCS	VENDOR TOTAL *	118.52	118.52
0001126 69719	00	STUNGARD PUBLIC SECTOR INC	PI1198 026235 00 09/08/2013	761-3100-480.23-46	TRANS MGR - JUL	VENDOR TOTAL *	425.00	425.00
0004939 425560	00	SUPER SUBS +	00 09/11/2013	001-1300-412.41-15	ORAL ERD LNCH - PD ASST	VENDOR TOTAL *	156.01	156.01
0004937 SI077417	00	TANGENT COMPUTER	PI1195 026164 00 08/24/2013	703-3700-480.30-17	SPAM FILTER	VENDOR TOTAL *	25.97	25.97
0099001 000083777	00	TARABINO, TRAVIS M	00 09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	VENDOR TOTAL *	1,000.00	34.08
0099001 61787-16052	00	TIERNEY, MARCY	00 09/12/2013	675-7020-473.42-35	ENERGY STAR AC REBATE	VENDOR TOTAL *	34.08	34.08
0006634	00	TRANSPORTATION MGMT & DESIGN, INC				VENDOR TOTAL *	750.00	750.00

VEND NO	SEQ#	VENDOR NAME	ITEM DESCRIPTION	ACCOUNT NO	CHECK AMOUNT	EFT / EPAY OR HAND-ISSUED AMOUNT
80006634	00	TRANSPORTATION MGMT & DESIGN, INC	ON B-COUNTS/RIDER SURVEY	610-5800-434-33-11	4,371.52	
814-2		PT1299 026020 00 08/01/2013			4,371.52	
00002403	00	TURBO DATA SYSTEMS INC	VENDOR TOTAL *		324.21	
20558		PT1256 026218 00 09/07/2013	001-2200-421.23-45	MISCELLANEOUS SERVICES		
00000871	00	UNDERGROUND SERVICE ALERT	VENDOR TOTAL *		324.21	
820130038		PT1286 026132 00 09/26/2013	100-4900-431.30-13	AUG DIG ALERTS	42.50	
820130038		PT1287 026132 00 09/26/2013	660-6300-471.45-08	AUG DIG ALERTS	42.50	
820130038		PT1288 026132 00 09/26/2013	670-7000-473.45-02	AUG DIG ALERTS	42.50	
00006227	00	UNITED ROTARY BRUSH CORPORATION	VENDOR TOTAL *		127.50	
276759R		PT1039 026253 00 08/23/2013	100-4900-431.38-57	TO CORRECT PO	113.43-	
276902		PT1180 026253 00 09/05/2013	100-4900-431.38-57	PARTS FOR STREET SWEEPER	113.43	
276759		000688 026253 00 08/23/2013	100-4900-431.38-57	STREET SWEEPER SUPPLIES	113.43	
276759A		000689 026253 00 08/23/2013	100-4900-431.38-57	STREET SWEEPER SUPPLIES	113.43	
0003770	00	UNITED STATES POSTAL SERVICE	VENDOR TOTAL *		226.86	
POSTAGE		000646 PRO920 00 09/11/2013	001-4500-412.23-04	POSTAGE		
0002269	00	UNITED WAY OF THE INLAND VALLEY	VENDOR TOTAL *		5,000.00	
20130920		PRO920 00 09/20/2013	001-0000-204.60-00	PAYROLL SUMMARY		
0002283	00	USA MOBILITY WIRELESS	VENDOR TOTAL *		88.50	
W0185223I		PT1290 026090 00 08/31/2013	100-4900-431.23-22	SEP 1 - SEP 30	16.12	
W0185223I		PT1291 026090 00 08/31/2013	660-6300-471.23-22	SEP 1 - SEP 30	16.12	
W0185223I		PT1292 026090 00 08/31/2013	670-7000-473.23-22	SEP 1 - SEP 30	16.12	
W0185223I		PT1293 026090 00 08/31/2013	702-3800-480.23-22	SEP 1 - SEP 30	16.11	
0004206	00	VERIZON CALIFORNIA	VENDOR TOTAL *		64.47	
849-4532	SEP13	PT1242 026113 00 09/16/2013	001-2200-421.26-05	PD ALARM SYSTEM	93.12	
849-6777	SEP13	PT1243 026114 00 09/01/2013	001-2200-421.26-05	ELEVATOR PHONE	90.37	
PLN-5001	SEP13	PT1244 026121 00 09/01/2013	001-2200-421.26-05	RIV RADIO CIRCUIT	164.97	
922-3301	SEP13	000676 026121 00 09/01/2013	001-2300-424.26-05	SEP 1 - SEP 30	192.26	
849-3260	SEP13	000673 026121 00 08/28/2013	001-4500-412.26-05	AUG 28 - SEP 27	146.12	
922-3201	SEP13	000675 026116 00 09/01/2013	001-4500-412.26-05	SEP 1 - SEP 30	225.42	
QR5-7265	SEP13	PT1237 026116 00 08/25/2013	370-2200-421.26-05	JPA FRAME RELAY	488.13	
0005369	00	VERIZON WIRELESS, CK GRP-1	VENDOR TOTAL *		1,400.39	
9710856458		000671 00 09/01/2013	001-1200-412.26-05	AUG 2 - SEP 1	104.16	
9710856458		000671 00 09/01/2013	001-1210-412.26-05	AUG 2 - SEP 1	26.11	
9710856458		000671 00 09/01/2013	001-1300-412.26-05	AUG 2 - SEP 1	57.72	

VEND NO	SEQ#	VENDOR NAME	BNK P.O. NO	ACCOUNT NO	CHECK/DUE DATE	ITEM NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
9710856458	00	VERIZON WIRELESS, CK GRP-1	000670	09/01/2013	001-1900-412.26-05	AUG 2 -	SEP 1	71.82	411.67
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-2200-421.26-05	AUG 2 -	SEP 1	10.87	38.01
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-2210-421.26-05	AUG 2 -	SEP 1	38.76	38.76
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-2400-422.26-05	AUG 2 -	SEP 1	182.90	182.90
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-2700-442.26-05	AUG 2 -	SEP 1	39.46	39.46
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-3000-442.26-05	AUG 2 -	SEP 1	61.60	61.60
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-3200-412.26-05	AUG 2 -	SEP 1	111.48	111.48
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	001-4000-461.26-05	AUG 2 -	SEP 1	115.21	115.21
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	100-4900-431.26-05	AUG 2 -	SEP 1	285.27	285.27
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	203-2200-446.36-00	AUG 2 -	SEP 1	32.55	32.55
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	610-5800-434.26-05	AUG 2 -	SEP 1	285.12	285.12
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	610-5850-434.26-05	AUG 2 -	SEP 1	296.19	296.19
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	660-6300-471.26-05	AUG 2 -	SEP 1	37.66	37.66
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	670-7000-473.26-05	AUG 2 -	SEP 1	38.39	38.39
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	680-8000-454.26-05	AUG 2 -	SEP 1	76.64	76.64
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	702-3800-480.26-05	AUG 2 -	SEP 1	10.81	10.81
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	703-3700-480.26-05	AUG 2 -	SEP 1	62.47	62.47
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	761-3100-480.26-05	AUG 2 -	SEP 1	2,294.87	2,294.87
9710856458	00	VERIZON WIRELESS, CK GRP-1	000671	09/01/2013	761-3110-480.26-05	AUG 2 -	SEP 1	1,194.91	1,194.91
0001890	00	VISTA PAINT	PI1175	026065	08/12/2013	100-4900-431.36-00	PERMASEAL PAINT	*	*
2013 874428 00	PI1197	026202	08/27/2013	660-6300-471.45-17	\$400	3C3 PG64-10	VENDOR TOTAL *	1,194.91	1,194.91
00066550	00	VULCAN MATERIALS	PI1197	026202	08/27/2013	660-6300-471.45-17	\$400	3C3 PG64-10	479.52
70058267							VENDOR TOTAL *		479.52
0001436	00	WASTE MANAGEMENT OF THE	000690	08/23/2013	690-9600-453.23-10	REFUSE	VENDOR TOTAL *	2229,366.37	479.52
AUG 2013							VENDOR TOTAL *		479.52
0004846	00	WE-DO EQUIPMENT REPAIR & SUPPLY INC	004785	05/11/2013	702-3800-480.30-05	HYDRAULIC REPAIR	VENDOR TOTAL *	2229,366.37	182.53
W074735							VENDOR TOTAL *		182.53
0001090	00	WENDT, CARL W.	PI1308	026133	09/16/2013	660-6300-471.15-16	RETIREMENT BENEFITS	VENDOR TOTAL *	473.38
OCT 2013							VENDOR TOTAL *		473.38
0006184	00	WILLDAN ENGINEERING	PI1174	026233	09/06/2013	001-2700-442.33-11	B&S SERVICES - AUGUST 2013	VENDOR TOTAL *	7,042.03
002-13701			PI1246	026144	09/06/2013	700-5040-480.33-11	ADA AUDIT	VENDOR TOTAL *	980.00
002-13702							VENDOR TOTAL *		8,022.03
0099001	00	WILLSON, HAYWARD L.	UT	00	09/15/2013	001-0000-218.22-22	UB CR REFUND-FINALS	VENDOR TOTAL *	58.99
000083829							VENDOR TOTAL *		58.99
0004352	00	WOODS, JASON					VENDOR TOTAL *		58.99

PREPARED 09/19/2013 , 15:45:39
PROGRAM: GM339L
CITY OF BANNING

EXPENDITURE APPROVAL LIST
AS OF: 10/31/2013 CHECK DATE: 09/19/2013

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VEND NO	SEQ#	VENDOR NAME	ITEM DESCRIPTION	ACCOUNT NO	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
OT MEALS	9/5/13000680	WOODS, JASON	670-7000-473.25-06 STORM DMGE CALL OUTS	00 09/09/2013		28.00
OT MEALS	9/6/13000680	WOODSTOCK, WARREN	660-6300-471.25-06 SWR LINE REPLMT @ FLORD	00 09/09/2013		28.00
0005135	00	YOUNGBLOOD & ASSOCIATES	VENDOR TOTAL *			28.00
1060A	PI11247	026165 00 09/06/2013	001-1300-412.33-11			
1011A	PI11326	026165 00 07/23/2013	001-1300-412.33-11			
1015A	PI11327	026165 00 07/25/2013	001-1300-412.33-11			
0006499	00	ZENNER PERFORMANCE METERS INC	VENDOR TOTAL *			600.00
0021744-IN	PI11192	026066 00 08/15/2013	660-6300-471.45-11			
0021797-IN	PI1193	026066 00 08/21/2013	660-6300-471.45-11			
			CERTIFIED TEST 39461863			50.00
			CERTIFIED TEST 39461863			50.00
			VENDOR TOTAL *			
			HAND ISSUED TOTAL ***			100.00
						3,000.00-
			GRAND TOTAL *****			651,276.52
			TOTAL EXPENDITURES *****			3,000.00-
						648,276.52

VEND NO	SEQ#	VENDOR NAME	ITEM	CHECK AMOUNT	EFIT, EPAY OR HAND-ISSUED AMOUNT
INVOICE NO	VOUCHER NO	P.O. NO	ACCOUNT NO	DESCRIPTION	
0002073	00	A-Z BUS SALES INC	702-3800-480.38-52	TAPER SWITCH	418.97
BI60307		026093 09/09/2013			
0004727	00	ACTION DOOR CONTROLS INC	001-3200-412.30-02	REPAIR DOOR AT CITY HALL	418.97
33768		PI1411 026268 09/10/2013			963.72
0004781	00	ADVANCE WORKPLACE STRATEGIES INC	001-1300-412.33-32	DRUG TESTING	963.72
253906		PI1415 026076 09/10/14/2013			
0002454	00	AIRGAS WEST	660-6300-471.36-08	RENT CYL ACETYLENE	206.00
9912220080		PI1425 026022 09/25/2013	670-7000-473.45-05	NITROGEN	128.60
9912220079		PI1398 026022 09/25/2013			128.60
0003597	00	ALL STAR GLASS INC	702-3800-480.30-05	WINDSHIELD REPAIRS	257.20
ICT011786		PI1357 026024 09/11/2013			173.00
0000903	00	AMERICAN AIR SERVICE	001-3200-412.30-21	SR CNTR WA CURTAIN REPAIR	173.00
33353		PI1339 026224 09/11/2013			100.00
0003294	00	AMERICAN SOCIETY OF CIVIL	001-3000-442.23-03	MEMBERSHIP RENEWAL - VELA	100.00
1042561720		000724 09/19/2013			
0004970	00	ARMITAGE, STEVE	100-4900-431.33-32	PHYSICAL EXAM	280.00
REIMBURSEMENT		004795 06/19/2013			280.00
0006456	00	ARROW STAFFING SERVICE	001-1300-412.41-17	COMP TESTING - PD ASST	76.00
50732		000716 09/18/2013			76.00
0003008	00	ASPLUNDH TREE EXPERT CO.	670-7000-473.23-17	ELECTRIC DEPT SERVICES	80.00
74W04713		PI1396 026265 09/13/2013			80.00
0006190	00	ASSURANT EMPLOYEE BENEFITS	001-0000-204.32-00	DENTAL PREMIUMS	2,636.10
OCT 2013		000736 09/01/2013	001-0000-204.30-00	LIFE PREMIUMS	6,952.25
OCT 2013		000737 09/01/2013	001-0000-204.14-00	LTD-STD PREMIUMS	5,369.50
OCT 2013		000738 09/01/2013			3,214.12
0003844	00	AT&T MOBILITY	001-2200-421.26-05	DP PROCESSING & SOFTWARE	15,535.87
992351038X0913		PI1418 026174 09/19/2013	001-2200-421.26-05	DP PROCESSING & SOFTWARE	1,545.83
999374722X0913		PI1419 026174 09/19/2013	001-2200-421.26-05	DP PROCESSING & SOFTWARE	181.80

VEND. NO.	SEQ#	VENDOR NAME	ACCOUNT NO.	BANK	CHECK/DUE DATE	ITEM NO.	DESCRIPTION	CHECK AMOUNT	EFT, EBAY OR HAND-ISSUED AMOUNT
0003844	00	AT&T MOBILITY					VENDOR TOTAL *	1,727.63	
0003933	00	AUTOMATED GATE SERVICES, INC.	001-3200-412.30-06	REPAIR	CORP YARD GATE		197.00		
88493		PI1355 026262 00 07/03/2013					197.00		
0003674	00	BEAUTMONT, CHERRY VALLEY WATER	660-6300-471.27-14	WATER RECHARGE	FE AUG 13		6,114.00		
0000089		PI1416 026160 00 10/04/2013					6,114.00		
0006091	00	BEAUTMONT, DO IT BEST HOME CENTER	001-2400-422.33-95	COMM ENTRY	LEVER-FS89		97.19		
377392		PI1253 026027 00 08/30/2013	001-2400-422.33-95	KEYS-FS89			8.59		
377639		PI1427 026027 00 09/05/2013	001-2400-422.33-95	SPRAY PAINT-FS89			19.38		
377692		PI1428 026027 00 09/06/2013	001-2400-422.33-95	OUTLET STRIP-FS89			15.42		
378351		PI1429 026027 00 09/20/2013	001-2400-422.33-95	LOOP CHAIN-FS89			16.33		
378513		PI1430 026027 00 09/24/2013	001-2400-422.33-95	LIGHT BULBS ETC-FS89			6.92		
376505		PI1436 026027 00 08/12/2013	001-2400-422.33-95	KEYS-FS89			5.15		
377078		PI1437 026027 00 08/23/2013	001-2400-422.33-95	DEPT SUPPLIES			6.06		
377935		PI1343 026027 00 09/12/2013	001-3600-461.36-00	DEPT SUPPLIES			13.55		
377935		PI1344 026027 00 09/12/2013	100-4900-431.38-54	DEPT SUPPLIES			13.55		
378145		PI1345 026027 00 09/23/2013	100-4900-431.38-54	MISC SUPPLIES			15.63		
377752		PI1342 026027 00 09/09/2013	702-3800-480.38-52	BOLTS			15.98		
						VENDOR TOTAL *	267.49		
0001529	00	BURK, DUANE	00 09/26/2013	660-6300-471.36-07	LUNCH MTG W BCYWD		17.28		
REIMBURSMENT	000730		00 09/26/2013	660-6300-471.36-07	WATER FOR SGPW MTG		12.40		
REIMBURSMENT	000731					VENDOR TOTAL *	29.68		
0005307	00	CENTER ELECTRIC							
7040		PI1380 026256 00 09/12/2013	660-6300-471.45-06	WELL 8 - RUN CONDUIT FOR			544.09		
6938		PI1381 026256 00 09/16/2013	660-6300-471.45-06	WELL 9 RUN MAT FOR GEN			725.68		
6946		PI1409 026256 00 07/17/2013	660-6300-471.45-06	WELL M10 TROUBLESHOOT			475.60		
6947		PI1410 026256 00 07/17/2013	660-6300-471.45-06	COB/KMART MATERIAL FOR EN			548.57		
6933		PI1420 026256 00 05/09/2013	660-6300-471.45-06	MATERIAL & REPR WELL M10			575.65		
6842		PI1421 026540 00 05/08/2013	660-6300-471.45-06	C2 WELL TIMELOCK RPR			51.45		
7001		PI1417 026256 00 08/20/2013	680-8000-454.30-04	WWTP WIRING FOR NEW PUMPS			2,005.93		
						VENDOR TOTAL *	4,926.97		
0001588	00	CHAPPAROSA, RITA							
MEALS	9/27-10/10/000749	00 09/26/2013	001-1300-412.23-06	LANDMARK FORUM			52.00		
MEALS	9/27-10/10/000750	00 09/26/2013	700-5020-480.23-06	LANDMARK FORUM			26.00		
MEALS	9/27-10/10/000751	00 09/26/2013	700-5040-480.23-06	LANDMARK FORUM			26.00		
						VENDOR TOTAL *	104.00		
0006381	00	CHRIS TAYLOR'S PLUMBING							
2109		PI1348 026135 00 09/03/2013	001-3200-412.30-02	WA DEPT TOILET REPAIR			91.50		
2137		PI1349 026135 00 09/09/2013	001-3200-412.30-02	NTR CNTR DRINK FNTN REPR			85.00		
2100		PI1353 026135 00 08/30/2013	001-3200-412.30-02	PD FAUCET REPAIR			237.50		

INVOICE NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT
INVOICE NO	VENDOR NO	VOUCHER P.O. NO	BNK DATE	ACCOUNT NO	EFT, EBAY OR HAND-ISSUED AMOUNT
00005381	00	CHRIS TAYLOR'S PLUMBING	09/04/2013	001-3200-412.30-02 COMM CNTR TOILET REPAIR	109.48
2124				VENDOR TOTAL *	523.48
00005877	00	COLONIAL INSURANCE	00 10/01/2013	001-0000-204.80-09 ACCIDENT PREMIUMS	2,582.42
OCT 2013	000741	00 10/01/2013	001-0000-204.80-02 CANCER PREMIUMS	1,926.88	
OCT 2013	000742	00 10/01/2013	001-0000-204.80-12 CRITICAL ILL PREMIUMS	1,491.49	
OCT 2013	000743	00 10/01/2013	001-0000-204.80-16 HOSP CONF PREMIUMS	1,573.84	
OCT 2013	000744	00 10/01/2013	001-0000-204.80-11 SUPP DISABILITY PREMIUMS	5,560.61	
OCT 2013	000744	00 10/01/2013	001-0000-204.80-03 UNIVERSAL LIFE PREMIUMS	2,319.09	
0099001	00	CONNOLLY, FRANK	09/16/2013	675-7020-473.42-66 ENERGY STAR WINDOW REBATE	15,454.33
26553-2434		000720	00	VENDOR TOTAL *	269.00
00006214	00	CORELOGIC INFORMATION SOLUTIONS INC	08/31/2013	001-2740-442.23-33 AUGUST - METROSCAN	269.00
80951136		PI1408 026184 00		VENDOR TOTAL *	150.00
00002232	00	COUNSELING TEAM INTERNATIONAL, THE	09/09/2013	700-5040-480.23-07 EMPLOYEE SUPPORT SVCS	150.00
21656		PI1368 026078 00		VENDOR TOTAL *	700.00
00005615	00	CRAWFORD, CONNIE	09/16/2013	675-7020-473.42-36 ENERGY ASSISTANCE REBATE	56.02
FEB - JUL 2013	000718			VENDOR TOTAL *	700.00
00001050	00	DIAZ, RICK	09/25/2013	670-7000-473.23-05 WUC CONF MEALS	56.02
MEALS 10/1-10/4000727		PI1439 026274 00		VENDOR TOTAL *	64.00
00066663	00	DUT CONSTRUCTION CORP	09/11/2013	001-2740-442.23-08 BUILDING BOARD-UPS	64.00
1231				VENDOR TOTAL *	3,810.00
00000109	00	FLEET SERVICES INC	09/29/2013	702-3800-480.38-52 SWITCHES	9.37
5232520044		PI1346 026099 00		EMERGENCY LIGHTING	496.02
5232110052		PI1354 026099 00		NEEDLE	115.07
5231790005		PI1356 025497 00		VENDOR TOTAL *	620.46
00055602	00	G & G ENVIRONMENTAL COMPLIANCE, INC	06/27/2013	660-8000-454.33-11 INSPECTION PROGRAM PTP	1,706.61
BAN-0613		PI1454 025672 00		VENDOR TOTAL *	1,706.61
00011375	00	GAS COMPANY	THE		
007702683751		SE13PI1393 026141 00	09/19/2013	001-2200-421.26-06	66.41
05602682006		SP13PI1435 026111 00	09/19/2013	001-2400-422.26-06	45.96
				HEATER	
				SEPT GAS-FS89	

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT HAND- ISSUED AMOUNT
INVOICE NO	VOUCHER NO	P.O. NO						
0001375	00	GAS COMPANY THE	026261	00 08/27/2013	001-3600-461.26-06	JUL 25 - AUG 23	15.82	
0329268400025P113P11321	026150	00 09/19/2013	001-4000-461.26-06	COMM CTR/AUGUST BILL	105.35			
05192710001SP113P11363	026150	00 09/19/2013	001-4000-461.26-06	PARK & REC/AUGUST BILL	118.70			
091424439SP113P11364	026150	00 09/19/2013	001-4010-461.26-06	AQUATICS/AUGUST BILL	833.14			
091424740007SP113P11350	026150	00 09/19/2013	001-4050-461.26-06	SK: CENTER/AUGUST BILL	88.80			
08562460009AG13P11322	026261	00 08/27/2013	100-4900-431.26-06	JUL 25 - AUG 23	15.82			
08562460009AG13P11323	026261	00 08/27/2013	660-6300-471.26-06	JUL 25 - AUG 23	31.66			
08562460009AG13P11324	026261	00 08/27/2013	670-7000-473.26-06	JUL 25 - AUG 23	31.66			
08562460009AG13P11325	026261	00 08/27/2013	702-3800-480.26-06	JUL 25 - AUG 23	31.66			
					VENDOR TOTAL *	1,284.98		
0000448	00	GRAINGER	PI1390	026042 00 09/04/2013	670-7000-473.45-16	LUBRICANT, SILICONE, RATC	95.39	
9235052751					VENDOR TOTAL *	95.39		
0006074	00	GRANTCUS	PI1330	026119 00 08/15/2013	001-2060-446.30-06	CHANNEL 10 MAINT - SEP	135.00	
47754					VENDOR TOTAL *	135.00		
0001117	00	GREEN, MICHELLE	000752	00 09/26/2013	001-1900-412.23-06	LNDMRK FRM MEAL & MILEAGE	114.15	
9/27-10/1			000753	00 09/26/2013	703-3700-480.23-06	LNDMRK FRM MEAL & MILEAGE	57.08	
9/27-10/1			000754	00 09/26/2013	761-3100-480.23-06	LNDMRK FRM MEAL & MILEAGE	57.07	
0000393	00	HD SUPPLY POWER SOLUTIONS LTD	PI1386	00 09/11/2013	670-0000-131.00-00	JUNCTIONS' LUBE, PAINT	1,073.09	
2364135-00			PI1387	00 09/11/2013	670-0000-131.00-00	JUNCTIONS' LUBE, PAINT	72.06	
2364135-00			PI1388	00 09/11/2013	670-0000-131.00-00	PHOTO CELL 120V, BUTTION	78.30	
0003874	00	HEMET OIL COMPANY	PI1294	026205 00 08/22/2013	660-6300-471.36-08	OIL	1,223.45	
8112244					VENDOR TOTAL *	413.82		
0002564	00	HOLDER, PHILLIP	000725	00 09/19/2013	001-2200-421.30-05	TANK TRANSPORT REIMBURSE	413.82	
TANK TRANSPORT					VENDOR TOTAL *	5,005.98		
0002274	00	INLAND WATER WORKS SUPPLY CO.	PI1413	00 09/12/2013	660-0000-131.00-00	BALL VALVE, MIP, FIP	5,005.98	
256006			PI1414	00 09/12/2013	660-0000-131.00-00	BALL VALVE, MIP, FIP	3,005.42	
256006					VENDOR TOTAL *	3,142.02		
0006206	00	INTEGRA REALITY RESOURCES	PI1438	025939 00 08/19/2013	001-2800-441.23-07	MATHEWSON APPRAISAL	3,147.44	
1129-2013-0221					VENDOR TOTAL *	8,000.00		
0000842	00	KAI SER FOUNDATION HEALTH					8,000.00	

VEND NO	SEQ#	VENDOR NAME	ITEM	DESCRIPTION	CHECK AMOUNT	BT/ EPAY OR HAND-ISSUED AMOUNT
0000842	00	KAI SER FOUNDATION HEALTH	001-0000-204.31-00	PREMIUM - GRP 101565-0002	25,002.78	
OCT 2013	000739	00 10/01/2013	001-0000-204.31-00	PREMIUM - GRP 101565-0006	12,159.23	
OCT 2013	000740	00 10/01/2013				
0004386	00	LANCE, SOLL & LUNGARD, LLP	001-1900-412.33-12	2013 GOVT AUDIT - INTERM	37,162.01	
8055	PII1331	026267 00 07/31/2013	761-3100-480.33-12	2013 GOVT AUDIT - INTERM	3,780.00	
8055	PII1332	026267 00 07/31/2013			8,220.00	
0002496	00	LEAGUE OF CALIFORNIA CITIES	001-1000-411.23-05	ANNUAL BREAKFAST CONF	12,000.00	
09202013	000729	00 09/26/2013				
0004968	00	LITHOPASS PRINTING, FORMS	001-2400-422.23-02	BUSINESS CARDS - LYNN	24.75	
29835	PII1431	026046 00 10/13/2013	001-2400-422.23-02	BUSINESS CARDS - DOUG	21.60	
29836	PII1432	026046 00 10/13/2013	001-3000-442.23-02	BUSINESS CARDS - OEL	21.60	
29831	PII1358	026046 00 10/13/2013	001-4000-461.23-02	BUS CARDS - SANDOVAL	22.40	
29834	PII1333	026046 00 10/13/2013	610-5800-434.23-02	FARE BOX RECEIPTS	469.17	
29744	PII1329	026046 00 10/13/2013	610-5800-434.23-02	BUS CARDS - LOPEZ/CONSTAN	442.40	
29834	PII1334	026046 00 10/13/2013	670-7000-473.23-02	BUS CARDS - JTRAWICK	21.60	
29832	PII1391	026046 00 10/13/2013	670-7000-473.23-02	BUS CARDS - BCOFFEEY	21.60	
29833	PII1392	026046 00 10/13/2013	761-3100-480.23-02	YARD SALE PERMITS	75.60	
29626	PII1310	026046 00 09/16/2013				
0006398	00	LSA ASSOCIATES, INC	002-0000-222.30-30	PROFESSIONAL SERVICES	717.57	
124237	000710	00 09/10/2013	002-02830-441.33-11	PROFESSIONAL SERVICES	1,517.50	
124237	PII1402	025177 00 09/10/2013	002-2830-351.35-30	PROFESSIONAL SERVICES	1,517.50	
124237	000710	00 09/10/2013			1,517.50	
0006612	00	MARINA LANDSCAPE, INC	660-6300-471.45-07	MONTHLY MAIN AUG 2013	1,517.50	
1830908300	PII1289	025922 00 08/31/2013	660-6300-471.45-07	TO CORRECT PO	1,000.00	
1830908300R	PII1455	025922 00 08/31/2013	660-6300-471.45-07	TO CORRECT PO	1,000.00	
1830908300R	PII1456	025922 00 07/31/2013	660-6300-471.45-07	AUG 13 MONTHLY MAINT	1,000.00	
1830908300C	PII1457	0262278 00 08/31/2013	660-6300-471.45-07	JULY 13 MONTHLY MAINT	1,000.00	
1830907300C	PII1458	0262278 00 07/31/2013	660-6300-471.45-07			
0001068	00	MATICH CORPORATION	660-6300-471.45-17	COLD MIX	1,000.00	
158087	PII1254	026047 00 08/20/2013				
0000287	00	MC AVY & MARKHAM	670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	1,005.02	
M-1766	PII1382	00 09/12/2013	670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	24,624.00	
M-1767	PII1383	00 09/12/2013	670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	18,174.24	
M-1768	PII1384	00 09/12/2013	670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	10,968.48	
00055576	00	MERRITT, ROBERT		VENDOR TOTAL *	53,766.72	

VEND NO	SEQ#	VENDOR NAME NO	ACCOUNT NO	ITEM NO	DESCRIPTION	CHECK AMOUNT	ETT, EPAY OR HAND-ISSUED AMOUNT
0005576 00	SEP 8	MERRITT, ROBERT 000722	09/23/2013	001-0000-112.00-00	ADV DISABILITY RETIREMENT	15,295.00	
0006549 00	MILEAGE FY2013	MILLER, JONI 004798	06/30/2013	001-1300-412.25-05	MILEAGE REIMBURSEMENT	15,295.00	41.99
0006535 00	13-056	MISSION GEOGRAPHIC PI1406 025750	08/31/2013	101-4900-431.33-53	DATA COLLECTION SERVICES	2,425.00	41.99
0001545 00	30247	MR. APPLIANCE 000715	09/17/2013	001-4000-461.30-06	COM CNTR HEATING ELMNT	2,425.00	305.13
0006370 00	457 LOAN PMT	MUNOZ, MARIBEL 000725	09/19/2013	001-0000-204.16-00	457 LOAN PMT REFUND	.13	
0002421 00	913468316-137	NEXTEL COMMUNICATIONS PI1401 026216	09/10/2013	001-2200-421.26-05	RADIO & TELECOMMUNICATION	.13	
0006319 00	MAR - AUG 2013	NUNEZ, FRANCISCO 000717	09/16/2013	675-7020-473.42-36	ENERGY ASSISTANCE REBATE	32.24	
0005811 00	TUITION	OERTEL, ERICH 000725	09/06/2013	001-1300-412.25-09	TUITION REIMBURSEMENT	1,437.00	
0002460 00	673154029002 675488410001	OFFICE DEPOT PI1394 026214 PI1395 026214	09/05/2013 10/06/2013	001-2200-421.36-00 001-2200-421.36-00	STAPLES CLIPS/COVERS	1,437.00	
0000516 00	190202 208295	OFFICE MAX CONTRACT INC PI1403 026051 PI1298 026051	09/24/2013 09/25/2013	001-2740-442.36-00 001-4000-461.36-00	LEGG PADS, POST ITS, FLDR DRY ERASE, CALANDER, ETC.	13.50 157.64	
0004587 00	7762502	ON TRAC PI1311 026052 PI1312 026052 PI1313 026052 PI1314 026052 PI1315 026052 7762502 7762502 7762502 7762502 7766964 7766964	09/24/2013 08/24/2013 08/24/2013 08/24/2013 08/24/2013 08/24/2013 08/24/2013 08/24/2013 08/24/2013 08/31/2013 08/31/2013	001-1200-412.23-04 001-2200-421.23-04 001-2800-441.23-04 001-3000-442.23-04 001-3200-412.36-00 100-4900-431.23-04 600-5100-435.23-04	SHIPPING & HANDLING SHIPPING & HANDLING	171.14 65.37 134.71	
		PI1318 026052	08/31/2013			200.08	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM NO	DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004587	00	ON TRAC	PII1316 026052 00 08/24/2013	660-6300-471.23-04	SHIPPING & HANDLING	5.35	
7766952		PII1316 026052 00 08/31/2013	660-6300-471.23-04	SHIPPING & HANDLING	10.77		
7766964		PII1320 026052 00 08/31/2013	702-3800-480.23-04	SHIPPING & HANDLING	3.59		
					VENDOR TOTAL *	77.54	
0002686	00	BACKHAM & TOOHEY, INC	PII1351 026211 00 09/16/2013	600-5100-435.30-06	MONTHLY MAINTENANCE	100.00	
091613		PII1352 026211 00 09/16/2013	702-3800-480.30-06	MONTHLY MAINTENANCE	125.00		
					VENDOR TOTAL *	225.00	
0005752	00	PAYPRO ADMINISTRATORS	PII1434 026077 00 09/05/2013	001-1300-412.33-11	COBRA ADMIN - AUG	141.00	
26895					VENDOR TOTAL *	141.00	
0001295	00	PRESS-ENTERPRISE THE	PII1404 026055 00 09/11/2013	660-6300-471.23-01	CANCELLATION	51.70	
101125596					VENDOR TOTAL *	51.70	
0000978	00	PUBLIC ENTITY RISK MANAGEMENT	000733 00 09/16/2013	700-0000-101.12-00	WRK COMP PREMIUMS	99,306.00	
2013-14 QTR 2		000734 00 09/16/2013	700-5020-480.29-08	WRK COMP PREMIUMS	35,292.75		
2013-14 QTR 2					VENDOR TOTAL *	134,598.75	
0004759	00	RACEWAY FORD INC	PII1360 026117 00 10/06/2013	702-3800-480.30-05	ELECTRICAL REPAIRS	330.97	
665680		PII1405 026117 00 10/13/2013	702-3800-480.30-05	TRANSMISSION REPLACEMENT	2,599.99		
665842					VENDOR TOTAL *	2,930.96	
0001555	00	RECORD GAZETTE, THE	PII1335 026057 00 09/23/2013	001-2800-441.23-01	CC-ORD 1469 AI MIXED ETC	103.50	
00094025		PII1336 026057 00 09/23/2013	001-2800-441.23-01	PC HE WORKSHOP 9/30/2013	185.00		
00094031		PII1337 026057 00 09/23/2013	001-2800-441.23-01	CC-INTENT GPA/ZC CHARLES	106.38		
00094032		PII1338 026057 00 09/30/2013	001-2800-441.23-01	ORD 1470 PC FENC HGT BP	100.63		
00094300		PII1340 026057 00 09/09/2013	001-2800-441.23-01	ORD 1466 CC	51.75		
00093383		PII1341 026057 00 09/09/2013	001-2800-441.23-01	ORD 1467 CC	51.75		
00093385					VENDOR TOTAL *	599.01	
0006520	00	REYNOLDS, NORA	000719 00 09/16/2013	675-7020-473.42-36	ENERGY ASSISTANCE REBATE	133.45	
MAR - AUG 2013					VENDOR TOTAL *	133.45	
0001327	00	RIV. CO. CLERK RECORDER	000714 00 09/25/2013	001-2800-441.36-00	DOCUMENT REQUEST	28.50	
2010-0355336					VENDOR TOTAL *	28.50	
0001320	00	RIV. CO. ECONOMIC DEV AGENCY	000723 00 09/19/2013	001-1000-411.23-05	STATE OF CO LUNCHEON	50.00	
09252013					VENDOR TOTAL *	50.00	
0006247	00	RIVERSIDE WINNELSON					

INVOICE NO	SEQ#	VENDOR NAME VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
30409901	00	RIVERSIDE WINNELSON PI1412	00 09/11/2013	660-00000-131.00-00	INJECTOR VALVE 1/4"	210.60	
00065247	00	SAIC ENERGY, ENVIRONMENT & PI1397	00 08/27/2013	674-7000-473.96-29	VENDOR TOTAL *	210.60	
00065116 06-1270	00	SCCCI, INC DBA PI1379	00 09/16/2013	660-6300-471.33-11	MISCELLANEOUS SERVICES	2,933.75	
0005336 105701	00	SIEMENS INDUSTRY, INC PI1365 026176 00 09/16/2013 PI1366 026176 00 08/28/2013	100-4900-431.30-09 100-4900-431.30-09	VENDOR TOTAL *	VENDOR TOTAL *	2,933.75	
0006611 400110818 400109424	00	SIG SAUER, INC 001512 001513 001374 001374 001405 001406	00 11/29/2013 00 09/26/2013 00 09/26/2013 00 09/26/2013 00 09/26/2013 00 09/26/2013	001-0000-116.21-01 001-0000-116.21-01 001-0000-116.21-01 001-0000-116.21-01 001-0000-116.21-01 001-0000-116.21-01	GUN LOAN - BENNETT GUN LOAN - BENNETT GUN LOAN - SEGURA WEAPON PURCHASE - LOAN WEAPON PURCHASE - LOAN WEAPON PURCHASE - LOAN	91.53 569.28	
0006523	00	SIG SAUER, INC CK GRP-1 001513 001374 001374 L.PURVIS	00 11/29/2012 00 11/21/2012 00 11/21/2012	001-0000-116.21-01 001-0000-116.21-01 001-0000-116.21-01	VENDOR TOTAL *	660.81	
0006523 L.PURVIS R.YOUNGBLOOD	00	SIG SAUER, INC CK GRP-1 001405 001406	00 11/21/2012 00 11/21/2012	001-0000-116.21-01 001-0000-116.21-01	GUN LOAN - SEGURA WEAPON PURCHASE - LOAN SALES & USE TAX WEAPON PURCHASE - LOAN SALES & USE TAX	1,701.19-	
0001377 14357	00	SO CAL WEST COAST ELECTRIC, INC PI1367 026187 00 08/29/2013		001-3200-412.30-02	VENDOR TOTAL *	6,804.76	
0001371 2015215098SEP13 2015215049SEP13 2015215155SEP13 2196273304SEP13	00	SOUTHERN CALIFORNIA EDISON 026139 00 09/12/2013 026139 00 09/11/2013 026139 00 09/11/2013 026139 00 09/12/2013		660-6300-471.26-04 660-6300-471.26-04 660-6300-471.26-04 660-6300-471.26-04	INSTALL EMERGENCY LIGHTS VENDOR TOTAL *	511.09	
0001373	00	SOUTHERN CALIFORNIA JOINT POLE PI1376		660-6300-471.26-04	WELL 11 ELECTRICITY COSTS WELL 11 ELECTRICITY COSTS WELL 9 ELECTRICITY COSTS WELL 12 ELECTRICITY COST DEL RITA BOOSTER	1,145.28 1,118.32 26.17 396.06 69.40	
					VENDOR TOTAL *	1,755.23	

VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	ITEM	DESCRIPTION	CHECK AMOUNT	EFIT, EPAY OR HAND-ISSUED AMOUNT
0001373	00	SOUTHERN CALIFORNIA JOINT POLE	670-7000-473.27-11	AUGUST		507.26	
17870		PI1399 026199 00 08/31/2013			VENDOR TOTAL *	507.26	
0000396	00	STAR AUTO PARTS	08/19/2013	702-3800-480.38-52	CORE RETURN	38.88-	
1-882688		000521 026109 00 09/11/2013		702-3800-480.38-52	VISCOSITY PLUG	19.80	
1-884403		PI1164 026109 00 08/29/2013		702-3800-480.38-52	GAS-A-JUST MONOTUBE	173.58	
1-884692		PI1171 026109 00 08/29/2013		702-3800-480.38-52	OIL SEAL	116.35-	
1-878382		PI1183 026109 00 07/29/2013		702-3800-480.38-52	BATTERY RETURN	18.25-	
1-877632		000620 026109 00 07/25/2013		702-3800-480.38-52	OIL SEAL RETURN	18.25-	
1-878462		000621 026109 00 07/29/2013		702-3800-480.38-52	BATTERY RETURN	177.76-	
1-877662		000622 026109 00 07/25/2013		702-3800-480.38-52	OIL SEAL RETURN	117.04	
1-885957		PI1347 026109 00 09/04/2013		702-3800-480.38-52	RADIATOR		
0006146	00	SUPERMEDIA INC	09/14/2013	001-2200-421.23-01	MISSCELLANEOUS SERVICES	77.43	
3600000667804SE3PI1378		026155 00 09/14/2013			VENDOR TOTAL *	34.95	
0006634	00	TRANSPORTATION MGMT & DESIGN, INC	09/04/2013	610-5800-434.33-11	FINALIZE RIDERSHIP/R1/5/6		
814-3		PI1297 026020 00 09/04/2013			VENDOR TOTAL *	34.95	
0006552	00	TRAWICK, JAMES	09/16/2013	670-7000-473.23-05	API ADVISORY COUNCIL MILE	5,767.72	
MILEAGE 9/25-27		000725 00 09/16/2013		670-7000-473.23-05	API ADVISORY COUNCIL MEAL		
MEALS 9/25-27		000725 00 09/16/2013		670-7000-473.23-05	API ADVISORY COUNCIL PARK		
MEALS 9/25-27		000725 00 09/16/2013			VENDOR TOTAL *	30.40	
MEALS 9/25-27		000725 00 09/16/2013			VENDOR TOTAL *	32.00	
MEALS 9/25-27		000725 00 09/16/2013			VENDOR TOTAL *	36.00	
0003285	00	UNITED WATER ENVIRONMENTAL SERVICES	680-8000-454.23-38	CONTRACT SVCS WWTP		98.40	
201318828		PI1377 026146 00 09/23/2013			VENDOR TOTAL *	52,930.00	
0004146	00	USDA RURAL DEVELOPMENT	06/24/2013	850-0000-223.21-00	RETURN RBEG GRANT FUNDS		
RBEG GRANT		004796 00 06/24/2013			VENDOR TOTAL *	45,000.00	
0004206	00	VERIZON CALIFORNIA	09/13/2013	001-2200-421.26-05	SUSPECT PHONE	45,000.00	
849-1575	SEP13	PI1369 026112 00 09/13/2013		001-2200-421.26-05	RADIO CIRCUIT MT. DAVID	95.42	
PL2-9604	SEP13	PI1370 026115 00 09/10/2013		001-2200-421.26-05	SEP 7 - OCT 6	159.82	
UH1-7723	SEP13	PI1371 026122 00 09/07/2013		001-2200-421.26-05	VENDOR TOTAL *	315.31	
0006531	00	WESCO DIST, INC	#6331 09/11/2013	670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	570.55	
766540		PI1385 00 09/11/2013		670-0000-131.00-00	ELECTRIC EQUIP. & HARDWARE	2,425.14	
766541		PI1389 00 09/11/2013			VENDOR TOTAL *	1,010.38	
0002690	00	WESTERN RIVERSIDE COUNCIL	09/19/2013	001-1000-411.23-05	ADV THE CHOICE EXPO - BOT	3,436.02	
873		000721 00 09/19/2013			VENDOR TOTAL *	25.00	

PREPARED 09/26/2013, 15:14:56
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CITY OF BANNING

EXPENDITURE APPROVAL LIST
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VEND NO.	SEQ#	VENDOR NAME	ITEM	CHECK	EFT, EPAY OR HAND-ISSUED AMOUNT
INVOICE NO.	VOUCHER P.O. NO.	BNK NO.	ACCOUNT NO.	DESCRIPTION	AMOUNT
0002690	00	WESTERN RIVERSIDE COUNCIL			

				VENDOR TOTAL *	25.00
				CERTIFIED TEST & REPAIR	50.00
				VENDOR TOTAL *	50.00
				HAND ISSUED TOTAL ***	6,804.76-
				GRAND TOTAL *****	464,702.13
				TOTAL EXPENDITURES *****	6,804.76-
					457,897.37
0006499	00	ZENNER PERFORMANCE METERS, INC	660-6300-471.45-11		
0021743-IN	00	PI1426 026066 00 08/15/2013			

FUND NO	GENERAL FUND VEND NO	VENDOR NAME VOUCHER P.O. NO	BNK CHECK/DUE ACCOUNT NO	ITEM DATE	DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND- ISSUED AMOUNT
0000985 00	CA. ST. EMPLOYMENT DEV. DEPT. PPE 9/1/2013 000836 00 09/09/2013 001-0000-204.12-00 PPE 9/15/2013 000841 00 09/23/2013 001-0000-204.12-00				PAYROLL TAX DEPOSIT PAYROLL TAX DEPOSIT		15,052.26 16,226.87
0000997 00	CA. ST. PUBLIC EMPLOYEES PPE 8/18/2013 000829 00 09/04/2013 001-0000-204.20-00 PPE 9/1/2013 000839 00 09/11/2013 001-0000-204.20-00 PPE 9/15/2013 000841 00 09/25/2013 001-0000-204.20-00				VENDOR TOTAL * RETIREMENT BENEFITS RETIREMENT BENEFITS RETIREMENT BENEFITS	.00	31,279.13
0004051 00	CALPERS 457 PLAN - 450260 PPE 9/1/2013 000837 00 09/10/2013 001-0000-204.16-00 PPE 9/1/2013 000838 00 09/10/2013 001-0000-204.16-00 PPE 9/15/2013 000841 00 09/19/2013 001-0000-204.16-00 PPE 9/15/2013 000841 00 09/19/2013 001-0000-204.16-00				CAL PERS 457 CONTRIBUTION CAL PERS 457 CONTRIBUTION CAL PERS 457 CONTRIBUTION CAL PERS 457 CONTRIBUTION	.00	381,676.02
0002484 00	INTERNAL REVENUE SERVICE PPE 9/1/2013 000834 00 09/09/2013 001-0000-204.11-00 PPE 9/1/2013 000835 00 09/09/2013 001-0000-204.13-00 PPE 9/15/2013 000841 00 09/23/2013 001-0000-204.11-00 PPE 9/15/2013 000841 00 09/23/2013 001-0000-204.13-00				PAYROLL TAX DEPOSIT PAYROLL TAX DEPOSIT PAYROLL TAX DEPOSIT PAYROLL TAX DEPOSIT	.00	39,717.61
0005885 00	TASC PPE 9/1/2013 000830 00 09/05/2013 001-0000-204.80-04 PPE 9/1/2013 000831 00 09/05/2013 001-0000-204.80-05 PPE 9/1/2013 000832 00 09/05/2013 001-0000-204.80-15 PPE 9/15/2013 000841 00 09/19/2013 001-0000-204.80-04 PPE 9/15/2013 000841 00 09/19/2013 001-0000-204.80-05 PPE 9/15/2013 000841 00 09/19/2013 001-0000-204.80-15				VENDOR TOTAL * MEDICAL CONTRIBUTIONS MEDICAL CONTRIBUTIONS INDIVIDUAL CONTRIBUTIONS MEDICAL CONTRIBUTIONS DEP CARE CONTRIBUTION INDIVIDUAL CONTRIBUTION	.00	211,967.99
0002256 00	WELLS FARGO BANK PPE 9/1/2013 000833 00 09/06/2013 001-0000-204.10-00 PPE 9/15/2013 000841 00 09/20/2013 001-0000-204.10-00				PAYROLL PAYROLL		.00
0004228 00	WELLS FARGO BANK PPE 9/1/2013 000840 00 09/17/2013 001-0000-204.80-14 PPE 9/15/2013 000841 00 09/23/2013 001-0000-204.80-14				VENDOR TOTAL * VEBA CONTRIBUTIONS VEBA CONTRIBUTIONS	.00	523,152.02
001 GENERAL FUND	CASH ON HAND				VENDOR TOTAL * DEPARTMENT TOTAL *** FUND TOTAL ***	.00	1,201,062.53
						.00	1,201,062.53

FUND	670	ELECTRIC FUND		EFT, EPAY OR HAND-ISSUED				
FUND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	AMOUNT			
INVOICE NO	VOUCHER NO	P.O. NO	DATE	ACCOUNT NO	ITEM DESCRIPTION			
0004433	00	RIVERSIDE PUBLIC UTILITIES	00	09/12/2013	670-7000-331.20-01	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	2.68
147		000823	00	09/12/2013	670-7000-336.38-17	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	24.07
147		000824	00	09/12/2013	670-7000-356.38-20	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	141.675.11
147		000825	00	09/12/2013	670-7000-356.38-10	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	51.410.55
147		000826	00	09/12/2013	670-7000-356.38-10	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	217.158.68
						VENDOR TOTAL *	.00	217.158.68
						DEPARTMENT TOTAL	.00	217.158.68

BEPREPARED: 11/04/2013 , 14:00:16
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EXPENDITURE APPROVAL LIST
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FUND	670	ELECTRIC FUND					EFT, EPAY OR HAND-ISSUED AMOUNT
VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT
INVOICE NO	NO	NO					
DEPT	70	ELECTRIC DEPARTMENT	DIV 10	GENERATION & TRANSMISSION			
0004433	0.0	RIVERSIDE PUBLIC UTILITIES					
147	000818	00 09/12/2013	670-7010-473.27-09	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	49,543.00	
147	000819	00 09/12/2013	670-7010-473.27-70	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	279,555.40	
147	000820	00 09/12/2013	670-7010-473.27-60	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	236,118.91	
147	000821	00 09/12/2013	670-7010-473.27-50	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	1,079,563.98	
147	000822	00 09/12/2013	670-7010-473.33-02	ELECTRIC REVENUE/EXPENSES	CHECK #: 837	1,444,429.49	
670	ELECTRIC FUND	CASH ON HAND	4,566,709.16	VENDOR TOTAL * DEPARTMENT TOTAL ** FUND TOTAL ***		.00	1,649,210.78
						.00	1,649,210.78
						.00	1,432,052.10

PREPARED: 11/04/2013, 14:00:16
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EXPENDITURE APPROVAL LIST
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FUND	DEPT	ITEM	CHECK	EFT, EPAY OR HAND-ISSUED AMOUNT
VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	AMOUNT
INVOICE NO	VOUCHER NO	BNK P.O. NO	CHECK/DUE DATE	DESCRIPTION
700	50	RISK MANAGEMENT FUND INSURANCE	00	00
6/30/2013	000092	CALIFORNIA, STATE OF 000841	09/20/2013	7000-5030-480.40-03 ST UNEMPLOYMENT INSURANCE CHECK #: 90005326 3,035.00
700	RISK MANAGEMENT FUND	CASH ON HAND		1,116,630.17- VENDOR TOTAL * DEPARTMENT TOTAL ** FUND TOTAL *** 0.00 3,035.00 0.00 3,035.00

PREPARED 11/04/2013, 14:00:16
PROGRAM: GM339L
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EXPENDITURE APPROVAL LIST
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FUND	703	INFORMAT'N SYSTEMS SVC FD	ITEM	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
VEND NO	SEQ#	VENDOR NAME	ACCOUNT NO	DESCRIPTION	
703	37	INFORMATION SYSTEMS SVCS	DIV 00 INFORMATION SYSTEMS SVCS		
0005333	00	ADVANCED PROCESSING & IMAGING, INC			
34070	000827	00 09/25/2013 703-3700-480.30-17 OPTIVIEW ANNUAL MAINT		CHECK #: 838	15,876.00
				VENDOR TOTAL *	.00
				DEPARTMENT TOTAL **	.00
				FUND TOTAL ***	.00
				HAND ISSUED TOTAL ****	2,652,025.63
				GRAND TOTAL *****	.00
				TOTAL EXPENDITURES *****	2,652,025.63
					2,652,025.63

Prepared 9/05/13, 12:54:09
Program PR655L
CITY OF BANNING

Check Register
BIWEEKLY
Pay Date 9/06/13

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Pay Period 1
8/19/13 To 09/01/13

Dept/Div	Activity	Check Payee	Social Security	Check Number	Amount
4000-461	UNITED STATES TREASURY US DEPT OF EDUCATION CALIF. STATE DISBURSEMENT UNIT CHAPPAROSA, ANGEL A	12259	8707	209.00	
4000-461	KUE, GER	4220	8708	354.38	
4010-461	BAEZ, RAQUEL M	571	8709	223.00	
4010-461	BUSSING, KIMBERLY	990	8710	285.69	
4010-461	DALTON, DANIEL P	1592	8711	184.64	
4010-461	DIAZ, ROMAN A	1961	8712	358.57	
4010-461	GARCIA, EDDIE A	2543	8713	43.92	
4010-461	GARCIA, JUAN C	2545	8714	377.69	
4010-461	MCLAUGHLIN, COURTNEY M	5126	8715	206.73	
4010-461	NOVY, SENDY A	5650	8716	159.47	
4010-461	OROZCO AQUINO, FRANCISCO J	6246	8717	63.01	
4010-461	RAMIREZ, CHRISTIAN	6753	8718	139.79	
4010-461	SANTOS, MEGAN A.	7654	8719	78.70	
4010-461	SONES, MAKENNA E	7945	8720	106.32	
4010-461	INTERNAL REVENUE SERVICE		8721	224.46	
4010-461	CALIF. STATE DISBURSEMENT UNIT UNITED STATES TREASURY		8722	121.66	
4010-461	CALIF. STATE DISBURSEMENT UNIT JAMI MC LAUGHLIN		8723	198.74	
4010-461	CALIF. STATE DISBURSEMENT UNIT CALIF. STATE DISBURSEMENT UNIT FRANCHISE TAX BOARD		8724	63.01	
4010-461			8725	100.00	
			8726	771.23	
			8727	150.00	
			8728	163.38	
			8729	646.16	
			8730	23.07	
			8731	122.40	
			8732	25.00	
	Total Checks -		26	5,400.02	

Prepared 9/19/13, 13:14:20
Program PR655L
CITY OF BANNING

Check Register
BIWEEKLY
Pay Date 9/20/13

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Pay Period 19
9/02/13 To 09/15/13

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
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4000-461	UNITED STATES TREASURY US DEPT OF EDUCATION CALIF. STATE DISBURSEMENT UNIT CHAPPAROSA, ANGEL A KUE, GER INTERNAL REVENUE SERVICE CALIF. STATE DISBURSEMENT UNIT UNITED STATES TREASURY CALIF. STATE DISBURSEMENT UNIT JAMI MC LAUGHLIN CALIF. STATE DISBURSEMENT UNIT CALIF. STATE DISBURSEMENT UNIT FRANCHISE TAX BOARD	1259 4220	8733 8734 8735 8736 8737 8738 8739 8740 8741 8742 8743 8744 8745 8746	209.00 460.25 223.00 506.15 312.32 322.73 100.00 242.92 150.00 163.38 646.16 23.07 122.40 25.00
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Total Checks -

14 3,506.38

PAYROLL

DIRECT DEPOSIT TOTALS

PAY PERIOD ENDING	DIRECT DEPOSIT DATES	DIRECT DEPOSIT AMOUNTS
09/01/2013	09/06/2013	\$262,524.58
09/15/2013	09/20/2013	\$260,627.44

MANUAL CHECKS ISSUED

CHECK DATE	CHECK #	CHECK AMOUNT
		\$0.00