

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

September 26, 2017
5:00 p.m.

Banning Civic Center
Council Chamber
99 E. Ramsey Street

The following information comprises the agenda for a regular meeting of the City Council; a joint meeting of the Banning City Council and the City Council Sitting in its Capacity of a Successor Agency; and a scheduled meeting of the Banning Utility Authority.

Per City Council Resolution No. 2016-44 matters taken up by the Council before 10:00 p.m. may be concluded, but no new matters shall be taken up after 10:00 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 – Ron Brady, Church of Jesus Christ of Latter-Day Saints
- Pledge of Allegiance
- Roll Call – Councilmembers Andrade, Franklin, Peterson, Welch, Mayor Moyer

II. REPORT ON CLOSED SESSION

III. PRESENTATIONS

1. 10851 Award – Detective Smith..... **ORAL**
2. Proclamation – Michael McDowell **1**
3. Proclamation – Rail Safety Month..... **3**

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

IV. PUBLIC COMMENTS / CORRESPONDENCE / ANNOUNCEMENTS & REPORTS

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, completion and/or future Council Action.) (See last page. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

CORRESPONDENCE

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

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

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

V. 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: Approve Consent items 1 through 7: 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 – 09/11/17 (Closed Session)	5
2.	Approval of Minutes – Regular Meeting – 09/11/17	7
3.	Accounts Payable/Payroll Warrants – August 2017	43
4.	Capital Improvement Project Status	83
5.	Contracts Signed Under City Manager Authority	87
6.	Position Recruitment Status	91
7.	Resolution 2017-96 Amending Resolution 2017-20 Approving the Equipping of Seven Police Vehicles by Innovative Emergency Equipment.....	93

- Open Consent Items for Public Comments
- Make Motion

VI. 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. Consider Resolution 2017-89 Authorizing the Acceptance of the 2017 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant in the Amount of \$11,604 to be used by the Police Department to Purchase New Axon Tasers, Rechargeable Batteries, and Extended Warranties **137**

(Staff Report – Phil Holder, Police Captain)

Recommendation: **Adopt Resolution 2017-89 authorizing the acceptance of the 2017 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant in the amount of \$11,604 to be used by the Police Department to purchase new Axon Tasers, rechargeable batteries and extended warranties.**

2. Consider Resolution 2017-91 Approving Tentative Tract Map (TTM) 36710, Planned Unit Development Permit 17-9507, Design Review 15-7004 and a Mitigated Negative Declaration, for Property Located North of East Wilson Street and West of North Florida Street **143**

(Staff Report – Patty Nevins, Community Development Director)

Recommendation: **Adopt Resolution 2017-91: 1) Adopting a Mitigated Negative Declaration and Mitigation Monitoring Report and Program for TTM 36710; and 2) Adopting Findings and Approving TTM 36710, Planned Unit Development Permit 17-9507 and Design Review 15-7004.**

3. Consider Ordinance 1515 Amending Chapter 15 of the Banning Municipal Code to Add Section 15.12.110 Setting Forth Expedited Procedures for Permitting Electric Vehicle Charging Systems **439**

(Staff Report – Patty Nevins, Community Development Director)

Recommendation: **Ordinance 1515 pass its first reading.**

Mayor asks the City Clerk to read the title of Ordinance 1515

“An Ordinance of the City of Banning Amending and Chapter 15 of the Banning Municipal Code to Add Section 15.12.110 Setting Forth Expedited Procedures for Permitting Electric Vehicle Charging Systems.”

Motion: I move to waive further reading of Ordinance 1515
(Requires a majority vote of the Council)

Motion: I move that Ordinance No. 1515 pass its first reading.

4. Consider Ordinance 1512 approving a Notice of Exemption and approving Zoning Text Amendment 17-97503 amending various sections of the Zoning Code (Title 17 of the Banning Municipal Code) related to Accessory Dwelling Units..... **449**
(Staff Report – Patty Nevins, Community Development Director)
Recommendation: **Ordinance 1512 pass its first reading.**

Mayor asks the City Clerk to read the title of Ordinance 1512

“An Ordinance of the City of Banning Approving a Notice of Exemption and Approving Zoning Text Amendment 17-97503 Amending Various Sections of the Zoning Code (Title 17 of the Banning Municipal Code) Related to Accessory Dwelling Units.”

Motion: I move to waive further reading of Ordinance 1512
(Requires a majority vote of the Council)

Motion: I move that Ordinance 1512 pass its first reading.

VII. REPORTS OF OFFICERS

1. Animal Control Ad-Hoc Committee Update **485**
(Staff Report – Alejandro Diaz, Interim City Manager)
Recommendation: **Receive and file update report regarding the Animal Control Ad-Hoc Committee.**

2. Selection of an Entry Monument Sign..... **487**
(Staff Report – Art Vela, Public Works Director)
Recommendation: **Discuss the conceptual plans for the City of Banning entry monument sign and consider the selection of one to be installed with the City’s Ramsey Street and Hathaway Street improvement project.**

3. Consider Resolution 2017-84, Accepting the Recommendations of the Banning Electric Utility Energy Storage Three-Year Reevaluation Study Determining it is Still Not Cost Effective for the Electric Utility to Adopt Energy Storage Targets. **493**
(Staff Report – Jim Steffens, Power Resource & Revenue Admin.)
Recommendation: **Adopt Resolution 2017-84, accepting the recommendations of the Banning Electric Utility energy storage three-year reevaluation study determining that it is still not cost effective for the Electric Utility to adopt energy storage targets.**

4. Consider Resolution 2017-88, Establishing Vendor List and Blanket Purchase Orders for the Purchase of Inventory Supplies and Commodities Not to Exceed an Annual Aggregate of \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility **503**
(Staff Report – Art Vela, Public Works Director)

Recommendation: **Adopt Resolution 2017-88, establishing a pre-approved vendor list through existing utility inventory usage and authorize the purchase of utility inventory supplies and commodities from competitively bid cooperative organizations for the remainder of FY 2018 and for FY 2019, concurrent approved budgets.**

5. Consider Resolution 2017-92, Accepting Community Development (Block Grant (CDBG) Funds for the Lion’s Park Expansion Project **513**
(Staff Report – Ted Shove, Economic Development Manager)

Recommendation: **Adopt Resolution 2017-92: 1) Accepting CDBG funds in the amount of \$175,516 for the Lion’s Park Expansion Project (5.BN.36-17). 2) Authorizing the Administrative Services Director to make necessary budget adjustments, appropriations, and transfers related to the Fiscal Year 2017-18 CDBG funds in the amount of \$172,516; and 3) Authorizing the Mayor to execute the Supplemental Agreement.**

6. Consider Resolution 2017-93, Amending the Fiscal Year 2017-18 Budget to Incorporate a List of Projects Funded by SB 1, The Road Repair and Accountability Act..... **555**
(Staff Report – Art Vela, Public Works Director)

Recommendation: **Adopt Resolution 2017-93, amending the Fiscal Year 2017-18 Budget to incorporate a list of projects funded by SB 1, the Road Repair and Accountability Act.**

7. Consider Formal Positions on Pending State Legislation **563**
(Staff Report – Philip Southard, Public Information Officer)

Recommendation: **Consider formally taking positions on legislation currently being reviewed by Governor Jerry Brown including SB 2, SB 3, SB 35, and AB 890.**

VIII. SCHEDULED MEETINGS

BANNING UTILITY AUTHORITY (BUA) - no meeting.

BANNING FINANCING AUTHORITY (BFA) - no meeting.

IX. ITEMS FOR FUTURE AGENDAS

New items –

Pending Items – City Council

1. Update on Banning Business Center
2. Information Technology – Media Room/Production Set
3. Visioning Workshop
4. Penalty for Illegal Fireworks
5. Feasibility of Outsourcing Maintenance of Parks
6. Update on Armory Lease
7. Update on Vicious Dogs on Repplier Road
8. Purchasing Program Assessment
9. WRCOG Meeting Attendance by Staff
10. Minutes Typist

X. ADJOURNMENT

NOTICE: Any member of the public may address this meeting of the Mayor and City 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]

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 Friday, 8 a.m. to 5 p.m.



PROCLAMATION

WHEREAS, Michael McDowell is the Security Supervisor at Banning High School; and

WHEREAS, on Tuesday, August 15th, at the end of the school day, Michael jumped into action when a student was choking on a bottle cap; and

WHEREAS, Michael performed the Heimlich Maneuver on the student; and

WHEREAS, after about two minutes, the bottle cap was dislodged; and

WHEREAS, the nurse talked Michael through the process; and

WHEREAS, all present agree that Michael saved the student's life; and

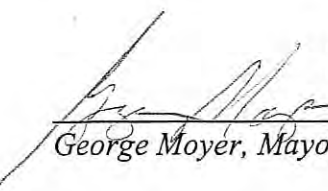
WHEREAS, the paramedics arrived five minutes after the student's life was saved; and

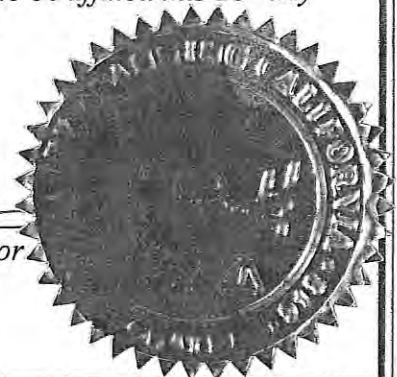
NOW, THEREFORE, BE IT RESOLVED, that I, George Moyer, Mayor of the City of Banning along with the City Council, do hereby recognize and honor the Michael McDowell for going above and beyond and saving the life of a student.

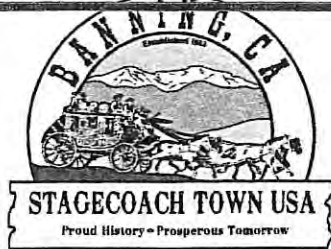
IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Banning, California to be affixed this 26th day of September, 2017.

ATTEST:


Sonja De La Fuente, Deputy City Clerk


George Moyer, Mayor





PROCLAMATION

WHEREAS, California ranks #1 in the nation in both Trespassing and Grade Crossing Deaths. There are more than 10,000 highway-rail grade crossings located within 52 counties, and more than 400 cities in California, and this state has the highest number of fatality related highway-rail grade crossing incidents in the United States. Last year in California there were a total of 148 highway grade-crossing incidents including 98 trespasser fatalities and 32 highway-rail crossing fatalities, all of which could have been avoided if trespassers and drivers were obeying the laws; and

WHEREAS, Amtrak, Burlington Northern Santa Fe Railway, Metrolink, and Union Pacific Railroad run through the City of Riverside with a total number of 65 grade crossings; and

WHEREAS, the Riverside County Transportation Commission and Metrolink place a priority on safety by improving at-grade crossings with features such as flashing warning devices, gates, raised center medians, striping, signing, and pavement markings. Amtrak, BNSF Railway, Metrolink, and Union Pacific Railroad stride toward the implementation of Positive Train Control; and

WHEREAS, the Southern California Rail Safety Team, comprised of multiple rail operators and governmental agencies, including BNSF Railway, Amtrak, Union Pacific Railroad, Metrolink, the Federal Railroad Administration, the California Public Utilities Commission, California Operation Lifesaver, and law enforcement agencies, work to improve railroad safety and to educate people of the dangers of not obeying the signs and signals around railroad property; and

WHEREAS, the See Tracks? Think Train campaign by Operation Lifesaver, and its federal partners aims to help reduce pedestrian and driver injuries and fatalities around railroad tracks by highlighting behaviors that put people at great risk; and

WHEREAS, California Operation Lifesaver supports the See Tracks? Think Train effort by conducting on-the-ground law enforcement trainings, safety presentations, and public awareness activities to help reduce train related incidents; and

WHEREAS, September is back-to-school month for most children in California and because many of these children must cross railroad tracks to get to and from school, it is important to reinforce the rail safety message with children and their caretakers.

NOW, THEREFORE, I, George Moyer, Mayor of the City of Banning, California, do hereby proclaim September 2017, as

Rail Safety Month

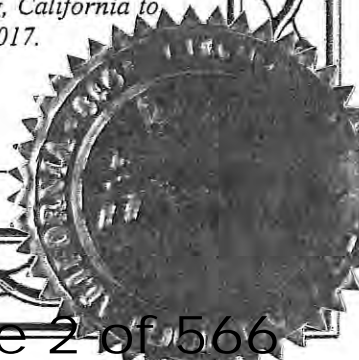
and on behalf of the City Council, commend local, state, and federal government, industry, and citizen efforts to improve railroad crossing safety and strongly urge all Californians to be cautious and safe around all railroad tracks and property.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Banning, California to be affixed this 26th day of September, 2017.

ATTEST:

Sonja De La Fuente, Deputy City Clerk

George Moyer, Mayor



MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

09/11/17
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Moyer on September 11, 2017, at 3:30 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Andrade
Councilmember Franklin
Councilmember Peterson
Councilmember Welch
Mayor Moyer

OTHERS PRESENT: Alejandro Diaz, Interim City Manager
John Cotti, Interim City Attorney
Rochelle Clayton, Deputy City Manager
Sonja De La Fuente, Deputy City Clerk

CLOSED SESSION

Mayor Moyer opened the closed session items for public comments; the following people addressed the Council:

Victoria Hatch, President of the Board for the Banning Library District addressed the City Council to advise that the Library today is more than a repository for books and will provide resources for the entire community.

Seeing no further comments, the Mayor closed the items for public comments and asked the City Attorney to announce the items on the Closed Session Agenda.

Interim City Attorney John Cotti listed the items on the closed session agenda, which included: 1) CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8: Property description: APN: 532-130-012, 532-130-018, and 532-130-011, Banning Municipal Airport. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: BRAD Partners, LLC; Under Negotiation: Price and Terms. 2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8: Property description: APN: 541-181-032, 541-181-033, 541-181-034, and 541-181-035, located in the general vicinity of Ramsey Street between San Gorgonio Avenue and Martin Street. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Vanir Group of Companies, Inc.; Under Negotiation: Price and Terms. 3) CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to

Government Code Section 54956.8: Property description: APN: 532-180-038 & 532-180-009, located in the general vicinity of south of Charles St and east of Scott St. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: FIRM Clean Energy; Under Negotiation: Price and Terms. 4) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6 Agency designated representative: Deputy City Manager Rochelle Clayton. Employee Organizations: International Brotherhood of Electrical Workers (IBEW) – Utility Unit, International Brotherhood of Electrical Workers (IBEW) – General Unit; and Banning Police Management Association (BPMA). 5) CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION pursuant to Government Code Section 54956.9(d)(4). Number of cases: One (the Flume). 6) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code section 54956.9(d)(1). Green Element Organics v. City of Banning – Riverside Superior Court Case No. RIC 1711410, 7) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) Banning Library District. 8) PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT Public employment pursuant to Government Code Section 54957 Title: City Attorney.

Councilmember Peterson requested item number two on the Agenda be moved to the end.

The Meeting went into closed session at 3:35 p.m. and reconvened to open session at 5:05 p.m.

ADJOURNMENT

By common consent the meeting adjourned at 5:05 p.m.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

09/11/2017
REGULAR MEETING

A regular meeting of the Banning City Council was called to order by Mayor Moyer on September 11, 2017, at 5:10 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Council Member Andrade
Council Member Franklin
Council Member Peterson
Council Member Welch
Mayor Moyer

OTHERS PRESENT: Alejandro Diaz, Interim City Manager
John Cotti, Interim City Attorney
Rochelle Clayton, Deputy City Manager
Heidi Meraz, Community Services Director
Patty Nevins, Community Development Director
Art Vela, Public Works Director
Tim Chavez, Fire Chief
Ted Shove, Economic Development Manager
Jason Smith, Acting Electric Operations Manager
Jim Steffens, Power Resources & Revenue Administrator
Sonja De La Fuente, Deputy City Clerk
Leila Lopez, Office Specialist

The Invocation was given by Chaplain Merle Malland. The Mayor asked for a moment of silence in memory of 9/11/2001. Council Member Franklin led the audience in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

Interim City Attorney John Cotti indicated there were eight items on the Closed Session Agenda. Interim City Attorney John Cotti listed the items on the closed session agenda, which included: 1) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property description: APN: 532-130-012, 532-130-018, and 532-130-011, Banning Municipal Airport. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: BRAD Partners, LLC; Under Negotiation: Price and Terms. There were no reportable actions taken, although direction was given. 2) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property description: APN: 541-181-032, 541-181-033, 541-181-034, and 541-181-035, located in the general vicinity of Ramsey Street between San Gorgonio Avenue and Martin Street. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Vanir Group of

Companies, Inc.; Under Negotiation: Price and Terms. There were no reportable actions taken, although direction was given. 3) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property description: APN: 532-180-038 & 532-180-009, located in the general vicinity of south of Charles St and east of Scott St. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: FIRM Clean Energy; Under Negotiation: Price and Terms. There were no reportable actions taken, although direction was given. 4) Conference with Labor Negotiator pursuant to Government Code Section 54957.6 Agency designated representative: Deputy City Manager Rochelle Clayton. Employee Organizations: International Brotherhood of Electrical Workers (IBEW) – Utility Unit, International Brotherhood of Electrical Workers (IBEW) – General Unit; and Banning Police Management Association (BPMA). There were no reportable actions taken, although direction was given. 5) Conference with Legal Counsel – Potential Litigation pursuant to Government Code Section 54956.9(d)(4). Number of cases: One (the Flume). Council received an update regarding the next court date. 6) Conference with Legal Counsel – Existing Litigation pursuant to Government Code section 54956.9(d)(1). Green Element Organics v. City of Banning – Riverside Superior Court Case No. RIC 1711410. No reportable action was taken. 7) Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) Banning Library District. No reportable action was taken. 8) Public Employee Appointment/Employment – Public employment pursuant to Government Code Section 54957 Title: City Attorney. The Council is trying to schedule interviews for September 26th or after.

PUBLIC COMMENTS / APPOINTMENTS / CITY MANAGER REPORT /
CORRESPONDENCE / SCHEDULE MEETINGS

PUBLIC COMMENTS

Inge Schuler asked about the written report Council Member Franklin mentioned at the last City Council Meeting. She also asked about the conflict of dedication on Highland Home Road (page 414 of the August 22nd Regular City Council Meeting Agenda packet) in regard to Pardee and a previous developer. She asked that these be cleared up.

Council Member Franklin advised that she has not received the report. Interim City Manager Diaz indicated the report is forthcoming and should be on the next Regular Meeting Agenda and will forward to the Committee Members.

Dr. Mark Hodnik, President of the Board for the Habitat for Humanity of the San Geronio Pass Area. He thanked the City of Banning for their support. He announced that the last house they did a ribbon cutting on was in November of 2015 and they are now in the process of building another house.

Val Westholder addressed Council Member Welch indicating that seven people heard him tell her to get her facts straight at the last City Council Meeting. She trusts it won't happen again. She expressed concern over decisions he has made in the past. She

visited Trinity County and read an excerpt from Trinity PUD regarding how they serve their people.

Jerry Westholder informed the Council that he feels WRCOG is a bureaucratic organization with unelected officials. He asked about the City recently hiring various positions if they cannot afford it. He addressed Council Member Welch regarding the bond issue of 2004. He announced that the average income in Banning is \$35,000 and the City has the highest utility rates for business.

Chuck Hokanson Golden State Manufactured Homeowners League, wanted to inform the Council that school and hospital taxes are passed on to the mobile home owners by the mobile home park owner. He asked for the Council's assistance, as the mobile homeowners already pay their own school and hospital taxes. The City Attorney will look into the mobile home residency law and assist Mr. Hokanson.

Ann Price thanked the City for the support of Stagecoach Days.

David Ellis thanked the City Council for their participation in Stagecoach Days.

Seeing no further comments, Mayor Moyer closed public comment.

CORRESPONDENCE

The Deputy City Clerk read correspondence from Fred Sakurai (Exhibit "A").

The Mayor recessed the Regular City Council Meeting and called to order a scheduled meeting of the Banning Utility Authority

CITY COUNCIL REPORTS

Council Member Andrade reported on the following:

- Stagecoach Days was well done and she thanked the Stagecoach Committee for coordinating such a great event.
- She attended the 9/11 Event at Mt. San Jacinto College and thanked first responders and military personnel for their service.
- She thanked Council Member Franklin for manning the booth at the street fair for Healthy Cities and thanked Heidi Meraz for all of the work her employees do.

Council Member Peterson reported on the following:

- There was some back-and-forth on social media recently questioning the Pass Job Connection and their validity as a charity. He has done his own investigating into the matter and wanted to clarify some things (Exhibit "B") He has provided the information to the City Attorney and City Manager.

Council Member Franklin reported on the following:

- In regard to Stagecoach Days, she thanked the Committee, especially Amy Pippenger. She also thanked Pete Pitassi for sharing his land for additional parking. She said there were other events in the City the same weekend, including the Kiwanis Pancake Breakfast, School District Street Fair, and Rotary Spaghetti Dinner and they were all well attended.
- Attended WRCOG Meeting on September 11th and they approved making grant writing assistance available to cities on a first come, first served basis.
- Attended the 2+2 with the School District along with the Mayor. They discussed several topics including student representation on the City boards. It was suggested that students attending the Leadership Academy would then apply to be a student representative on the Parks & Recreation Commission. They also discussed how to share successes and upcoming events The Mayor and School Trustee President agreed to alternately write articles for the newspaper about City and School events with the goal to get the word out and not express opinions. The School District also agreed the City may publicize their events on the reader boards outside the schools. They are also exploring a 'What's Happening' page on Facebook.
- There will be free workshops at the Community Center for ages 8 – 18. Snacks will be provided. Presentations include dating, marijuana and other drug use, as well as bullying and phone etiquette. More information can be found on Facebook through the Youth Essential Skills (YES) Program.
- She and Council Member Andrade are representatives on the Healthy City Committee. They met, along with other committee members, with the Hospital, Loma Linda University Medical Center, Riverside County Public Health, and the School District. They discussed getting information from residents in regard to what they would like in a Healthy City. They had a booth at the street fair to try to do that and will share the information at a future meeting.
- She is part of the Downtown Ad Hoc Committee with Council Member Andrade and they met regarding downtown and how they would like it to look, particularly how close to downtown they can get a grocery store. Their next meeting is September 19th and they hope to bring back information quickly to the Council.

Council Member Welch reported on the following:

- He thanked everyone for all of their hard work on Stagecoach Days
- He read a prepared statement in regard to his military service. (Exhibit "C")

Mayor Moyer reported on the following:

- Stagecoach Days Committee did a wonderful job.
- He attended a meeting of the local mayors that meet once per month. The primary issue addressed at this meeting was the I-10 Bypass and getting the project changed from a zonal project to a regional project.

Council Member Welch announced that he will not take a position in regard to the Beaver/Hospital situation.

CITY ATTORNEY REPORT

Interim City Attorney John Cotti did not have anything to report.

CITY MANAGER REPORT

Interim City Manager Alex Diaz reported on the following:

- City Staff would like to schedule an Open House. The first part of the program would be a question and answer period with the Council and staff would be available during the second half to provide further explanation to the citizens as needed.

SCHEDULE MEETINGS

It was the consensus of the Council to schedule the Open House for October 17, 2017 at 5:30 p.m.

The Budget & Finance Committee Meeting was rescheduled to October 17, 2017 at 3:30 p.m.

CONSENT ITEMS

The Mayor pulled Item 5 from the Consent Calendar, as this item is for discussion only.

5. Information Regarding Carry Concealed Weapon (CCW) Program

Recommendation: Receive and file Information regarding CCW Program

City Manager Diaz presented the Staff Report as contained in the Agenda Packet and provided Council with options related to the City offering a CCW program in partnership with M. Pino and Associates, Inc. or continuing to defer the CCW process to the Riverside County Sheriff's Department.

Council Member Peterson feels it is an innovative and good program.

Mayor Moyer opened the item for public comments.

Inge Schuler asked about the cost of the program. She sees the time savings, but not the cost savings.

City Manager Diaz explained that the cost would be \$800-\$900 per permit charged by M. Pino Associates and includes LiveScan, weapon training requirements, and psychological evaluation. It is an expensive endeavor, but there is a time savings.

Jim Price asked if there was a huge market for this in Banning.

City Manager Diaz has had significant amount of citizen inquiries over the past few years.

Council Member Peterson has noticed a large push for this since September 11, 2001. Also, since the local jurisdictions now have more responsibility versus the State.

Mayor Moyer indicated that since Beaumont recently moved toward providing the service, it has generated more local interest.

Seeing no further comments, Mayor Moyer closed public comment.

Council Member Peterson pulled Item 2 for discussion.

1. Minutes – Special Meeting – 08/22/17 (Closed Session)

Recommendation: Approve the Minutes from the August 22, 2017 Special Meeting of the Banning City Council (Closed Session)

3. Ordinance 1510 – 2nd Reading

Recommendation: Ordinance 1510, approving a Categorical Exemption and approving Zoning Text Amendment 17-97502 amending various Sections of the Zoning Ordinance (Title 17-97502 of the Banning Municipal Code) to provide consistency and clarifications within the text, pass its 2nd Reading

4. Ordinance 1514 – 2nd Reading

Recommendation: Ordinance 1514, Amending and Superseding Ordinance No. 1344 to Update Participation in the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program, pass its 2nd Reading

6. Disaster and Emergency Mutual Aid Agreement Between the Morongo Band of Mission Indians and the City of Banning

Recommendation: Receive and file Disaster and Mutual Aid Agreement between the Morongo Band of Mission Indians and the City of Banning

Mayor Moyer opened items 1, 3, 4, and 6 for public comment. Seeing none, closed Public Comment.

Motion Franklin/Welch to approve Consent Items 1, 3, 4, and 6. Motion carried, 5-0.

2. Minutes – Regular Meeting – 08/22/17

Recommendation: Approve the Minutes from the August 22, 2017 Regular Meeting of the Banning City Council

Council Member referred to page 10 of the agenda packet (page 8 of the minutes) regarding Western Riverside Council of Governments (WRCOG). He mentioned that WRCOG Meeting Attendance by Staff is listed under Items for Future Agendas he does not want this overlooked and not addressed.

Council Member Franklin explained that being a chair of a committee is an honor. When you don't have a seat at the table, often you are ignored and needs not met. Therefore, having our City represented is good and staff is only attending meetings once every quarter or every couple of months. She believes the Technical Advisory Committee is the only one that meets monthly. She feels Council can request and demand the City work be taken care of, but not how staff gets it done.

Council Member Peterson expressed concern with WRCOG being an unelected body. He also is concerned with their Home Energy Renovation Opportunity (HERO) program and how property taxes are impacted. He feels if staff would like to chair a committee, they should go to the City Manager and request to do so.

Council Member Franklin clarified some information regarding WRCOG and the HERO program. She explained that the City of Banning has been a member of WRCOG since 1990 and the City has received and continues to receive money and benefits for its participation in the program.

Mayor Moyer advised that this issue is not on the Agenda, but a discussion regarding WRCOG will be put on a future agenda.

Councilmember Peterson asked that it not be shelved and needs to be addressed. He provided the Clerk with information regarding the HERO program (Exhibit "D").

Mayor Moyer opened Item 2 for public comment. Seeing none, closed public comment.

Motion Andrade/Franklin to approve Consent Items 2. Motion carried, 5-0.

REPORTS OF OFFICERS

1. Resolution 2017-87, Adopting California Statewide Communities Development Authority Community Facilities Districts (CFD) Goals and Policies Statement

Deputy City Manager Rochelle Clayton presented the Staff Report and PowerPoint presentation as contained in the Agenda packet. She explained this would establish criteria, but each project would come back to City Council for approval. She apologized that the consultant, James Hammil, was unavailable to attend the meeting due to a canceled flight, but she would do her best to answer any questions.

Council Member Welch said this not only relates to residential, but any structural project in the City (i.e. commercial and industrial).

Council Member Franklin asked how much time is involved. Manager Clayton indicated she would have to get that information from the consultant, but doesn't believe it is too much time. Council Member Franklin asked Ms. Clayton to clarify for the community if this affects any existing districts. Deputy City Manager Clayton advised that it only affects the specific new community being developed.

Council Member Andrade asked if this was similar to Mello-Roos and Association Fees. Manager Clayton indicated that it is Mello-Roos, but association fees are slightly different. Council Member Andrade has an issue with Homeowner's Associations. Manager Clayton explained the differences.

Deputy City Manager Clayton advised the Council that the City is bound by the Development Agreements between the City and Pardee and the City and Diversified Pacific to adopt CFD Goals and Policies.

Council Member Peterson explained that he is against CFDs, as he does not want people burdened with the added expense on their property taxes. He is concerned with foreclosures on residents if they are 90 days late. He would like the City to just do the SCIP program and adopt a Policy that doesn't allow CFDs.

Council Member Franklin asked if the timeframe for foreclosure is something that can be negotiated.

City Attorney Cotti explained that State Law allows for an expedited process when it comes to foreclosures related to Mello-Roos bonds. He will look into whether or not that can be negotiated, but doesn't believe it can.

Mayor Moyer asked for Pete Pitassi with Diversified Pacific to provide some input. Mr. Pitassi provided input and reminded the Council that this is a policy matter the Council would need to make a decision on and reminded the Council that the City has a contractual obligation to Pardee as well as Diversified Pacific.

There was dialogue amongst the Council and staff regarding the program under consideration.

Mayor Moyer asked if the City can adopt a policy saying the City doesn't allow CFDs. The City Attorney confirmed that both Development Agreements do require the City to adopt CFD Goals and Policies, but not the CFD. He will have to review the agreements specifically.

Mayor Moyer opened the item for public comment.

Don Smith provided some background regarding how the City of Beaumont handled CFDs in the past and how it affected the citizens. He also provided some history with Banning's CFDs. He also explained how Beaumont had their CFDs pay for everything and Banning limited the items the CFDs paid for. He is concerned that a future Council might approve an out of control CFD and would like the City to see if they could put something in the Goals and Policies preventing that.

Jerry Westholder thanked Don Smith and Council Member Peterson for their comments. He is concerned with the high utility rates in the City and adding Mello-Roos on top of that to the new residents. He recommended the City's policy be that Mello-Roos is not allowed.

Val Westholder does not believe the Council has the ability to make a decision about imposing Mello-Roos on future residents.

Seeing no further comments, Mayor Moyer closed public comment.

Councilmember Franklin recommended continuing this item to a future meeting when the consultant is able to provide the answers to questions raised.

Motion Franklin/Andrade to continue Resolution 2017-87 to a future meeting. Motion carried, 5-0.

2. Transactions and Use (Sales) Tax

Deputy City Manager Rochelle Clayton presented the Staff Report as contained in the Agenda packet. She indicated that is requesting direction from the City Council as to whether or not to prepare Resolutions calling for an Election on a proposed Ballot Measure seeking voter approval of a Transactions and Use (Sales) Tax.

Council Member Peterson would like to see a public safety tax, but since the citizens of Banning are facing a possible water rate increase he feels this may be time spent in vein.

Mayor Moyer feels it is important the City eventually move forward with a ballot measure, but understands the current environment indicates that we probably shouldn't.

Council Member Franklin cannot support a measure at this time.

Council Member Andrade supports public safety, but opposes any additional taxes.

Council Member Welch is also against the measure at this time.

Mayor Moyer opened the item for public comment.

Jerry Westholder pointed out that Measure J was passed to impose a mining tax and that money should be going to public safety.

Laura Leindecker asked how much it costs to put something on the ballot.

City Attorney Cotti explained that if you add the measure to an existing election it would be \$5,000 and considerably higher if you do a stand-alone.

Laura Leindecker thinks it would be worthwhile to try and put the item on the ballot and give the community the chance to vote on it, as maybe the community would like to come up with some money for public safety.

Don Smith recalled three special taxes that have been placed on the ballot in the last 25 years and doesn't believe they got 50% approval, let alone the required 67%. He feels this should be a ground up movement, versus a top down. He suggested getting the community support before putting it out for a vote.

Seeing no further comments, Mayor Moyer closed public comment.

Motion Peterson/Moyer to not move forward with a proposed ballot measure at this time. Motion carried, 5-0.

3. Resolution 2017-90, Approving a Joint Use Facility Agreement with Banning Unified School District

Deputy City Manager Rochelle Clayton presented the Staff Report as contained in the Agenda packet.

Mayor Moyer asked Community Services Director Heidi Meraz if this met the City's needs and she confirmed that it does.

Council Member Peterson asked about BPAL. City Manager Diaz explained that they have their separate process, but has not had any issues.

Mayor Moyer opened the item for public comment. Seeing none, closed public comment.

Motion Franklin/Welch adopting Resolution 2017-90 approving the Joint Use Facility Agreement with Banning Unified School District. Motion carried, 5-0.

4. Request for Sponsorship from the Banning Chamber of Commerce

City Manager Alex Diaz presented the Staff Report as contained in the Agenda packet.

Council Member Andrade doesn't feel the Chamber should ask for money at this time, until the Chamber and the City are back on track and working together.

Laura Leindecker stated she has been on the Chamber Board for two years and feels the Chamber and the City are on track and has been working actively together on the Sunrise Banning Breakfast for about a year now. She advised the Council that she approached the City because they currently don't have an Executive Director and cannot afford one. She would like to see the City support the Chamber and the members. More importantly she would like to see the Council Members attend the event on October 3rd. She would also like to continue working together.

Council Member Franklin indicated she would be abstaining from the vote, as she is a member.

Council Member Welch stated it has been a rough road for the Chamber and that Ms. Leindecker and a couple others are trying to make it good again.

Council Member Peterson is concerned with public funds being used for a private membership appreciation.

Ms. Leindecker indicated that members do not have to pay, but those that aren't members will only be charged \$35.

Mayor Moyer pointed out that this is a similar request Stagecoach Days charges the public to attend and the City supports their event.

There was some dialogue among the Council and Ms. Leindecker.

Mayor Moyer opened the item for public comment.

Don Smith feels it is very important for the City and the Chamber to have a good working relationship, especially in regard to business recruitment. He encouraged the Council to consider the sponsorship.

Pete Pitassi agreed with Mr. Smith regarding the City and Chamber having a healthy relationship. He didn't advocate for sponsorship, but hopes this is a first step.

Seeing no further comments, Mayor Moyer closed public comment.

Council Member Peterson asked if something this small falls under the City Manager's authority. City Manager Diaz indicated that it does.

Council Member Welch recalls that in 2009 or 2010 the City hired the Chamber to provide certain services.

Motion Peterson/Welch to refer this item to the City Manager for approval, as this falls under the City Manager's signature authority. Motion carried, 4-1, with Council Member Andrade voting against.

5. Resolution 2017-86, Approving an Amendment to the Professional Services Agreement with Albert A. Webb Associates for a Focused Burrowing Owl Survey

Public Works Director Art Vela presented the Staff Report as contained in the Agenda packet.

Mayor Moyer opened this item for public comment. Seeing none, closed public comment.

Council Member Andrade asked why we pay into RCA and then have to pay for this.

Director Vela explained that this study would become part of the City's CEQA document so it has to be separate.

Council Member Andrade asked if we would have to pay for this study if we weren't performing improvements.

Director Vela explained that the site the City will be working on is currently undisturbed.

Motion Welch/Peterson to adopt Resolution 2017-86; 1) Approving the First Amendment to the Professional Services Agreement with Albert A. Webb Associates of Riverside, California, in the amount of \$7,300. 2) Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations, and transfers. 3) Authorizing the City Manager to execute the First Amendment to the Professional Services Agreement with Albert A. Webb Associates in the amount of \$7,300. Motion carried, 5-0.

6. Resolution 2017-83, Approving the WSPP Confirmation Letter – Resource Adequacy Purchasing Agreement with Shell Energy North America (US), LP, for Calendar Year 2018

Power Resource & Revenue Administrator Jim Steffens presented the Staff Report as contained in the Agenda packet.

There was some dialogue amongst the Council and staff regarding the item.

Mayor Moyer opened this item for public comment. Seeing none, closed public comment.

Motion Franklin/Welch to adopt Resolution 2017-8; 1) Approving the First Amendment to the Professional Services Agreement with Albert A. Webb Associates of Riverside, California, in the amount of \$7,300. 2) Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations, and transfers. 3) Authorizing the City Manager to execute the First Amendment to the Professional Services Agreement with Albert A. Webb Associates in the amount of \$7,300. Motion carried, 5-0.

ITEMS FOR FUTURE AGENDAS

- 1) Positions Regarding SB 2, SB 3, SB 35, SB 649, and AB 890 (requested by Council Member Franklin)
- 2) Position Regarding SB 421 (requested by Council Member Peterson)
- 3) Status Report on Unfilled City Positions (requested by Mayor Moyer)

ADJOURNMENT

By common consent the meeting was adjourned 7:54 P.M.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

These Minutes reflect actions taken by the City Council. The entire discussion of this meeting can be found by visiting the following website: <https://banninglive.viebit.com/player.php?hash=YkqKYMf0WuE3> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

EXHIBIT A

Rec'd 9/11/17 (SD)

Sonja De La Fuente

From: Frp2002@aol.com
Sent: Monday, September 11, 2017 1:08 PM
To: Sonja De La Fuente
Subject: to be read aloud at the City Council meeting

Dear honorable City Council Members,

We would like to thank Doug and Monte Hammer for organizing a very patriotic display on the San Geronio freeway overpass on 9/11, Monday, in observance of Patriots' Day. It must have been quite awe-inspiring to drivers passing beneath the bridge, going both westward and eastward, to see those 50 or so American flags waving from the bridge.

It would have been perfect if they would have arranged to have the breeze blowing either due-north or due-south; it would have been a beautiful picture. Either way, as the cars sounded their horns and the big-rigs blasted their loud air horns, it brought a lump to my throat. It was nice that the engineer on the train also provided some additional accompaniment.

Thank you Doug and Monte Hammer.

Fred Sake Sakurai
Banning, CA

EXHIBIT B

The Job Connection is registered with the IRS as a 501 (c) (3) Tax Exempt Organization. However they have not filed Taxes for 2015 and 2016. Their EIN is 46-5447787 (see Attachment)

They are registered with the Secretary of State and their Corporate ID is: C3664336. (see Attachment)

They ARE NOT registered with the County of Riverside, and DO NOT have a DBA. (see Attachment)

Their BIG PROBLEM is, they ARE NOT registered with the Attorney General as a charity, and therefore they cannot accept donations of any kind, to include In-Kind or Cash donations. (see Attachment)


They are using the City of Banning logo on their website and most likely on other material. (see Attachment)

Illegally run charities should not be using the City's logos, nor should they be affiliated with the City, nor should they be receiving Free Office Space. They should be evicted from their space in the Community Center immediately.

This is the problem with EVERY 501 (c)(3) Charity in Banning. One has to be extremely careful when affiliating ones self with local charities.

The Pass Job Connection

Helping you find the best job for your skills

 Search

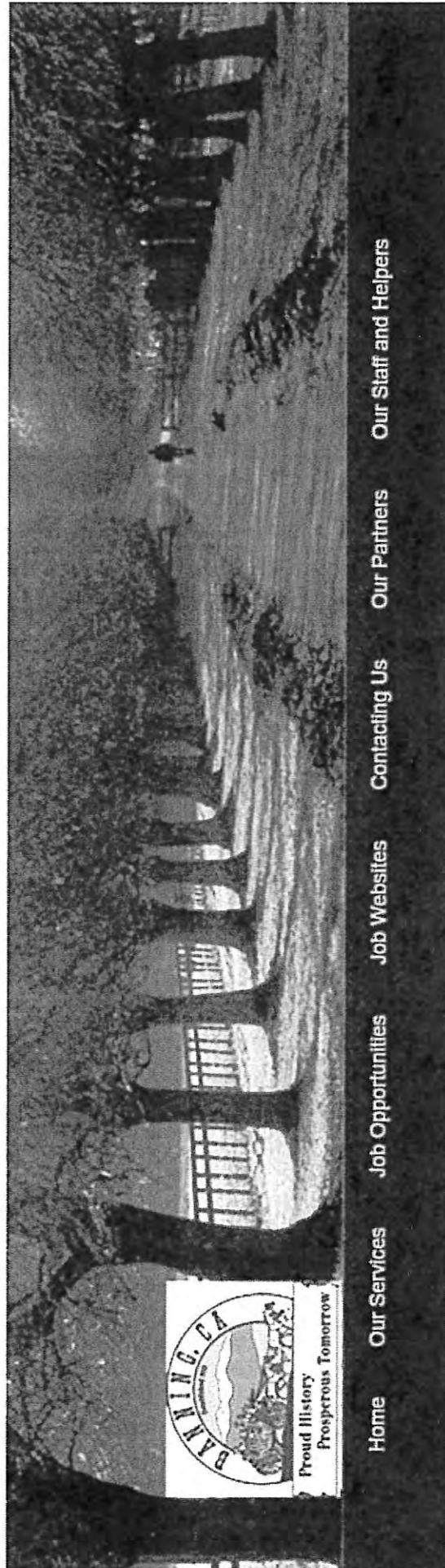


EXHIBIT B



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

990-N (e-Postcard) filer Information

Tax Period:

2014 (07/01/2014 - 06/30/2015)

Employer Identification Number (EIN):

46-5447787

Legal Name:

PASS JOB CONNECTION

Mailing Address:

1433 Snead St
Banning, CA 92220
United States

Doing Business As:

Gross receipts not greater than:

\$50,000

Organization has terminated:

No

Principal Officer's Name and Address:

Mary Hamlin
1433 Snead St
Banning, CA 92220
United States

Website URL:

www.passjobconnectio n.org

Related 990-N (ePostcard) Filings:

If the organization has filed additional Forms 990-N (e-Postcards), link(s) to additional e-Postcard filings are displayed below. Click on the link(s) to see the information included in those filing(s).

No related filings available for this EIN.

[Return to Search Results](#) [Return to Search Page](#)

- Welcome to the Registry's Search tool. Here you may search for information and documentation within the Registry's database related to charities, charity fundraising professionals, and raffle registrants.
- Electronic copies of filings by certain registrants, such as the annual financial reports filed by commercial fundraisers for charitable purposes, are available elsewhere on the [Charities website](#)
- To perform a search, enter data into one or more fields and click Search. To return matches across multiple Registration Types (e.g. Charity, Raffle), leave that pull-down menu set to All (default).
- For Organization Name searches, you need not type the entire name. For example, a search for "KIDS FOR" will show registrations for organizations whose names start with "KIDS FOR" (e.g. KIDS FOR SACRAMENTO and KIDS FOR DOLPHINS).
- For help using and interpreting the results from the Registry Search, please review [Registry Search Feature - Tips for use and definition of the codes.](#)

Secretary of State or Franchise Tax Board Number (numbers only): 3664336

Organization Name: pass job connection

State Charity Registration Number:

DBA:

FEIN (numbers only): 46-5447787

Registration Status: All

County: riverside

City: Banning

State: CA

ZIP Code: 92220

Record Type: All

Registration Type: All

Search Clear

EXHIBIT B

Alex Padilla
California Secretary of State

Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Sunday, September 10, 2017. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C3664336 PASS JOB CONNECTION

Registration Date:	04/07/2014
Jurisdiction:	CALIFORNIA
Entity Type:	DOMESTIC NONPROFIT
Status:	ACTIVE
Agent for Service of Process:	MARY L HAMLIN 1433 SNEAD ST BANNING CA 92220
Entity Address:	1433 SNEAD ST BANNING CA 92220
Entity Mailing Address:	1433 SNEAD ST BANNING CA 92220

A Statement of Information is due EVERY EVEN-NUMBERED year beginning five months before and through the end of April.

Document Type	↕ File Date	↕ PDF
SI-COMPLETE	01/28/2016	
SI-COMPLETE	10/20/2014	
REGISTRATION	04/07/2014	

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image is not available online, for information on ordering a copy refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Frequently Asked Questions](#).

[Modify Search](#) [New Search](#) [Back to Search Results](#)

EXHIBIT B**Assessor-County Clerk-Recorder**[English](#)[Home](#)[cart](#)**Fictitious Business Name Search**

Business Names should be entered **as they are spelled** (i.e. Riverside Bank).

Registrant Names should be entered **Last First** (i.e. Smith James). For a broader search, use only a last name and first initial.

Search Criteria

Business Name	Registrant Name	Filing Date Start
<input type="text" value="pass job connection"/>	<input type="text" value="hamlin"/>	<input type="text" value="mm/dd/yyyy"/>
Document Number		Filing Date End
<input type="text"/>		<input type="text" value="mm/dd/yyyy"/>
Document Types	<input type="text" value="Click here to select document types..."/>	

Recent searches**Clear Selections****Search****No results found, please try a new search**

Fictitious Business Name Search where Business Name contains pass job connection* and Registrant Name contains hamlin*

EXHIBIT C

IN JULY OF THIS YEAR I WAS ACCUSED OF FRAUD BY A LOCAL BLOG THAT HAS THE TENDANCY TO SENSATIONALIZE STORIES, TRUE OR NOT, BY STATING WHAT THEY CALL FACTS (EVEN IF THEY ARE HEARSAY). THIS ON-LINE PUBLICATION HAS BEEN, FOR SOME REASON, A NEGATIVE PUBLICATION ABOUT BANNING FOR THE LAST SEVEN YEARS. IT'S INTERESTING TO NOTE THAT THE OWNER-MANAGER OF THIS SITE IS NOT A RESIDENT OF OUR CITY.

A FEW RESIDENTS OF BANNING, INCLUDING PUBLIC FIGURES, HAVE BEEN THE BLOG'S

SOURCE OF INFORMATION IN MANY
STORIES. THIS BLOG TENDS TO OPERATE
AS A POLITICAL VOICE FOR SOME
CANDIDATES AND A NEGATIVE VOICE
ABOUT OTHERS.

I WAS ACCUSED OF MAKING FALSE
STATEMENTS ABOUT MY MILITARY SERVICE.
I AM GOING TO TAKE EACH ACCUSING
STATEMENT TO CLEAR UP THIS FALSE
ACCUSATION: "THE NATIONAL PERSONNEL
RECORDS CENTER HAS NO RECORD OF
ARTHUR LEE WELCH EVER BEING ENLISTED
IN THE U.S. ARMED FORCES." (THE STORAGE

AREA FOR MILITARY IN JEFFERSON BARRACKS
ST LOUIS, MISSOURI, BURNED IN 1973
CAUSING LOSS OF THOUSANDS OF
INDIVIDUALS' RECORD. WE HAVE OTHER
LOCAL VETERANS HAVING THE SAME ISSUE.)
LET ME WALK YOU THROUGH MY HISTORY:
UPON GRADUATION FROM HIGH SCHOOL
IN JANUARY 1956 I ENLISTED IN THE UNITED
STATES ARMY RESERVE, COMMITTING TO AN
8 YEAR OBLIGATION. I WAS SWORN IN AT
JEFFERSON BARRACKS IN ST LOUIS MISSOURI.
I RECEIVED MY BASIC TRAINING AT CAMP
CHAFFEE ARKANSAS AND THEN WAS SENT TO

FORT LEONARDWOOD MISSOURI FOR
ENGINEER TRAINING. UPON COMPLETION
OF THIS TRAINING I RETURNED TO MY HOME
TOWN, CAPE GIRARDEAU MISSOURI. I
ENROLLED IN SOUTHEAST MISSOURI STATE
UNIVERSITY. DURING THAT 4 YEAR PERIOD I
WAS INVOLVED IN THE ACTIVE ARMY
RESERVE.

IN 1960 I TOOK EMPLOYMENT WITH A
NATIONAL CORPORATION AND I
TRANSFERRED TO HENDERSON KENTUCKY.
AT THAT TIME I WAS PLACED INTO WHAT THE
ARMY CALLED THE "CONTROL GROUP" -

STANDING BY.

IN 1961 A SEARGENT OF THE RESERVE UNIT
IN HENDERSON ASKED ME TO BECOME
ACTIVE AGAIN. I STATED THAT I WOULD
LIKE TO GET SETTLED IN MY NEW JOB AND
MY NEW MARRIAGE AND WOULD TALK TO
HIM SOMETIME IN THE FUTURE.

SHORTLY AFTER THAT CONVERSATION THE
HENDERSON RESERVE WAS CALLED TO
ACTIVE DUTY AND SENT TO HELP MAN
CAMP CHAFFEE ARKANSAS. THIS WAS
ABOUT THE TIME OF THE BAY OF PIGS
INCIDENT. THE UNIT STAYED AT CAMP

CHAFFEE FOR A YEAR.

ANOTHER UNFOUNDED ^RCHANGE BY THE
BLOG WAS THAT ACCORDING TO
RELIABLE SOURCES I CLAIMED I USED THE
GI BILL TO GET MY EDUCATION. I WAS NOT *Eligible*
For THE GI BILL FOR EDUCATION.

I WAS, HOWEVER, SUPPORTED BY MILITARY
DOLLARS TOWARD MY EDUCATION;
APPROXIMATELY \$38.00 A MONTH FROM
ACTIVE DUTY PARTICIPATION ONCE A
MONTH.

I AM SORRY THAT THE LOCAL VETERANS OF

FOREIGN WARS

(VFW) HAS BEEN ^C~~S~~ITED IN THE BLOG
ARTICLES. IF ANYTHING THEY SHOULD
BE ^C~~S~~ITED FOR THE THINGS THEY DO TO
HELP VETS.

BECAUSE I SERVED INSIDE THE UNITED
STATES, I AM NOT ELIGIBLE TO BE A
MEMBER OF THE VFW.

I'M VERY PROUD OF MY EFFORTS TO HELP
OUR VETERANS AND YES, I HELPED START
THE ANNUAL VETERANS' EXPO. THERE
ARE MANY DEDICATED PEOPLE INVOLVED
IN THIS SUCCESSFUL PROGRAM THAT ARE

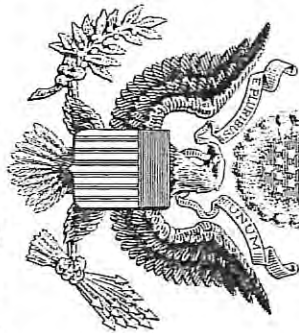
NOT VETS, BUT HAVE A PASSION FOR OUR
MEN AND WOMEN WHO HAVE SERVED AND
AID THEIR EFFORTS TO GETTING THE BENEFITS
AND HELP THEY DESERVE.

LADIES AND GENTLEMEN, I APOLOGIZE FOR
TAKING SO MUCH OF YOUR TIME FOR THIS
INSTEAD OF CONDUCTING YOUR
BUSINESS FOR THE CITY. THIS, HOWEVER,
IS NOT AN ISOLATED INCIDENT. SEVERAL
GOOD PEOPLE HAVE BEEN TARGETS OVER
THE PAST SEVERAL YEARS, EVEN IF THEY
VOICE AN INTEREST IN BECOMING PART OF
OUR CITY'S GOVERNMENT.

THIS IS NOT THE AMERICAN WAY.



Honorable Discharge



from the Armed Forces of the United States of America

This is hereby that

WELCH ARTHUR L

ER 17 456 205 SP5 USAR

was Honorably Discharged from the

Armed of the United States

The 31ST *day of* OCTOBER 1963 *This certificate is awarded*

as a testimonial of Honor and Faithful Service

Eugene S. Tarr
EUGENE S. TARR
COLONEL AGC

Special Recognition

Presented To

Art Welch

*In Recognition of Your Dedication and
Commitment to Assisting
Veterans and their Families.*

*Your Devotion to Duty for Veterans Benefits
and Your Service to the Entire Community
is Second to None.*



You are a true Patriot.
DESERT EDGE VFW POST 233
Presented 6 January 2012

Special Recognition

Presented To

Art Welch

*In Recognition of Your Dedication and
Commitment to Assisting
Veterans and their Families.*

*Your Devotion to Duty for Veterans Benefits
and Your Service to the Entire Community
is Second to None.*



You are a true Patriot.
DESERT EDGE VFW POST 233

Presented 6 January 2012

EXHIBIT D

EXHIBIT D

Rec'd 9/11/17
(SW)

BUSINESS

Riverside County DA investigating how contractors pitch HERO program

By DEBRA GRUSZECKI | Press-Enterprise
June 4, 2015 at 10:58 am



Riverside County Deputy District Attorney Raymond Ramirez on Wednesday revealed an investigation is underway over the way consumers are being sold energy-efficient products through the HERO program.

Ramirez confirmed the probe during a forum hosted by the Inland Valleys Association of Realtors.

Ramirez, a member of the Riverside County District Attorney's Office's real estate fraud unit since 2006, said the district attorney has received complaints, and he will be looking into the way the HERO program has been pitched to consumers by contractors.

"I do have a reputation for going down rabbit holes," Ramirez said in a crowded IVAR meeting room. "This may be one of those times."

He said he wants to determine if consumers are being truly informed about what they're getting into.

The Home Energy Renovation Opportunity, or HERO, program was launched by the Western Riverside Council of Governments, or WRCOG. It allows a homeowner to install "green" improvements at low out-of-pocket costs, but with a payment program attached to a homeowner's property tax bill.

The HERO loan can be a blessing to homeowners because so little is required at the point of installation. The products can lower utility payments and increase the value of the home.

But the loan takes a first-lien position, meaning it has to be paid first if the property is sold or refinanced. That first position is such a sticking point, the Federal Housing Finance Agency prohibits Fannie Mae and Freddie Mac from buying mortgages or notes with these types of liens.

It's complicated home sale and refinancing deals, particularly when lenders refuse to accept a secondary position and require the HERO assessment to be paid off. Property owners have told Realtors that they were led to believe the loan stayed with the house when it was sold or refinanced.

Officials with Renovate America, the San Diego company retained by WRCOG to manage the HERO program, told the audience of about 150 people that the homeowner is asked to sign paperwork that discloses clearly that the loan may have to be paid in the first-lien position.

How clearly the first-lien requirement is laid out in documents is at the heart of the issue.

EXHIBIT D

Warren Diven, an attorney for WRCOG who volunteered to be part of the forum, gave a review on law that makes the HERO program legal. And while he confirmed the ban, he said the FHFA has no direct regulatory authority over state or local government. This program is legal under federal law, he said.

Diven urged Realtors to join WRCOG in an effort to convince the FHFA to lift its ban.

A Realtor in the audience said he supports any action to create full disclosure for property owners. That disclosure needs to be set in large, 40-point type, he told Diven. "There seems to be a disconnect to the end result," Ruben Hernandez, of EGA Homes, said.

Renovate America officials said contractors who are authorized by HERO to sell the products do get rigorous training, and must be registered. They have to be bonded and insured.

The company has an entire team that lives with property owners from the cradle to the grave if there are issues or problems, Scott McKinlay, executive vice president of corporate development, said.

The company in March noted that it had set up a hotline for agents and title company representatives to call. On Wednesday, Renovate officials said they created the HERO Property Advisors unit to help close deals and shared the telephone number: 855-HERO-411.

McKinlay said the company is listening carefully to consumers and it has amped up awareness on disclosures. Renovate is constantly in a state of improvement, he said.

When the meeting was opened for questions or comments, Warren Anderson, CEO of Financial 2000 in Redlands, said the way the program is structured is reminiscent of the subprime crisis – which attracted young people with no experience in the mortgage world to put people into loans the consumer did not understand – and that makes him nervous.

Tami Fleming-Maio said she is concerned because the program that's supposed to serve cash-strapped people relies on Fannie Mae or Freddie Mac-backed loans to refinance or sell their home.

Hernandez asked if the program could be suspended during the review.

Ramirez said he needs to understand it, first. "I'm a lawyer, and I looked at the documents, and I don't know how the consumer can figure this out," he said. "I need to understand it. I can tell you that is my commitment: to understand it."

After the meeting, Ramirez clarified that WRCOG is not under an inquiry.

"We're inquiring about the program itself," he said. "The investigation is between the contractor and homeowner, and whether protections are present for the consumer. It sounds like it's all being sold by contractors, but I don't know if that's true. I do not know enough about the program to know what protections are present."

With respect to the contractors, and representations made to homeowners, Ramirez described the inquiry as a criminal investigation. Asked to clarify, he said the Contractors State Licensing Board submitted a report to the district attorney's office for review.

Because the program is linked to a government entity, Ramirez said, the program should be held to a higher standard. "Government is there to protect its citizens," he said. "My questions are more systemic: What are the checks and balances?"

Contact the writer: 951-368-9423 or dgruszecki@pe.com

Debra Gruszecki



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Suzanne Cook, Finance Manager

MEETING DATE: September 26, 2017

SUBJECT: Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of August 2017

RECOMMENDATION:

That City Council review and ratify the warrants for period ending **August 31, 2017**, per California Government Code Section 37208.

WARRANT SUMMARY:

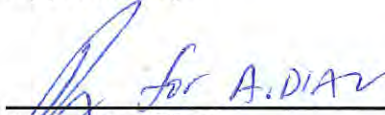
Description	Payment #	Amount	Total Amount
Checks:			
Checks Issued during Month	160542 - 161092	\$ 3,199,218.38	
Voided / Reissue Check	None	\$ -	
Check Total			\$ 3,199,218.38
Wires Total	945-947		\$ 2,653,485.40
ACH payments:			
	9006076 - 9006091		
Payroll Direct Deposit 8/4/2017		\$ 332,314.04	
Payroll Direct Deposit 8/18/2017		\$ 302,996.98	
Other Payments		\$ 552,979.53	
ACH Total			\$ 1,188,290.55
Payroll Checks:			
	11036 - 11084		
Payroll - Regular 8/4/2017		\$ 6,898.69	
Payroll - Regular 8/18/2017		\$ 5,529.18	
Payroll Check Total			\$ 12,427.87
Total Warrants Issued for August 2017			\$ 7,053,422.20

ATTACHMENTS:

- Fund List
- Warrant List August 2017
- Warrant List Detail August 2017
- Voided Check Log
- Payroll Log
- Payroll Registers

If you have any questions, please contact the Finance Department so that additional detailed information can be provided to you.

Approved by:

A handwritten signature in blue ink, appearing to read "for A. DIAZ", is written over a horizontal line.

Alejandro Diaz
Interim City Manager

CITY of BANNING

Fund/Department Legend

Fund/Department Legend

001 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
 4020 – Day Care
 4050 – Senior Center
 4060 – Sr. Center Advisory Board
 4500 – Central Services
 4800 – Debt Service
 5400 – Community Enhancement

All Other Funds

002 – Developer Deposit Fund
 003 – Riverside County MOU
 005 – SA Admin Fund
 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
 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 – 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

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
945	RIVERSIDE PUBLIC UTILITIES	1,047,344.86
946	U.S. BANK	93,015.73
947	U.S. BANK	1,513,124.81
160542	ACOM SOLUTIONS, INC	3,038.00
160543	ANIXTER, INC	3,959.93
160544	ARROYO BACKGROUND INVESTIGATIONS	800.00
160545	AT&T	125.00
160546	AT&T GLOBAL CUSTOMER CARE CENTER	374.44
160547	AT&T MOBILITY	1,101.89
160548	BEAUMONT DO IT BEST HOME CENTER	1,299.10
160549	BEAUMONT SAFE & LOCK	108.84
160550	CALIFORNIA, STATE OF	175.00
160551	CANON FINANCIAL SERVICES, INC	1,184.35
160552	CAPRCBM	225.00
160553	CITRIX SYSTEMS, INC	904.00
160554	COMCATE SOFTWARE, INC	5,622.76
160555	COMDIRECT, INC	7,225.00
160556	DAILY JOURNAL CORPORATION	1,010.00
160557	DANIELS TIRE SERVICE	1,131.85
160558	DE LA FUENTE, SONJA	16.00
160559	DESIGN WEST ENGINEERING	4,950.00
160560	DEX MEDIA	39.95
160561	DIAMOND HILLS CHEVROLET BUICK GMC	21,550.00
160562	EXPRESS VIDEO SUPPLY, INC	161.37
160563	FARWEST LINE SPECIALTIES	2,194.32
160564	FOX OCCUPATIONAL MEDICAL CENTER	140.00
160565	FRONTIER COMMUNICATIONS	928.84
160566	GARDA CL WEST INC	568.77
160567	GAS COMPANY, THE	14.79
160568	HEMET OIL COMPANY	19,338.99
160569	HOME DEPOT #8987	90.42
160570	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,102.02
160571	ICMA RETIREMENT TRUST 457	1,504.86
160572	INNOVATIVE EMERGENCY EQUIPMENT	3,006.78
160573	INNOVATIVE FEDERAL STRATEGIES	3,500.00
160574	LAND ENGINEERING CONSULTANTS, INC	6,298.50
160575	LEAF	303.35
160576	LITHOPASS PRINTING, FORMS,	238.81
160577	LONG, JUDY	70.00
160578	MC AVOY & MARKHAM	3,369.25
160579	MT SPRINGS MFG HOME COMMUNITY	187.51
160580	NATIONWIDE RETIREMENT SOLUTIONS	3,038.39
160581	OFFICE DEPOT	550.86
160582	OLIN CORPORATION DBA	2,427.98
160583	ONE SOURCE DISTRIBUTORS	7,238.65
160584	PARKHOUSE TIRE, INC.	103.44
160585	PARS	1,534.72
160586	PARTS AUTHORITY METRO, LLC	652.61
160587	PETTY CASH CUSTODIAN - FINANCE	55.74
160588	PRUDENTIAL OVERALL SUPPLY	403.27
160589	QUALITY LOGO PRODUCTS	1,879.29
160590	RECORD GAZETTE, THE	839.18

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160591	RIV. CO. CLERK RECORDER	2,266.25
160592	RIV. CO. FIRE DEPARTMENT	676,682.58
160593	RIV. CO. HEALTH SVCS AGENCY	144.00
160594	RIV. CO. LAW ENFORCEMENT	50.00
160595	SAN GORGONIO PASS WATER AGENCY	187,981.00
160596	SANDOVAL, ANA	16.00
160597	SHELTON, JOYCE	100.00
160598	SOUTH COAST AIR QUALITY	4,047.62
160599	SOUTHERN CALIFORNIA EDISON	1,122.54
160600	TELEPACIFIC COMMUNICATIONS	2,731.77
160601	TIME WARNER CABLE	946.19
160602	TOTALPLAN BUSINESS INTERIORS INC	915.88
160603	UNITED WAY OF THE INLAND VALLEY	82.00
160604	UTILITY TREE SERVICE	12,100.00
160605	VISTA PAINT	202.13
160606	V2C GROUP, INC	8,101.00
160607	WELLS FARGO CARD SERVICES INC	4,335.73
160608	WILLDAN FINANCIAL SERVICES	2,768.90
160609	ARIAS, JOE	16.00
160610	ARROW STAFFING SERVICE	2,186.40
160611	ASBURY ENVIRONMENTAL SERVICES DBA	35.00
160612	AVERY, ALEXANDRA	16.00
160613	BAEZA, HECTOR	16.00
160614	BANNING POLICE OFFICERS ASSOC	2,350.00
160615	BARTON, JUDITH MARGARET	73.50
160616	BEAUMONT DO IT BEST HOME CENTER	373.13
160617	BEAUMONT SAFE & LOCK	235.36
160618	BEAUMONT, CITY OF	38,193.21
160619	BENHAR, DIANA T	311.50
160620	BLUE SHIELD OF CALIFORNIA	72,076.96
160621	BRANDON, KATHY	16.00
160622	CA. ST. DEPT. OF FISH AND GAME	5,000.00
160623	CALIFORNIA CLETS USERS GROUP	950.00
160624	CALIFORNIA LAW ENFORCE ASSN	637.00
160625	CALIFORNIA LAW ENFORCEMENT ASSOC	20.00
160626	CARRIZOSA, KRISTOFFER	75.00
160627	CHAPPAROSA, TOM	16.00
160628	COFFEY, BENJAMIN	48.00
160629	COLONIAL INSURANCE	19,044.61
160630	DIAMOND ENVIRONMENTAL SERVICES	388.98
160631	DUNN, TERRY	1,500.00
160632	FERGUSON, PRAET & SHERMAN	1,665.00
160633	FLOYD SR, ERNEST	48.00
160634	FRONTIER COMMUNICATIONS	3,515.57
160635	GARDA CL WEST INC	115.50
160636	GAS COMPANY, THE	136.11
160637	GIFFORD, AMBER	48.00
160638	HARPER, KRIS	16.00
160639	HINDERLITER DE LLAMAS & ASSOCIATES	4,599.05
160640	HOME DEPOT #8987	1,353.21
160641	I.B.E.W. LOCAL 47	7,798.04
160642	I.B.E.W. LOCAL 47 (PAC)	64.00
160643	ICSC	100.00
160644	INTERNATIONAL ECONOMIC DEVELOPMENT	420.00

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160645	KAISER FOUNDATION HEALTH	44,250.32
160646	KHAN PROPERTIES AND HOLDINGS, LLC	27,817.00
160647	LAM, ANGIE	16.00
160648	LOGAN, KIERAN	64.00
160649	LYNCH, MIKE	64.00
160650	MADRIGAL CHAVES, SERGIO	64.00
160651	MOLEDOR, JEROME	16.00
160652	NAASZ, CALEB	32.00
160653	NAIOP IE	50.00
160654	OFFICE DEPOT	847.27
160655	ONTIVEROS, CONSUELO & PEDRO	108.73
160656	PRE-PAID LEGAL SERVICES, INC	343.80
160657	PRUDENTIAL OVERALL SUPPLY	292.90
160658	QUINN, MELISSA	22.32
160659	RIV. CO. CLERK RECORDER	23.00
160660	RIV. CO. CLERK RECORDER	23.00
160661	RIVERSIDE, COUNTY OF	6,308.11
160662	RON'S BEE SERVICE	250.00
160663	SAN BERNARDINO PUBLIC EMPLOYEES	617.39
160664	SCHRADER, LEON	250.00
160665	SHUBIN, DEBORAH	16.00
160666	SIG SAUER, INC	212.50
160667	SMITH, LOIS E	10.50
160668	SMITH, RUTH	221.22
160669	SPOK, INC	41.08
160670	STATE WATER RESOURCES CONTROL	720.00
160671	STONE, PAMELA	32.00
160672	SUN LIFE FINANCIAL	37,778.37
160673	THORNTON, CHRIS	16.00
160674	THORNTON, MEL	6.85
160675	TIME WARNER CABLE	44.69
160676	TRI COUNTY PUMP COMPANY	9,151.09
160677	U.S. BANK	2,300.00
160678	UNDERGROUND SERVICE ALERT	94.15
160679	WARE, KENNITH	64.00
160680	WELLS FARGO CARD SERVICES INC	6.00
160681	WELLS FARGO CARD SERVICES INC	861.87
160682	WINTERS, CONCEPCION	79.30
160683	ADRIAN, MARION	84.32
160684	ADVANCE WORKPLACE STRATEGIES INC	952.00
160685	ALESHIRE & WYNDER, LLP	2,504.49
160686	ALLEN, MICHAEL	111.41
160687	ANIXTER, INC	24,407.53
160688	ARIAS, JOE	32.00
160689	ARROW STAFFING SERVICE	1,093.20
160690	ARROYO BACKGROUND INVESTIGATIONS	894.86
160691	ASBURY ENVIRONMENTAL SERVICES DBA	1,108.66
160692	AT&T CALNET 2	294.09
160693	BARBER, CAROL	103.58
160694	BEAUMONT CHAMBER OF COMMERCE	55.00
160695	BEAUMONT DO IT BEST HOME CENTER	257.79
160696	BEAUMONT, CITY OF	28,500.54
160697	BELL &, FRANK	150.22
160698	BERNARD, KEVIN	32.00

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160699	BOYDD PRODUCTS INC	1,583.93
160700	CA DEPT OF VETERAN AFFAIRS	94.79
160701	CALDERON, SANDRA B	26.70
160702	CALIFORNIA COIN LAUNDRIES	10.14
160703	CALIFORNIA, STATE OF	70.00
160704	CANEZ, NOEF	12.88
160705	CASSADAS, EDWARD & MARGARITA	13.67
160706	CHACON, ARTHUR	16.00
160707	COOPERATIVE PERSONNEL SVCS.	428.10
160708	CYBERTIME NETWORK COMMUNICATIONS	9,894.00
160709	DAVILA, BERTHA	258.77
160710	DAWSON, EARNESTINE	15.25
160711	DE LA FUENTE, SONJA	91.75
160712	DIAZ, RICHARD D	32.00
160713	DIMITRIJEVICH, JAMES	116.68
160714	DOUBLETREE BY HILTON DEL MAR	704.35
160715	DUGGINS, LANCE	32.00
160716	DUNN, TERRY	16.00
160717	EATON, EVA LOUISE	11.30
160718	ELIZONDO, MARIO	32.00
160719	FEDEX	46.76
160720	FISCHER, JUTTA	118.61
160721	FRONTIER COMMUNICATIONS	430.31
160722	GAS COMPANY, THE	992.35
160723	GRAY, DUSTIN	32.00
160724	HALLOCK, DENNIS	94.55
160725	HAMPTON, PATRICIA	360.24
160726	HANES, NORMA	12.88
160727	HARTNELL, BRYAN C	99.78
160728	HAWK, EUGENE	281.98
160729	HOLDER, PHILLIP	2,275.01
160730	HOME DEPOT #8987	53.71
160731	I C W A	275.00
160732	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,121.08
160733	ICMA RETIREMENT TRUST 457	1,504.86
160734	ICSC	95.00
160735	INFOSEND, INC	8,170.10
160736	JENKINS & HOGIN, LLP	14,829.20
160737	JIMENEZ, FIDELINA GARCIA	11.30
160738	KALRA, ROSEMARY	11.30
160739	KEEFE FAMILY LTD PARTNERSHIP	10.51
160740	KOLER, MARIE	120.04
160741	KRUEGER, BONNIE	122.91
160742	LANCE, SOLL & LUNGARD, LLP	17,084.00
160743	MORENO, JOSE	132.32
160744	MOTOROLA SOLUTIONS, INC.	88,648.80
160745	MOTT, JACK	14.46
160746	MOYER, GEORGE	67.00
160747	MYRDAHL, DAVID	13.67
160748	NATIONWIDE RETIREMENT SOLUTIONS	3,038.39
160749	NEWSDATA CORPORATION	650.00
160750	NORMAN, SUZANNE	14.46
160751	OFFICE DEPOT	422.20
160752	ON TRAC	53.85

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160753	ORTEGA &, PENNY	16.04
160754	PADILLA, MIGUEL JR	53.00
160755	PANORAMA US HOUSING 1 L P	13.67
160756	PARS	1,073.51
160757	PARTS AUTHORITY METRO, LLC	1,229.93
160758	PECSON, ARNEL & LUCY	19.99
160759	PRUDENTIAL OVERALL SUPPLY	241.38
160760	PUBLIC AGENCY RETIREMENT SERVICES	300.00
160761	RCS INVESTIGATIONS & CONSULTING LLC	3,485.00
160762	RELIABLE WORKPLACE SOLUTIONS	258.75
160763	ROAH, THELMA	10.51
160764	RUVOLO, BLANCA & DANIEL	10.51
160765	RYAN, JUSTIN T	12.09
160766	SALLEY, CURTIS	144.32
160767	SCOTT-DANIEL, GERTRUDE L	12.09
160768	SCOTT, DAVID E & DEAN ANN	17.62
160769	SERRANO, CINDY	16.00
160770	SHUBIN, DEBORAH	250.00
160771	SMITH, BRANDON	160.00
160772	SMITH, RUTH	180.12
160773	SOFTWARE ONE, INC	48,230.08
160774	SOTO, GABINO	139.16
160775	SPRAGUE, LEDENE & ROY	16.04
160776	STAGECOACH DAYS ASSOCIATION	250.00
160777	STATE OF CALIFORNIA	960.00
160778	STONE, PAMELA	2,784.93
160779	TAKATA, ANDREW & TAMI	17.62
160780	TANGENT COMPUTER	1,000.00
160781	UNITED POWER CONTRACTORS, INC	47.88
160782	UNITED WAY OF THE INLAND VALLEY	82.00
160783	UTILITY TREE SERVICE	4,400.00
160784	VERIZON WIRELESS	573.55
160785	VERIZON WIRELESS	2,259.73
160786	VISTA PAINT	611.72
160787	WASTE MANAGEMENT OF THE	233,086.99
160788	WHENEVER COMMUNICATIONS, LLC	278.82
160789	WHITE, BEVERLY	137.16
160790	WILLDAN FINANCIAL SERVICES	4,713.75
160791	AHERN, THOMAS E	17.62
160792	ALBERT A. WEBB ASSOCIATES	6,129.50
160793	ALVAREZ, MICHAEL	33.75
160794	AMERICAN WATER WORKS ASSN	262.00
160795	ARROW STAFFING SERVICE	1,093.20
160796	AUSTIN, KAREN L	18.41
160797	AVERY, ALEXANDRA	112.00
160798	BABCOCK LABORATORIES, INC	1,493.00
160799	BARNES, ROBERT W	89.62
160800	BARNETT, DAVID	134.68
160801	BEAUMONT DO IT BEST HOME CENTER	284.06
160802	BEAUMONT, CITY OF	303.83
160803	BEILSTEIN, JAMES & JACQUELINE	163.77
160804	BENITEZ, YESENIA	38.69
160805	BLACKBURN, JULIO CESAR	16.83
160806	BOA ARCHITECTURE	22,620.00

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160807	BURGOS, BENJAMIN	85.43
160808	CABALLERO, DANIEL	16.00
160809	CALDERON, MARIE	500.00
160810	CALDERON, SANDRA B	16.00
160811	CALIFORNIA, STATE OF	96.00
160812	CAROLLO ENGINEERS	22,426.08
160813	CARRILLO, SALVADOR & MARIA G	118.71
160814	CASSADAS, ERICA	16.00
160815	CHAGOLLA, GARY C	123.79
160816	CHAPPAROSA, TOM	16.00
160817	CHARLES ABBOTT ASSOCIATES, INC	1,769.00
160818	CHAVEZ, ANNA	138.52
160819	COOLEY, DONNA L	19.20
160820	CORELOGIC INFORMATION SOLUTIONS INC	100.02
160821	CORNWELL, BONNIE & KEN	69.61
160822	COTTAGE, GREGORY	16.00
160823	COUNSELING TEAM INTERNATIONAL, THE	275.00
160824	COUTS HEATING & COOLING, INC	595.00
160825	FEDEX	56.62
160826	FONT, REINALDO	131.10
160827	FOX OCCUPATIONAL MEDICAL CENTER	402.00
160828	FRANCO, JUAN	99.35
160829	FRONTIER COMMUNICATIONS	215.14
160830	FROST, JEFF	16.00
160831	GAETE, SERGIO R	22.91
160832	GARDA CL WEST INC	99.75
160833	GAS COMPANY, THE	1,509.36
160834	GIFFORD, AMBER	128.00
160835	GLEBA &, WILLIAM A	23.76
160836	GLOVER, KEVIN M TTEE	46.47
160837	GONZALEZ &,JENNIFER	92.03
160838	GREEN &, VINCENT	35.99
160839	HAFT, ROBERT	48.00
160840	HOLMBROCKMANN &, GAY LEE	19.20
160841	HOLT ARCHITECTS INC	1,500.00
160842	HOME DEPOT #8987	137.80
160843	IEDC	315.00
160844	INDOFF, INC	9,660.49
160845	JLXT GROUP, INC	185.87
160846	KAYAVONG, PHILLIP & RATSALINH	142.06
160847	KESTER, ELIZABETH	16.00
160848	KLAUSNER, EILEEN	95.06
160849	KRAMER, LEO & SHIRLEY	11.30
160850	KRAMER, STEVEN	16.83
160851	LAM, ANGIE	32.00
160852	LEWIS, ROBERT & KRIEMHILDE	12.88
160853	LEXISNEXIS RISK SOLUTIONS	7,005.04
160854	LIEBERS, LARRY	30.25
160855	LITHOPASS PRINTING, FORMS,	1,090.97
160856	LYNCH, MIKE	64.00
160857	MADRIGAL CHAVES, SERGIO	16.00
160858	MARTINEZ, ROSA M. & EFRAIN	68.06
160859	MEDINA, MOSES	16.00
160860	MEYER-EVENSON, PATRICIA	142.36

City of Banning
Warrant List August 2017

Warrant Number	Vendor Name	Warrant Amount
160861	MORENO, ANGELA	51.02
160862	MOTOROLA SOLUTIONS, INC.	19,235.51
160863	MUELLER, ROSINA	73.82
160864	NAASZ, CALEB	96.00
160865	NI GOVERNMENT SERVICES, INC	158.64
160866	NOBEL SYSTEMS, INC	9,880.00
160867	OFFICE DEPOT	157.41
160868	ON TRAC	14.36
160869	PACIFICORE CONSTRUCTION INC	13.77
160870	PARKHOUSE TIRE, INC.	4,265.06
160871	PARTS AUTHORITY METRO, LLC	246.79
160872	PAYPRO ADMINISTRATORS	202.00
160873	PEREZ, JORGE	16.00
160874	PETTY CASH CUSTODIAN-COMM SVCS	99.66
160875	PETTY CASH CUSTODIAN-SR CENTER	35.98
160876	PRISKE, WARREN	99.04
160877	PRUDENTIAL OVERALL SUPPLY	312.44
160878	PYRO SPECTACULARS, INC	12,500.00
160879	QT POD	995.00
160880	RAILROAD MANAGEMENT CO, LLC	1,058.86
160881	RAUM, WILLIAM	144.32
160882	REARDON, DOLORES E	20.78
160883	RECORD GAZETTE, THE	132.05
160884	RELIABLE WORKPLACE SOLUTIONS	113.88
160885	RILEY, CHARLES	100.21
160886	RIV. CO. CLERK RECORDER	23.00
160887	RIV. CO. CLERK RECORDER	138.00
160888	RIV. CO. CLERK RECORDER	23.00
160889	RIV. CO. CLERK RECORDER	23.00
160890	RIVERSIDE, COUNTY OF	98.00
160891	RM GRAHAM ENTERPRISES, INC	108.57
160892	ROBERTSON'S	415.40
160893	ROBLEE, DAVID R & KARINA L	16.83
160894	SAN GORGONIO MEMORIAL HOSPITAL	3,885.84
160895	SANDOVAL, ANA	16.00
160896	SATIN, REDEMPTIA	56.11
160897	SCHRADER, LEON	200.00
160898	SCUDIERI, LUCIANO	32.00
160899	SERRANO, CINDY	80.00
160900	SIDA, LEONARDO	16.00
160901	SMITH, JASON	16.00
160902	SOUTHERN CALIFORNIA GAS CO	5,458.32
160903	STEPHENSON, BEN & IRENE	21.03
160904	STERLING TALENT SOLUTIONS	285.04
160905	STONE, PAMELA	208.00
160906	STRUWE, CHARLES W	48.08
160907	SUNRISE SERVICES	3,780.90
160908	SUPERION	97,536.93
160909	TA, HAI	115.82
160910	TAYLOR, BARRY & SUSAN	12.09
160911	TERRY, BILLIE	195.55
160912	TESSEL, CARL D & BONNIE	126.71
160913	THOMSON &, MONICA	247.03
160914	TK SERVICES, INC	196.71

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160915	TORRES, IVANO	32.00
160916	TRENCH SHORING COMPANY	112.50
160917	TULCAN &, AUREL	10.51
160918	VALDEZ, JASON	96.00
160919	VALDIVIA, GILBERT	16.00
160920	VALLADARES, SANTOS	136.78
160921	VANDERTOOW &, HANS L	12.88
160922	VELAZQUEZ JR &, JESUS R	48.90
160923	WARE, KENNITH	32.00
160924	WELLS FARGO CARD SERVICES INC	1,918.47
160925	WILLS, BARBARA	15.25
160926	WILTZ, TOI R & ARMAND	186.24
160927	WOODARD & CURRAN, INC	104,096.75
160928	YOUNGBLOOD, CHELSE	16.00
160929	ZAKY &, WAFICK F	41.32
160930	2012-B PROPERTY HOLDINGS LLC	338.77
160931	AIR RESOURCES BOARD	24,744.00
160932	AL'S KUBOTA TRACTOR	77.73
160933	ALEXANDER, TAMMIE L	18.41
160934	ANIXTER, INC	791.96
160935	ARMANI-PASCU, SILVIA	12.88
160936	ARROW STAFFING SERVICE	1,093.20
160937	AUTOMATED GATE SERVICES, INC.	770.00
160938	BABCOCK LABORATORIES, INC	293.00
160939	BEAUMONT DO IT BEST HOME CENTER	223.33
160940	BEAUMONT SAFE & LOCK	169.26
160941	BELL &, FRANK	49.25
160942	BENHAR, DIANA T	433.30
160943	BENSON, JOHN E	16.83
160944	BIRCHARD, SUZANNE P & CLYDE	12.09
160945	BLACK MARKET WINDOW TINT	180.00
160946	BLAKELEY, CATHERINE	17.62
160947	BLUE SHIELD OF CALIFORNIA	72,527.18
160948	BOEHM, REGINA	1,920.00
160949	BREY, GERALD M	33.66
160950	BRITTONNEWELL, JACQUELINE	16.04
160951	BURGESS FAMILY TRUST	15.09
160952	CA. ST. DEPT. OF FORESTRY &	2,514.82
160953	CA. ST. DEPT. OF FORESTRY &	1,371.72
160954	CA. ST. DEPT. OF FORESTRY &	685.86
160955	CA. ST. DEPT. OF FORESTRY &	2,513.28
160956	CAFFALL, RONALD	12.88
160957	CALIFORNIA MUNICIPAL UTILITIES	16,381.00
160958	CALIFORNIA, STATE OF	1,402.00
160959	CALLAHAN, BRIAN	1,689.00
160960	CAPITAL REALTY ANALYSTS, INC	3,600.00
160961	CAROLLO ENGINEERS	44,534.65
160962	CARRERA, ISAAC & LEELAH	10.51
160963	CENTER ELECTRIC	1,086.60
160964	CHARLES ABBOTT ASSOCIATES, INC	5,781.36
160965	CHOI, OLEEVIA	12.88
160966	CHOU, GLORIA L & JOHNNY Y	18.41
160967	COFFEY, BENJAMIN	292.99
160968	COPLAND, DIANNE & ROBERT	12.88

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160969	COUNSELING TEAM INTERNATIONAL, THE	700.00
160970	COUTS HEATING & COOLING, INC	545.00
160971	CRUZ JR, LORENZO J	16.83
160972	DANIELS TIRE SERVICE	504.68
160973	DE LA FUENTE, SONJA	16.00
160974	DEPOTO, ANGELA M	16.04
160975	DEVLYN LLC	18.41
160976	DEX MEDIA	39.95
160977	DIRECTV	23.25
160978	DIVITA, MICHAEL	13.67
160979	DONALDSON, GEORGE & ANN	17.62
160980	DUNN, TERRY	16.00
160981	ELTOHAMY &, WESAM	13.67
160982	FEDEX	98.90
160983	FLAMINGO'S EVENT PLANNER	81.00
160984	FORD, FRED	12.88
160985	FOREMASTER, ERROL	17.62
160986	FOSTER, SCOTT	79.50
160987	FOX OCCUPATIONAL MEDICAL CENTER	70.00
160988	FRONTIER COMMUNICATIONS	1,531.60
160989	FUENTEZ, CYNTHIA L	176.00
160990	FUN EXPRESS	438.01
160991	GALINDO, JOSE M & FLORENCEIA S	19.20
160992	GARCIA JR, JESUS	19.99
160993	GARNER TRUST	10.51
160994	GAS COMPANY, THE	76.37
160995	GRAFIX SYSTEMS	653.43
160996	GROCHOWSKI, JAMES & ROBERTA	16.83
160997	GUALANO, JOSEPH	12.88
160998	GUEVARA, RAYMOND & TONI	12.09
160999	HAUER, KARL	110.36
161000	HEMBD JR, GARY D & CARRIE	14.46
161001	HERNANDEZ, VICKIE MARIE	48.00
161002	HOME DEPOT #8987	812.63
161003	HR GREEN CALIFORNIA, INC.	362.50
161004	HUYNH &, NIEL K	16.83
161005	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,078.16
161006	ICMA RETIREMENT TRUST 457	1,349.86
161007	INFOSEND, INC	9,631.06
161008	IRON MOUNTAIN INFORMATION MGMT, LLC	1,112.75
161009	JONES, CATHERINE	16.04
161010	KAISER FOUNDATION HEALTH	43,911.69
161011	KELLY, PATRICK	12.00
161012	KESTER, ELIZABETH	48.00
161013	LAND, PEGGY PLEUNTJE	12.09
161014	LI &, GANG	19.99
161015	LIEBERT CASSIDY WHITMORE	723.00
161016	LUONG, JESSICA	16.04
161017	MACLEAN, CALLISTA K	19.20
161018	MARTINEZ, EZEQUIEL S JR	48.54
161019	MASSENGALE &, ROSS D	12.88
161020	MCDADE, JOSEPH	17.62
161021	MEDINA, MOSES	1,500.00
161022	MEDVE &, LASZLO	16.04

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161023	MERCIER, RICHARD J & JOANNE	19.20
161024	MERCURY DISPOSAL SYSTEM, INC	272.00
161025	MICHAEL, JAMES	10.51
161026	MULLER, FRANCES ANN & ROBERT	14.46
161027	MUNICIPAL CODE CORPORATION	1,919.66
161028	NATIONWIDE RETIREMENT SOLUTIONS	2,883.39
161029	NELSON, MARY	18.41
161030	NI EWALD, JUANITA & LEONARD	17.62
161031	NOTTINGHAM, MICHAEL	1,677.00
161032	NSF INTERNATIONAL	5,850.00
161033	OFFICE DEPOT	161.92
161034	OGAZ, LUCY	197.82
161035	P&P UNIFORMS	818.89
161036	PADILLA, ANTONIO JR	16.04
161037	PADILLA, MIGUEL JR	11.30
161038	PARS	757.18
161039	PARTS AUTHORITY METRO, LLC	1,343.50
161040	PIECHOWDKI, KENNETH J	19.99
161041	PIONEER REALTY	5.76
161042	PRECIADO, JAVIER & ALEJANDRA	12.88
161043	PRUDENTIAL OVERALL SUPPLY	938.25
161044	PULSIFER, ALBERT R & SHIRLEY A	18.41
161045	RANCHO PASEO MEDICAL GROUP	750.00
161046	RECORD GAZETTE, THE	1,049.46
161047	RELIABLE WORKPLACE SOLUTIONS	588.93
161048	RICKS, BETTY J	21.57
161049	RIV. CO. CLERK RECORDER	25.00
161050	RIV. CO. FIRE DEPARTMENT	641,348.49
161051	RIV. CO. LAW ENFORCEMENT	50.00
161052	ROBERTSON'S	825.46
161053	ROCKWELL, AMBER	5,000.00
161054	RODRIGUEZ, CARLOS M & GINA L	12.88
161055	RON'S BEE SERVICE	500.00
161056	ROW TRAFFIC SAFETY, INC	930.96
161057	SAMPSON-FERRELL &, DEBORAH	13.67
161058	SAN BERNARDINO CO SHERIFF'S DEPT	100.00
161059	SAN BERNARDINO CO SHERIFF'S DEPT	100.00
161060	SAN GORGONIO PASS DESIGN AND PRINT	53.72
161061	SANDOR, RUDOLF F & KLARA	23.15
161062	SCHULZ, LA VERYN & JOHN C/O	16.04
161063	SEALS, VERNELL	19.99
161064	SERVENTI, ARTHUR D	12.66
161065	SILVER & WRIGHT, LLP	7,813.97
161066	SMART & FINAL	111.11
161067	SMITH, ANTONETTE P	16.83
161068	SOUTH COAST AIR QUALITY	1,011.48
161069	SOUTHERN CALIFORNIA EDISON	1,238.69
161070	SOUTHERN CALIFORNIA JOINT POLE	693.11
161071	SUN RIDGE SYSTEMS INC	19,982.00
161072	SUPERION	15,263.31
161073	SURVALENT TECHNOLOGY CORP	12,825.00
161074	SZOYKA, CARL	186.20
161075	TAYLOR, LOUISE	14.73
161076	TIME WARNER CABLE	915.80

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161077	TOUCHARD &, GWENDOLYN	16.04
161078	TRI-STATE SEMINAR, LLC	297.00
161079	UNITED WAY OF THE INLAND VALLEY	70.00
161080	URBAN FUTURES INCORPORATED	7,960.00
161081	UTILITY TREE SERVICE	3,300.00
161082	VALLEY POWER SYSTEMS, INC	1,551.80
161083	VAN, GAIL	525.00
161084	WASTE MANAGEMENT	8,260.66
161085	WELLS FARGO CARD SERVICES INC	72.31
161086	WELLS FARGO CARD SERVICES INC	2,233.92
161087	WESTERN ELECTRICITY COORDINATING	476.17
161088	WILLIS, CAROLINE	15.25
161089	XENIA PACIFIC, INC	390.06
161090	YANG, TIMOTHY C	12.88
161091	YETTO, PATTY	19.99
161092	YOUNG, CARLA	543.74
9006076	WELLS FARGO BANK	332,314.04
9006077	CA. ST. EMPLOYMENT DEV. DEPT.	19,427.80
9006078	INTERNAL REVENUE SERVICE	140,724.34
9006079	TASC	5,431.63
9006080	CALPERS 457 PLAN - 450260	35,657.01
9006081	CA. ST. PUBLIC EMPLOYEES	80,393.75
9006082	WELLS FARGO BANK	700.00
9006083	WELLS FARGO BANK	302,996.98
9006084	CA. ST. EMPLOYMENT DEV. DEPT.	16,569.88
9006085	INTERNAL REVENUE SERVICE	127,173.58
9006086	TASC	5,431.63
9006087	CALPERS 457 PLAN - 450260	38,794.05
9006088	CA. ST. PUBLIC EMPLOYEES	79,760.38
9006089	CALIFORNIA, STATE OF	718.00
9006090	WELLS FARGO BANK	1,147.48
9006091	CA. ST. PUBLIC EMPLOYEES	1,050.00
Grand Total		7,043,851.00
	Less Voided / Reissued Checks from Prior Period	(2,856.67)
	Less Voided Checks Prior Period	-
	Add Payroll Checks	12,427.87
	Total Remittance for Month	<u>7,053,422.20</u>

City of Banning

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160552	8/1/2017	CAPRCBM	0770017 6/20/18		001-2000-461.23-03	ANNUAL AGENCY MEMBERSHIP COMMISSIONERS/BOARD MEMRS	225.00
160553	8/1/2017	CITRIX SYSTEMS, INC	91830809	028566	001-2200-421.30-17	CITRIX XEN SERVER RENEWAL	904.00
160554	8/1/2017	COMCATE SOFTWARE, INC	6404	028575	001-2240-447.23-03	LICENSE 7/1/17-6/30/18	5,622.76
160555	8/1/2017	COMDIRECT, INC	29129	028582	001-2200-421.30-17	MTEL PARTNER PROGRAM	7,225.00
160556	8/1/2017	DAILY JOURNAL CORPORATION	190010132		001-3300-412.23-01	CONTRACT CITY ATTORNEY	1,010.00
160557	8/1/2017	DANIELS TIRE SERVICE	230103496	028548	702-3800-480.23-49	INV TIRES	48.00
					702 3800-480.38-52	INV TIRES	1,083.85
160558	8/1/2017	DE LA FUENTE, SONJA	19010111/11/17		001-1200-412.25-06	CITY COUNCIL MEETING	16.00
160559	8/1/2017	DESIGN WEST ENGINEERING	14567	028388	001-2200-421.30-21	HVAC ASSESSMENT	2,050.00
					470-2900-441.90-15	HVAC ASSESSMENT	2,900.00
160560	8/1/2017	DEX MEDIA	619015540871		001-2200-421.23-01	PD CMD CENTER SATTELITE	39.95
160561	8/1/2017	DIAMOND HILLS CHEVROLET BUICK GMC	170005	028551	610-5800-434.90-51	TRANSIT STAFF VEHICLE	21,550.00
160562	8/1/2017	EXPRESS VIDEO SUPPLY, INC	010000272109	028518	001-2000-416.90-56	SANDISK 32GB EXTREME PLUS BESCOR POW28443	161.37
160563	8/1/2017	FARWEST LINE SPECIALTIES	230006	028416	670-7000-473.45-16	HUSKY BUCKINHAM	2,194.32
160564	8/1/2017	FOX OCCUPATIONAL MEDICAL CENTER	5526182650	027927	610-5800-434.33-32	DOT EXAM GREEN, NATASHA	35.00
					610 5800-434.33-32	DOT EXAM PASQUALLI, DEAN	35.00
					600-6300-471.33-32	DOT EXAM FROST, JEFF	35.00
					702-3800-480.33-32	DOT EXAM SCHRADER, LEON	35.00
160565	8/1/2017	FRONTIER COMMUNICATIONS	9518498256JUL17	028310	001-2200-421.26-05	ACCT # 9518498256 JUL 16, 2017 - AUG 15, 2017	928.84
160566	8/1/2017	GARDA CL WEST INC	10427994		761-3100-480.23-43	COURIER SERVICES	568.77
160567	8/1/2017	GAS COMPANY, THE	1309249007117		600-5100-435.26-06	408 S HATHAWAY ST JUN 20, 2017 - JUL 20, 2017	14.79
160568	8/1/2017	HOMET OIL COMPANY	201295	028552	702-3800-480.46-11	FLEET UNLEADED FUEL	26.91
160569	8/1/2017	HOME DEPOT #8987	5471130	028552	100-4900-431.30-06	PAINT SPRAYER REPAIR PART	19,338.99
					6371077	PAINT SPRAYER AIR HOSE	63.51
160570	8/1/2017	IBEW LOCAL 47 RETIREE MEDICAL TRUST	20170804		001-0000-204.20-10	PAYROLL SUMMARY	2,102.02
160571	8/1/2017	ICMA RETIREMENT TRUST 457	20170804	028516	118-2216 421.90-52	PAYROLL SUMMARY	1,504.86
160572	8/1/2017	INNOVATIVE EMERGENCY EQUIPMENT	2190	028078	001-1000-411.33-11	UNIT#46-VEHICLE OUTFITTING	3,006.78
160573	8/1/2017	INNOVATIVE FEDERAL STRATEGIES	062017	027177	660-6300-471.90-78	JUNE 2017 LOBBYING SRVC	3,500.00
160574	8/1/2017	LAND ENGINEERING CONSULTANTS, INC	7409	027177	660-6300-471.90-78	LOCATION #3	5,182.40
160575	8/1/2017	LEAF	7409		001-1000-461.32-06	LOCATION #2	1,116.10
					7429124	JULY 2017 COPIER LEASE	151.68
160576	8/1/2017	LITHOPASS PRINTING, FORMS,	41408	028535	001-4050-461.32-06	JULY 2017 COPIER LEASE	151.67
					414823	DOOR HANGERS	91.59
					41846	HEALTH FORUM	22.63
160577	8/1/2017	LONG, JUDY	101010687321	027933	761-3100-480.23-07	#10 WINDOW ENVELOPES	124.59
160578	8/1/2017	MC AVOY & MARKHAM	43 2169		001-4000-351.35-71	REFUND COMPUTER SOFTWARE CLASS FEES	70.00
160579	8/1/2017	MT SPRINGS MFG HOME COMMUNITY	101762		670-0000-131.00-00	TAB21 5 CAP PO NUM 028468	2,382.48
160580	8/1/2017	NATIONWIDE RETIREMENT SOLUTIONS	090016127		001-0000-218.22-22	7 POLE FRONT PO NUM 028468	986.77
160581	8/1/2017	OFFICE DEPOT	20170804	027936	600-6300-471.36-00	UB CR REFUND 000010928	68.69
					91212169001	UB CR REFUND 000010934	118.82
					110243742001	PAYROLL SUMMARY	3,038.39
					941379951001	SUGAR	6.78
					941379951001	SUGAR	13.56
160582	8/1/2017	OLIN CORPORATION DBA	2340129	027936	001-2800-441.36-00	OFFICE SUPPLIES	255.97
160583	8/1/2017	ONE SOURCE DISTRIBUTORS	55439123.003	028526	001-1200-412.36-00	STAFF SUPPLIES	42.87
					55518193.001	STAFF SUPPLIES	175.57
					55537801.002	COUNCIL SUPPLIES	56.11
160584	8/1/2017	PARKHOUSE TIRE, INC.	2030157580	028526	001-1000-411.36-00	SODIUM HYPOCHLORITE POW28061	2,427.98
160585	8/1/2017	PARS	20170804	028348	600-6300-471.36-08	LINEMAN GLOVES	1,430.92
160586	8/1/2017	PARTS AUTHORITY METRO, LLC	62414906		670-7000-473.45-16	NV CLAMPSTAR PO NUM 028467	5,128.90
					55537801.002	BURNDY YGHC PO NUM 028495	678.83
					2030157580	TIRE DISPOSAL FEES	103.44
					20170804	PAYROLL SUMMARY	1,534.72
					62414906	#17 EXT. WEAR PAD	49.22

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160586	8/1/2017	PARTS AUTHORITY METRO, LLC	160586-175	028583	702-3800-480.38-52	MASTER CYLINDER	100.13
			702-12-3264	028583	702-3800-480.38-52	#231 FLUID RESERVOIR	68.18
			91-010295		702-3800-480.38-52	DISCHARGE LINE CREDIT	(71.18)
			91-060289		702-3800-480.38-52	OIL FILTERS	14.16
			91-060386		702-3800-480.38-52	#09 DISCHARGE LINE	71.18
			91-060388		702-3800-480.38-52	#225 TURN SIGNAL SWITCH	61.92
			91-060406		702-3800-480.38-52	#225 FLASHER	13.11
			91-060435		702-3800-480.38-52	#009 DISCHARGE LINE	71.18
			91-060642		702-3800-480.38-52	INV. EXT. WEAR PAD	49.22
			91-061260		702-3800-480.38-52	#765 AIR FILTER	19.22
			91-061291		702-3800-480.38-52	BRAKE FLUID	12.92
			91-061395		702-3800-480.38-52	#58 WINDOW REGULATOR	60.94
			91-061433		702-3800-480.38-52	WD-40	14.87
			91-061558		702-3800-480.38-52	#504 TRANS COOL HOSE	9.67
			91-061679		702-3800-480.38-52	#812 PR-EACH/BX -10	0.36
160587	8/1/2017	PETTY CASH CUSTODIAN - FINANCE	91-062325	028583	702-3800-480.38-52	INV. OIL FILTER	9.07
			91-059606	028583	702-3800-480.38-52	INV. EXT. WEAR PAD	98.44
			2941		001-1300-412.41-15	R CHAPPAROSA - ORAL BOARD SNACKS- SMART & FINAL	8.49
			2941		001-1300-412.41-16	J MILLER - ORAL BOARD SNACKS - RITE AID	5.00
			7660		001-3000-442.30-00	L SAMPSON - WATER FILTERS COFFEE MACHINE	5.40
			29417		001-0000-204.16-00	C STAFFORD - PERS457 OVRG REIMBURSEMENT	0.05
			29412		000-9000-453.41-46	C SZOYKA - DONUTS BULKY ITEM EVENT 4/08/17	17.75
			2949		001-1300-412.41-16	J MILLER - ORAL BOARD SNACKS - STATER BROS	2.56
			3200		001-1300-412.41-16	J MILLER - ORAL BOARD SNACKS - SMART & FINAL	3.49
			1201		001-1300-412.41-16	H STUART - PARKING RIVERSIDE COUNTY TRAN COM	8.00
			3202		001-1300-412.41-16	J MILLER - ORAL BOARD SNACKS - RITE AID	5.00
			22451144	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
					610-5800-434.25-02	UNIFORM SERVICE	55.77
					610-5850-434.25-02	STREET UNIFORMS	4.93
			160588	8/1/2017	PRUDENTIAL OVERALL SUPPLY	22451497	028553
22451498	028553	001-3600-461.25-02				PARKS UNIFORMS	6.65
22451499	028553	001-3600-461.25-02				BLDG. MAINT. UNIFORMS	1.86
22451493	028553	001-3600-461.25-02				FLEET UNIFORMS/TOWELS	10.36
	028553	702-3800-480.25-02				FLEET UNIFORMS/TOWELS	23.50
	028553	100-4900-431.25-02				STREET UNIFORMS	15.20
22451493	028553	001-3600-461.25-02				PARKS UNIFORMS	6.65
22451495	028553	001-3600-461.25-02				BLDG. MAINT. UNIFORMS	4.58
22451496	028553	001-3600-461.25-02				FSR UNIFORMS	26.23
22451497	027959	702-3800-480.25-02				EL UNIFORMS	157.19
22451498	027959	100-4900-431.25-02				STREET UNIFORMS	15.20
22451499	028553	001-3600-461.25-02				PARKS UNIFORMS	6.65
22451499	028553	001-3200-412.25-02				BLDG.MAINT UNIFORMS	32.55
348227		001-0000-201.10-00				SALES TAX	(137.27)
160589	8/1/2017	QUALITY LOGO PRODUCTS					
160590	8/1/2017	RECORD GAZETTE, THE	00143323	027945	100-4900-431.93-27	RAMSEY ST IMPROVEMENTS	430.62
			00143325	028525	670-7000-473.23-01	RFP 17-020 ELECTRICAL SUBSTATION EQUIPMENT	172.26
			00143338	028525	001-2800-441.23-01	PHN ORDINANCE 1511	69.50
160591	8/1/2017	RIV. CO. CLERK RECORDER	00143358	028525	001-2800-441.23-01	PHN ZTA 17-97502	166.80
160592	8/1/2017	RIV. CO. FIRE DEPARTMENT	00143358		663-0300-471.90-78	BANNING WATER CANYON NOTICE OF DETERMINATION	2,266.25
160593	8/1/2017	RIV. CO. HEALTH SVCS AGENCY	00143358		001-0000-219.00-00	QTR 3-FIRE PROTECTION SRV JAN 1,2017 - MAR 31,2017	676,682.58
160594	8/1/2017	RIV. CO. LAW ENFORCEMENT	00143358		001-0000-461.41-00	NON-PROFIT SNACK BAR-POOL EX 7/31/2017 REPUPLIER PRK	144.00
160595	8/1/2017	SAN GORGONIO PASS WATER AGENCY	00143358		001-2200-421.23-06	PHIL HOLDER - RCLAAA 2017 ANNUAL CONFERENCE	50.00
			00143358		00143358	STATE PROJECT WATER MARCH 2017	38,357.00
			00143358		00143358	STATE PROJECT WATER APRIL 2017	48,818.00

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160595	4/29/17	SAN GORGONIO PASS WATER AGENCY	17-001143		660-0300-471.17-14	STATE PROJECT WATER MAY 2017	51,671.00
160596	4/11/2017	SANDOVAL, ANA	17-001475		600-0300-471.27-14	STATE PROJECT WATER JUNE 2017	49,135.00
160597	3/1/2017	SHELTON, JOYCE	16-001771/17		001-0000-461.25-06	HEALTH FORUM	16.00
160598	8/1/2017	SOUTH COAST AIR QUALITY	16-000048/160		001-0020-351.35-83	ADVENTURE CAMP REFUND SON BROKE LEG	100.00
160599	8/1/2017	SOUTHERN CALIFORNIA EDISON	3376097		680-3000-454.41-00	I C E M ELEC GEN-DIESEL BOILER/ACTV CARBON ADSORB	3,844.54
160600	8/1/2017	TELEPACIFIC COMMUNICATIONS	3376097		001-3200-412.41-04	BOILER/HOT WATER HEATER FACID 184335 VARIOUS LOC	203.08
160601	8/1/2017	TIME WARNER CABLE	2015215098/0117		660-0300-471.26-04	WELL 10 - 7071 PLANT E-5 JUN 14, 2017 - JUL 14, 2017	1,122.54
160602	8/1/2017	TOTALPLAN BUSINESS INTERIORS INC	028866206-0		001-2200-421.26-05	PHONE SERVICE 07/16-08/15 ACCT # 135087	649.79
160603	8/1/2017	UNITED WAY OF THE INLAND VALLEY	028866206-0		001-4500-412.26-05	PHONE SERVICE 07/16-08/15 ACCT # 135087	2,081.98
160604	8/1/2017	UTILITY TREE SERVICE	17-0017417	028490	670-7000-473.26-07	176 E LINCOLN ST - FIBER ACCT # 8448410810332241	821.61
160605	8/1/2017	VISTA PAINT	028490	028387	001-2400-422.26-09	172 N MURRAY ST 8/01-8/31 ACCT # 8448410810015614	37.45
160606	8/1/2017	VZC GROUP, INC	028387	028387	001-2200-421.26-09	125 E RAMSEY ST - JUL2017 ACCT # 8448410810014567	87.13
160607	8/1/2017	WELLS FARGO CARD SERVICES INC	028387	028571	001-0000-204.60-00	VIVA TASK CHAIR	915.88
			028571	027433	001-0000-204.60-00	PAYROLL SUMMARY	82.00
					670-7000-473.23-17	TREE TRIM SVCS WE 7/8/17	3,300.00
					670-7000-473.23-17	TREE TRIM SVCS WE 7/15/17	4,400.00
					001-3600-461.30-02	TREE TRIM SVCS WE 7/22/17	4,400.00
					001-3600-461.30-02	PLAYHOUSE PAINT	169.52
					855-9500-490.90-30	PLAYHOUSE PAINT	32.61
					001-3000-411.22-05	RW PARK IMPROVEMENTS	8,101.00
					001-1000-411.26-07	SOUTHWEST - ANDRADE 9/12 KVSMS8 ONT - SMF 9/12-16	137.96
					001-1700-412.23-05	SOUTHWEST - MOYER 9/13-16 LOCC CONF IN SAC	192.96
					001-1900-412.23-27	SOUTHWEST - WELCH 9/13-16 LOCC CONF IN SAC	192.96
					001-1900-412.23-27	SUPER SUBS+ - CITY COUNCL FOOD MTG 06/27/2017	33.22
					001-1900-412.23-27	THE HAVEN - COUNCIL MTG FOOD 07/11/2017	83.92
					001-1900-412.23-27	LEAGUE OF CA CITIES CONF A DIAZ 09/13-09/15 SAC	525.00
					001-1900-412.23-27	SOUTHWEST - A DIAZ LOCC CONF IN SAC 9/12-16	205.96
					001-1900-412.23-27	WELLS FARGO OVERLIMIT FEE	39.00
					001-1900-412.23-27	PONDS 4TH OF JULY MUSIC	39.95
					001-2000-466.36-00	EXPEDIA - B. SMITH 7/13 DENVER CO SPECIAL INVESTG	285.58
					001-2200-421.41-20	EXPEDIA - B. WALKER 7/13 DENVER CO SPECIAL INVESTG	285.58
					660-0300-471.23-01	EXPEDIA - SMITH & WALKER TRIP TO COLORADO 7/13	2,301.64
160608	8/1/2017	WILLDAN FINANCIAL SERVICES	010-34738		375-4900-431.23-19	iSTOCK - WATER DEPT IMAGE STOCK PHOTO CONSUMER CONF	12.00
160609	8/1/2017	ARIAS, JOE	010-35088		675-7000-473.23-15	FAIR OAKS RANCH AD#2004-1 JULY 2017 - SEPT 2017	768.90
160610	8/1/2017	ARROW STAFFING SERVICE	160734		670-7000-473.25-06	ARBITRAGE REBATE SRVCS REV BONDS SERIES 2007	2,000.00
160611	8/1/2017	ASBURY ENVIRONMENTAL SERVICES DBA	160734		001-1900-412.23-27	NO POWER @ 3800 W WILSON SPACE 305	16.00
160612	8/1/2017	AVERY, ALEXANDRA	160734		001-1900-412.23-27	ROCK, SUSAN W/E 7/22/17	1,093.20
160613	8/1/2017	BAEZA, HECTOR	160734		001-1900-412.23-27	ROCK, SUSAN W/E 7/22/17	1,093.20
160614	8/1/2017	BANNING POLICE OFFICERS ASSOC	160734		001-1900-412.23-27	MIXED OIL RECYCLE	35.00
160615	8/1/2017	BARTON, JUDITH MARGARET	160734		001-1900-412.23-27	HIGH CALL VOLUME	16.00
160616	8/1/2017	BEAUMONT DO IT BEST HOME CENTER	160734		001-1900-412.23-27	REPLACE 8" VALVE ON RAMSEY & 8TH ST	2,350.00
					001-1900-412.23-27	POLICE OFFICERS ASSOC DUE JULY 2017	73.50
					001-1900-412.23-27	YOGA CLASS INSTRUCTOR JULY 2017	20.98
					001-1900-412.23-27	PAINT FOR BACK PACK EVENT	10.63
					001-1900-412.23-27	FAUCET AERATOR	47.35
					001-1900-412.23-27	BOWL PAINTING SUPPLIES	47.35
					001-1900-412.23-27	A/C FILTERS/ KEYS	46.17
					001-1900-412.23-27	HVAC FILTERS-CH	248.00
160617	8/1/2017	BEAUMONT SAFE & LOCK	160734		001-1900-412.23-27	REINSTALL LEVER ON MORISE LOCK (POOL STORAGE)	94.00
160618	8/1/2017	BEAUMONT, CITY OF	160734		001-1900-412.23-27	1 D/L F/SCHLAGE L MORTIS	141.36
					001-1900-412.23-27	ACO SERVICES APR 2017	9,413.44
					001-1900-412.23-27	ACO SERVICES FEB 2017	6,988.96
					001-1900-412.23-27	ACO SERVICES JAN 2017	9,871.71
					001-1900-412.23-27	ACO SERVICES MAR 2017	11,763.04

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160618	4/30/17	BEAUMONT, CITY OF	2017-010		6.10-5800-351.35-80	BUS TICKET RECONCILIATION JUNE 2017	156.06
160619	8/30/2017	BENHAR, DIANA T	0018 2017		001-4000-461.23-15	ZUMBA CLASSES JULY 2017	311.50
160620	8/10/2017	BLUE SHIELD OF CALIFORNIA	0010351 2017		001 0000 204.31-00	HEALTH INSURANCE PREMIUM AUGUST 2017	72,076.96
160621	5/10/2017	BRANDON, KATHY	0018AL 7/28/17		751-3100-480.25-06	VACATION COVERAGE	16.00
160622	8/10/2017	CA. ST. DEPT. OF FISH AND GAME	2016-0750		603-6300-471.90-28	PROJECT 2016-02W BANNING WATER CANYON LINE RPLCMNT	5,000.00
160623	8/10/2017	CALIFORNIA CLETS USERS GROUP	1910104 9/12-15		001-2200-421.23-06	LIZA KESTER 2017 CA CLET SEMINAR-PALM SPRINGS	475.00
160624	8/10/2017	CALIFORNIA LAW ENFORCE ASSN	0102051 2017		001-2210-421.23-06	VICKIE HERNANDEZ 2017 CA CLET SEMINAR-PALM SPRINGS	637.00
160625	2/10/2017	CALIFORNIA LAW ENFORCEMENT ASSOC	0308AL 8/16/17		001-0000-204.60-13	POLICE LTD PREMIUMS AUGUST 2017	20.00
160626	2/10/2017	CARRIZOSA, KRISTOFFER	622427-861080		001-2200-421.23-06	ANGIE LAM - CLEARS MTG 08/16/17 NEW/EXISTING LAW	75.00
160627	1/6/2017	CHAPPAROSA, TOM	0010AL 7/22/17		001-4000-351.35-71	CPR AED FIRST AID CLASS CANCELLED	16.00
160628	1/10/2017	COFFEY, BENJAMIN	0010AL 7/24/17		751-3110-480.25-06	SOLAR PROJECTS 12 HOURS OT	48.00
160629	8/10/2017	COLONIAL INSURANCE	325001 07/01/16		6/0-4000-473.25-06	TERM LIFE PREMIUM JULY 2017	1,577.94
					001 0000 204.80-00	CANCER PREMIUM FOR JULY 2017	2,020.76
					001 0000 204.80-03	UNIVERSAL LIFE PREMIUMS JULY 2017	3,095.47
					001-4000-204.80-09	ACCIDENT PREMIUM FOR JULY 2017	3,195.47
					001-0000-204.80-11	SUPPLEMENTAL DISABILITY JULY 2017	6,067.98
					001-0000-204.80-12	CRITICAL ILLNESS PREMIUM JULY 2017	1,743.02
160630	8/10/2017	DIAMOND ENVIRONMENTAL SERVICES	0001136120	028590	001-0000 704.80-16	HOSPITAL CONFINEMENT PRMS JULY 2017	1,339.97
160631	8/10/2017	DUNN, TERRY	10105117 2017		001-3600-461.32-05	DAMAGE FEE FOR RWP	388.98
160632	8/10/2017	FERGUSON, PRAET & SHERMAN	71176		702-3500-480.25-02	TOOL REIMBURSEMENT FY 2018	1,500.00
160633	8/10/2017	FLOYD SR, ERNEST	0010AL 7/29/17		001-2200-421.23-11	LEGAL FEES	1,665.00
			0010AL 7/29/17		660-0300-471.25-06	8" VALVE REPLACEMENT 8TH & RAMSEY	16.00
			0010AL 7/29/17		600-4300-471.25-06	SERVICE LEAK REPAIR & CLEAN UP	32.00
160634	8/10/2017	FRONTIER COMMUNICATIONS	20905360960017		001-4500-412.26-05	ACCT # 209-056-0495 JUL 28, 2017 - AUG 27, 2017	1,122.39
			2091885918500117		001-2200-421.26-05	ACCT # 209-188-5918 JUL 28, 2017 - AUG 27, 2017	45.70
					001-4500-412.26-05	ACCT # 209-188-5918 JUL 28, 2017 - AUG 27, 2017	1,033.68
					600-0300-471.26-05	ACCT # 209-188-5918 JUL 28, 2017 - AUG 27, 2017	485.85
					670-7000-473.26-05	ACCT # 209-188-5918 JUL 28, 2017 - AUG 27, 2017	219.39
					702-3800-480.26-05	ACCT # 209-188-5918 JUL 28, 2017 - AUG 27, 2017	55.97
					001-4500-412.26-05	ACCT # 951-849-3260 JUL 28, 2017 - AUG 27, 2017	244.54
					001-4500-412.26-05	ACCT # 951-922-3201 AUG 1, 2017 - AUG 31, 2017	308.05
160635	8/10/2017	GARDA CL WEST INC	951839 8260AUG17	028310	761-3100-480.23-43	JUNE 2017 EXCESS ITEMS	115.50
160636	8/10/2017	GAS COMPANY, THE	9519224201AUG17	028130	001-4000-461.26-06	789 N SAN GORGONIO	61.62
			20243206	028130	001-4000-461.26-06	201 W GEORGE	16.70
			035012710001017	028130	001-4000-461.26-06	84 W WILSON ST	57.79
			07112474007017	028130	001-4000-461.26-06	COVERED SHIFTS 7/20 TO 7/21	48.00
160637	8/10/2017	GIFFORD, AMBER	0010AL 7/20/17		001-2210-421.25-06	NO POWER @ 3800 W WILSON SPACE 305	16.00
160638	8/10/2017	HARPER, KRIS	0010AL 7/21/17		670-7000-473.25-06	SALES TAX 3RD QUARTE AUDIT SERVICES- SALES TAX	4,599.05
160639	8/10/2017	HINDERLITER DE LLAMAS & ASSOCIATES	00276123-00	028552	001-1900-412.53-11	FOUNTAIN CAULKING	75.39
160640	8/10/2017	HOME DEPOT #8987	000113	028552	001-3200-412.56-16	BLDG. MAINT. TOOLS	1,148.62
			0570514	028552	001-3200-412.56-16	CHLORINE FOR FOUNTAIN	129.20
			0010AL 7/21/17		001-2200-421.23-01	GEN/UTILITY UNION DUES JULY 2017	7,798.04
160641	8/10/2017	I.B.E.W. LOCAL 47	0010AL 7/21/17		001-0000-204.53-00	PAC DUES FOR JULY 2017	64.00
160642	8/10/2017	I.B.E.W. LOCAL 47 (PAC)	0010AL 7/21/17		001-0000-204.53-00	ONE YR MEMBERSHIP	100.00
160643	8/10/2017	ICSC	1013 2017		001-1710-412.23-03	IEDC P44 PUBLIC-100K MEMBERSHIP RENEWAL	420.00
160644	8/10/2017	INTERNATIONAL ECONOMIC DEVELOPMENT	2050561718		001-1710-412.23-03	KAISER PREMIUMS GROUP 101565-0002	38,861.16
160645	8/10/2017	KAISER FOUNDATION HEALTH	0001051 2017		001-0000-204.31-00	KAISER PREMIUMS GROUP 101565-0006	5,389.16
					001-6001-302.11-03	SALES TAX INCENTIVE	27,817.00
160646	8/10/2017	KHAN PROPERTIES AND HOLDINGS, LLC	001 - DFC 2016		001-2200-421.25-06	VACATION COVERAGE	16.00
160647	8/10/2017	LAM, ANGIE	0010AL 7/24/17		660-6300-471.25-06	WATER LEAK @ 5463 RIVIERA	32.00
160648	8/10/2017	LOGAN, KIERAN	0010AL 7/29/17		660-6300-471.25-06	LEAK @ 883 PAUMA VALLEY	16.00
160649	8/10/2017	LYNCH, MIKE	0010AL 7/30/17		660-6300-471.25-06	LEAK @ 1020 PAUMA VALLEY 18:20 TO 19:20	16.00
			0010AL 7/30/17			LEAK @ 5261 W WILSON ST 4:20 TO 5:20	16.00

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160649	08/01/2017	LYNCH, MIKE	08/01/2017		660-6300-471.25-06	READ WELLS	32.00
160650	08/01/2017	MADRIGAL CHAVES, SERGIO	08/01/2017		660-6300-471.25-06	8" VALVE REPLACEMENT 8TH & RAMSEY	16.00
			08/01/2017		660-6300-471.25-06	WATER LEAK @ 5463 RIVIERA 6:00 TO 14:30	32.00
			08/01/2017		660-6300-471.25-06	LEAK @ 883 PAUMA VALLEY	16.00
160651	08/01/2017	MOLEDOR, JEROME	08/01/2017		660-6300-471.25-06	HELP WATER DEPT ON 8TH & RAMSEY	16.00
160652	08/01/2017	NAASZ, CALEB	08/01/2017		660-6300-471.25-06	SERVICE REPAIR ON RIVIERA 6:00 TO 14:30	32.00
160653	08/01/2017	NAIOP IE	08/01/2017		001-1210-412.23-05	TED SHOVE-REGISTRATION COMMERCIAL REAL ESTATE	25.00
			08/01/2017		001-2800-441.23-05	PATTY NEVINS-REGISTRATION COMMERCIAL REAL ESTATE	25.00
160654	08/01/2017	OFFICE DEPOT	08/01/2017	028526	001-3000-442.36-00	TONER, FOLDERS, STAPLES	27.87
			08/01/2017		001-3200-412.36-00	TONER, FOLDERS, STAPLES	14.00
			08/01/2017		001-3200-480.36-00	TONER, FOLDERS, STAPLES	425.79
			08/01/2017		001-3000-442.36-00	TONER	168.07
			08/01/2017		001-3000-442.36-00	FLY SWATTER	4.30
			08/01/2017		001-3000-442.36-00	KEYBOARD/MOUSE	59.47
			08/01/2017		001-3000-442.36-00	BINDERS, DIVIDERS, MARKERS, FLAGS, BINDER STRIPS	147.77
160655	08/01/2017	ONTIVEROS, CONSUELO & PEDRO	08/01/2017		660-6300-471.25-02	ENERGY ASSISTANCE PROGRAM REBATE DEC 2016- MAY 2017	108.73
160656	08/01/2017	PRE-PAID LEGAL SERVICES, INC	08/01/2017		001-0000-204.30-07	PREPAID LEGAL PREMIUMS JULY 2017	343.80
160657	08/01/2017	PRUDENTIAL OVERALL SUPPLY	08/01/2017		660-6300-471.25-02	UNIFORMS-WATER	50.00
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	20.75
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	55.77
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	4.93
			08/01/2017		660-6300-471.25-02	UNIFORMS-WATER	50.00
			08/01/2017		660-6300-471.25-02	UNIFORMS-WASTEWATER	15.00
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	20.75
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	55.77
			08/01/2017		660-6300-471.25-02	UNIFORM SERVICE	4.93
160658	08/01/2017	QUINN, MELISSA	08/01/2017		001-0000-204.30-00	REPLACE PAYROLL CK 10871 EMPLOYEE LOST CHECK	22.32
160659	08/01/2017	RIV. CO. CLERK RECORDER	08/01/2017		001-2740-442.23-07	REAL ESTATE FRAUD TRUST 3800 W WILSON # 364	10.00
			08/01/2017		001-2740-442.23-07	RELEASE PEND/UYEN BY GOV 3800 W WILSON # 364	13.00
160660	08/01/2017	RIV. CO. CLERK RECORDER	08/01/2017		001-2740-442.23-07	REAL ESTATE FRAUD TRUST 859 E INDIAN SCHOOL LN	10.00
			08/01/2017		001-2740-442.23-07	RELEASE PEND/UYEN BY GOV 859 E INDIAN SCHOOL LN	13.00
			08/01/2017		001-2740-442.23-07	LAFCO FEES - FY 18 ADMIN FEES	6,308.11
			08/01/2017		001-2740-442.23-07	CITY YARD BEE REMOVAL	250.00
160661	08/01/2017	RIVERSIDE, COUNTY OF	08/01/2017	028594	001-3200-412.36-01	SBPEA DUES FOR JULY 2017	617.39
160662	08/01/2017	RON'S BEE SERVICE	08/01/2017		001-3200-412.36-01	EYEWEAR REIMBURSEMENT PER SBPEA/TEAMSTERS MNGR	250.00
160663	08/01/2017	SAN BERNARDINO PUBLIC EMPLOYEES	08/01/2017		001-2740-442.23-06	EXTENDED DAY 2 HOURS OT	16.00
160664	08/01/2017	SCHRAMER, LEON	08/01/2017		001-2740-442.23-06	B CALLAHAN - TUITION SIG SAUER P320 09/28/17	212.50
160665	08/01/2017	SHUBIN, DEBORAH	08/01/2017		001-4000-461.23-15	GUITAR CLASS INSTRUCTOR JULY 2017	10.50
160666	08/01/2017	SIG SAUER, INC	08/01/2017		660-6300-471.25-06	MEDICAL LIFELINE REBATE JAN 2017- JUN 2017	110.58
160667	08/01/2017	SMITH, LOIS E	08/01/2017		660-6300-471.25-06	PUBLIC BENEFIT CHARGE REBATE JAN 2017- DEC 2016	3.66
160668	08/01/2017	SMITH, RUTH	08/01/2017		660-6300-471.25-06	PUBLIC BENEFIT CHARGE REBATE JUL 2016- DEC 2016	103.51
			08/01/2017		660-6300-471.25-06	AUG 1, 2017 - AUG 31, 2017 CITY PAGERS	3.47
160669	08/01/2017	SPOK, INC	08/01/2017		660-6300-471.25-06	AUG 1, 2017 - AUG 31, 2017 CITY PAGERS	7.94
			08/01/2017		660-6300-471.25-06	AUG 1, 2017 - AUG 31, 2017 CITY PAGERS	15.10
			08/01/2017		660-6300-471.25-06	AUG 1, 2017 - AUG 31, 2017 CITY PAGERS	10.10
			08/01/2017		660-6300-471.25-06	AUG 1, 2017 - AUG 31, 2017 CITY PAGERS	7.94
160670	08/01/2017	STATE WATER RESOURCES CONTROL	08/01/2017		660-6300-471.25-06	PROJECT 2016-02W BANNING WATER CANYON LINE REPLMNT	720.00
160671	08/01/2017	STONE, PAMELA	08/01/2017		001-0000-204.30-00	8 HOURS COVERAGE 9:00 AM TO 5:00 PM	32.00
160672	08/01/2017	SUN LIFE FINANCIAL	08/01/2017		001-0000-204.30-00	LTD-STD INSURANCE PREMIUM AUGUST 2017	5,839.95
			08/01/2017		001-0000-204.30-00	LIFE INSURANCE PREMIUMS AUGUST 2017	3,033.42
			08/01/2017		001-0000-204.30-00	DENTAL INSURANCE AUGUST 2017	9,363.15
			08/01/2017		001-0000-204.30-00	LTD - STD JULY 2017	5,980.40
			08/01/2017		001-0000-204.30-00	LIFE INSURANCE JULY 2017	5,048.16

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160672	8/29/17	SUN LIFE FINANCIAL	0111 2017		001 0000-204.32-00	DENTAL INSURANCE JULY 2017	8,513.29
160673	8/10/2017	THORNTON, CHRIS	0111 2017		620-8000-454.25-06	LEAK @ 883 PAUMA VALLEY	16.00
160674	8/10/2017	THORNTON, MEL	0111 2017		670-7000-356.48-01	MEDICAL LIFELINE REBATE JAN 2017 - JUN 2017	6.33
160675	8/10/2017	TIME WARNER CABLE	0111 2017		675-7020-356.38-15	PUBLIC BENEFIT CHARGE REBATE JAN 2017 - JUN 2017	0.52
					001 2000-446.26-09	789 N SAN GORGONIO AVE ACCT # 8448410810014070	12.21
					001 2000-446.26-09	789 N SAN GORGONIO AVE ACCT # 8448410810014070	8.90
					001 2000-446.26-09	769 N SAN GORGONIO AVE ACCT # 8448410810022933	14.68
					001 2000-446.26-09	769 N SAN GORGONIO AVE ACCT # 8448410810022933	8.90
160676	8/10/2017	TRI COUNTY PUMP COMPANY	0111 2017	027858	001 0000-222.00-00	PROJECT 2016-01W REPAIRS TO WELLS & BOOSTER	9,150.09
160677	8/10/2017	U.S. BANK	0111 2017		660-6300-471.45-08	WATER SYS IMP PROJ 89 CERT OF PARTC	1,150.00
160678	8/10/2017	UNDERGROUND SERVICE ALERT	0111 2017		680-8000-454.05-08	WASTE WTR SYS IMP PROJ 89 COP / ACCT 94627350	1,150.00
160679	8/10/2017	WARE, KENNITH	0111 2017		100 4500-431.30-13	DIG ALERTS AUG 2017	31.38
					660-6300-471.45-08	DIG ALERTS AUG 2017	31.39
					670-7000-473.45-02	DIG ALERTS AUG 2017	31.38
					610-5800-434.25-06	COVER ROUTE	16.00
					610-5800-434.25-06	JURY DUTY COVERAGE	16.00
					610-5800-434.25-06	COVERED SICK CALL OUT	16.00
160680	8/10/2017	WELLS FARGO CARD SERVICES INC	0111 2017		610-5800-434.25-06	IT ISSUE	16.00
160681	8/10/2017	WELLS FARGO CARD SERVICES INC	0111 2017		001 0000-116.21-00	HILTON SAN DIEGO DEL MAR CHARGED IN ERROR	6.00
					001 0000-204.32-01	SALES TAX	(25.75)
					001 1300-412.23-01	WESTERN CITY MAGAZINE BASIC JOB POSTING	250.00
					001 4900-412.23-46	FINANCE CHARGE WELLS FARGO	31.66
					001 2200-421.36-62	SOUTHWEST CPT PHIL HOLDER	247.96
160682	8/10/2017	WINTERS, CONCEPCION	0111 2017		001 2200-421.36-62	AMAZON.COM MEMOREX WHITE CD LABELS	358.00
160683	8/11/2017	ADRIAN, MARION	0111 2017		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE AUG 2016- JAN 2017	79.30
160684	8/11/2017	ADVANCE WORKPLACE STRATEGIES INC	0111 2017	028620	675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	84.32
160685	8/11/2017	ALESHIRE & WYNDR, LLP	0111 2017	028620	001 1300-412.23-32	DOT FED MOTOR CARRIER MEM	885.00
					464810	RANDOM TESTING CHRGs	67.00
					42917	LEGAL SERVICES JUNE 2017 SERVICES THROUGH 06/30/17	2,252.02
160686	8/11/2017	ALLEN, MICHAEL	0111 2017		700 5300-480.33-04	LEGAL SERVICES JUNE 2017 SERVICES THROUGH 06/30/17	76.97
160687	8/11/2017	ANIXTER, INC	0111 2017		700 5300-480.33-04	LEGAL SERVICES JUNE 2017 SERVICES THROUGH 06/30/17	175.50
160688	8/11/2017	ARIAS, JOE	0111 2017		700 5300-480.33-04	LEGAL SERVICES JUNE 2017 SERVICES THROUGH 06/30/17	111.41
160689	8/11/2017	ARROW STAFFING SERVICE	0111 2017		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	21,239.68
160690	8/11/2017	ARROYO BACKGROUND INVESTIGATIONS	0111 2017		670 0000-131.00-00	TRANSFORMER PO NUM 028369	3,167.85
160691	8/11/2017	ASBURY ENVIRONMENTAL SERVICES DBA	0111 2017		670 0000-131.00-00	WORK ON WELL #4 9 HOURS OT	32.00
160692	8/11/2017	AT&T CALNET 2	0111 2017	028176	670-7000-473.45-05	ROCK, SUSAN W/E 08/05/17	1,093.20
160693	8/11/2017	BARBER, CAROL	0111 2017		001 1900-412.23-27	POLICE BACKGROUN	894.86
160694	8/11/2017	BEAUMONT CHAMBER OF COMMERCE	0111 2017		001 3200-412.23-49	RECYCLE 282 NON PCB BALLASTS	311.00
160695	8/11/2017	BEAUMONT DO IT BEST HOME CENTER	0111 2017		590-9600-453.45-15	RECYCLE 557 ALKALINE BATTERIES	797.66
					001 2200-421.23-05	BAN # 9391060200 JUL 1, 2017 - JUL 31,2017	294.09
					675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE DEC 2016- MAY 2017	103.58
					001 3000-411.23-05	WELCH - 24TH ANNUAL STATE OF CITY LUNCHEON	35.00
					001 1800-411.23-05	WELCH - BREAKFAST MTG AUG 11, 2017	20.00
					001 3600-463.30-16	BRASS CAP CREDIT CD 61-CX 3/8 COMP CAP	(0.54)
					702-3800-480.33-52	COPPER LUGS	7.33
					001 3200-412.30-01	FOUNTAIN CHLORINE TABS	22.40
					443700	PAINT PAILS, TRASH CANS	75.90
					443765	CITY HALL ROOF TOP HOSES	118.28
					443769	#222 PINS/NUTS	9.44
					443821	ANCHOR KIT/BOLTS	24.98
160696	8/11/2017	BEAUMONT, CITY OF	0111 2017		001 3200-412.30-00	ACO SERVICES JUNE 2017	13,547.20
160697	8/11/2017	BELL & FRANK	0111 2017		675 7020-473.42-36	ACO SERVICES MAY 2017	14,953.34
160698	8/11/2017	BERNARD, KEVIN	0111 2017		670 7000-473.45-06	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	150.22
						WORK ON WELL #4 9 HOURS OT	32.00

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160699	8/14/2017	BOYDD PRODUCTS INC	4900	028450	143-2215-421.36-04	30-ARMOR-HELMET RESP BAGS	1,583.93
160700	8/14/2017	CA DEPT OF VETERAN AFFAIRS	0000093/21		001-0000-218.22-22	UB CR REFUND 000011418	94.79
160701	8/14/2017	CALDERON, SANDRA B	0000093/21		001-2500-441.25-06	REGULAR PC MEETING	16.00
160702	8/14/2017	CALIFORNIA COIN LAUNDRIES	0000113817		001-2500-441.25-05	DELIVER PC AGENDA PACKETS FOR REG PC MEETING 8/02	10.70
160703	8/14/2017	CALIFORNIA, STATE OF	253634	028550	001-0000-218.22-22	UB CR REFUND 000010110	10.14
160704	8/14/2017	CANEZ, NOEF	000071841		001-2200-421.23-31	JUL 17 BLD ALCH ANALYSIS	70.00
160705	8/14/2017	CASAZAS, EDWARD & MARGARITA	000072035		001-0000-218.22-22	UB CR REFUND 00007028	12.88
160706	8/17/2017	CHACON, ARTHUR	MECA 07/26/17		001-0000-218.22-22	UB CR REFUND 000002148	13.67
160707	8/17/2017	COOPERATIVE PERSONNEL SVCS.	50004458	028621	001-2740-442.25-06	EXTENDED DAY 2 HOURS OT	16.00
160708	8/17/2017	CYBERTIME NETWORK COMMUNICATIONS	BRHN35125		001-1300-412.41-17	DISPATCHER WRITTEN EXAM	463.10
160709	8/17/2017	DAVILA, BERTHA	1533-1704	028187	703-3700-480.30-19	CREDIT CASHIER TEST MU0132554	(35.00)
160710	8/17/2017	DAWSON, EARNESTINE	1533-1704	028574	703-3700-480.30-19	INTERNET FEED TO FIREWALL 04/01/2016 - 06/30/2016	2,097.00
160711	8/17/2017	DE LA FUENTE, SONJA	1533-1704	028574	703-3700-480.30-19	INTERNET FEED - CITY HALL 07/01/2017 - 09/30/2017	2,097.00
160712	8/17/2017	DIAZ, RICHARD D	1533-1704		650-6300-471.25-07	MICROWAVE BACKBONE SYTM 07/01/2017 - 09/30/2017	5,700.00
160713	8/17/2017	DIMITRIEVECH, JAMES	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE APR 2016- SEP 2016	134.97
160714	8/17/2017	DOUBLETREE BY HILTON DEL MAR	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	123.80
160715	8/17/2017	DUGGINS, LANCE	000076121		675-7020-473.42-36	UB CR REFUND 000010780	15.25
160716	8/17/2017	DUNN, TERRY	000076121		675-7020-473.42-36	SYMPATHY FLOWERS-PATRICK STEPHENS MOM	91.75
160717	8/17/2017	EATON, EVA LOUISE	000076121		675-7020-473.42-36	WORK ON WELL #4 9 HOURS OT	32.00
160718	8/17/2017	ELIZONDO, MARIO	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2016- APR 2017	116.68
160719	8/17/2017	FEDEX	000076121		675-7020-473.42-36	B SMITH ICI GANG FOUNDN SAN DIEGO 8/27-9/01	704.35
160720	8/17/2017	FISCHER, JUTTA	000076121		675-7020-473.42-36	WORK ON WELL #4 9 HOURS OT	32.00
160721	8/17/2017	FRONTIER COMMUNICATIONS	000076121	028538	675-7020-473.42-36	CABAZON 042 OUT OF FUEL	16.00
160722	8/17/2017	GAS COMPANY, THE	000076121		675-7020-473.42-36	UB CR REFUND 000015022	11.30
160723	8/17/2017	GRAY, DUSTIN	000076121		675-7020-473.42-36	WORK ON WELL #4 9 HOURS OT	32.00
160724	8/17/2017	HALLOCK, DENNIS	000076121		675-7020-473.42-36	SEND TASERS IN FOR REPAIR	46.76
160725	8/17/2017	HAMPTON, PATRICIA	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	118.61
160726	8/17/2017	HANES, NORMA	000076121		675-7020-473.42-36	ACCT # 951-769-5052 AUG 4, 2017 - SEP 3, 2017	60.73
160727	8/17/2017	HARTNELL, BRYAN C	000076121		675-7020-473.42-36	ACCT # 951-849-4533 AUG 4, 2017 - SEP 3, 2017	47.06
160728	8/17/2017	HAWK, EUGENE	000076121		675-7020-473.42-36	ACCT # 951-849-6777 AUG 1,2017 - AUG 31, 2017	102.02
160729	8/17/2017	HOLDER, PHILLIP	000076121		675-7020-473.42-36	ACCT # 951-849-7124 AUG 10,2017 - SEP 9, 2017	110.25
160730	8/17/2017	HOME DEPOT #8987	000076121		675-7020-473.42-36	ACCT # 951-9220262 AUG 4, 2017 - SEP 3, 2017	110.25
160731	8/17/2017	I C W A	000076121		675-7020-473.42-36	749 N SAN GORGONIO AVE JUN 14,2017 - JUL 14,2017	992.35
160732	8/17/2017	IBEW LOCAL 47 RETIREE MEDICAL TRUST	000076121		675-7020-473.42-36	WORK ON WELL #4 9 HOURS OT	32.00
160733	8/17/2017	ICMA RETIREMENT TRUST 457	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE FEB 2017- JUL 2017	94.55
160734	8/17/2017	ICSC	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	162.22
160735	8/17/2017	INFOSEND, INC	000076121		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JUL 2016- DEC 2016	198.02
160736	8/17/2017	JENKINS & HOGIN, LLP	000076121		675-7020-473.42-36	UB CR REFUND 000011448	12.88
					675-7020-473.42-36	UB CR REFUND 000009462	99.78
					675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	141.60
					675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JUL 2016- DEC 2016	140.38
					675-7020-473.42-36	FBINAA NAT CONF 7/29-8/02 WASHINGTON D C	1,638.06
					675-7020-473.42-36	CPOA TEAM BUILDING WORKSH & BOARD MEETING SQUAW VLY	636.95
					675-7020-473.42-36	RUBBERMAID WATER JUGS	53.71
					675-7020-473.42-36	MEMBERSHIP RENEWAL	25.00
					675-7020-473.42-36	LUNCH MEETINGS AUG-DEC 17 JAN 2018 - JUNE 2018	250.00
					675-7020-473.42-36	PAYROLL SUMMARY	2,121.08
					675-7020-473.42-36	PAYROLL SUMMARY	1,504.86
					675-7020-473.42-36	INTERNATIONAL COUNCIL OF SHOPPING CENTERS 10/02-04	95.00
					675-7020-473.42-36	QUARTERLY NEWSLETTER	367.50
					675-7020-473.42-36	QUARTERLY NEWSLETTER	1,977.80
					675-7020-473.42-36	QUARTERLY NEWSLETTER	100.99
					675-7020-473.42-36	LEGAL SERVICES JUNE 2017 SERVICES THROUGH 06/30/17	5,723.81
					675-7020-473.42-36		14,829.20

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160737	8/17/2017	JIMENEZ, FIDELINA GARCIA	000000004		001-0000-218.22-22	UB CR REFUND 000020666	11.30
160738	8/17/2017	KALRA, ROSEMARY	000000001		001-0000-218.22-22	UB CR REFUND 000010380	11.30
160739	8/17/2017	KEEFE FAMILY LTD PARTNERSHIP	000000001		001-0000-218.22-22	UB CR REFUND 000013132	10.51
160740	8/17/2017	KOLER, MARIE	001-1100-471.32-36		675-7020-471.32-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	120.04
160741	8/17/2017	KRUEGER, BONNIE	000000001		675-7020-471.32-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2016- APR 2017	122.91
160742	8/17/2017	LANCE, SOLL & LUNGHARD, LLP	22001		001-3900-412.33-12	2017 GOVERNMENT AUDIT CLIENT ID # 3503A	5,358.78
					660-0300-471.13-12	2017 GOVERNMENT AUDIT CLIENT ID # 3503A	36.00
					680-8000-454.23-12	2017 GOVERNMENT AUDIT CLIENT ID # 3503A	36.00
160743	8/17/2017	MORENO, JOSE	000000001		761-1100-480.33-12	2017 GOVERNMENT AUDIT CLIENT ID # 3503A	11,653.22
160744	8/17/2017	MOTOROLA SOLUTIONS, INC.	26200-1		675-7020-471.32-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2016- APR 2017	133.32
160745	8/17/2017	MOTT, JACK	000000001		001-2200-421.32-06	ANNUAL PYMNT POLICE RADIO DISPATCH EQUIPMENT	88,648.80
160746	8/17/2017	MOYER, GEORGE	000000001		001-1000-411.23-05	UB CR REFUND 000018964	14.46
160747	8/17/2017	MYRDAHL, DAVID	000000001		001-0000-218.22-22	MAYOR/CITY MANAGER BRKFST TUKWET CANYON	14.46
160748	8/17/2017	NATIONWIDE RETIREMENT SOLUTIONS	000000001		001-0000-218.22-22	PAYROLL SUMMARY	13.67
160749	8/17/2017	NEWSDATA CORPORATION	000000001		670-7000-473.23-03	FY 18 MEMBERSHIP - EM1326 OCT 24, 2017 - OCT 23, 2018	3,038.39
160750	8/17/2017	NORMAN, SUZANNE	000000001		001-0000-218.22-22	UB CR REFUND 00007046	650.00
160751	8/17/2017	OFFICE DEPOT	000000001		763-1100-480.36-00	ELECTRIC STAPLER, CLIPS,	14.46
					001-0000-412.36-00	ASD OFFICE SUPPLIES	331.72
					001-3000-442.23-04	WATER & ENGINEERING S&H	90.48
160752	8/17/2017	ON TRAC	000000001		660-0300-471.23-04	WATER & ENGINEERING S&H	39.49
					001-0000-218.22-22	UB CR REFUND 000051216	14.36
160753	8/17/2017	ORTEGA & PENNY	000000001		001-0000-218.22-22	UB CR REFUND 000004972	53.00
160754	8/17/2017	PADILLA, MIGUEL JR	000000001		001-0000-218.22-22	UB CR REFUND 000053684	13.67
160755	8/17/2017	PANORAMA US HOUSING LLP	000000001		001-0000-218.22-22	PAYROLL SUMMARY	1,073.51
160756	8/17/2017	PARS	000000001		001-0000-204.25-00	#605 BLOWER MOTOR	45.06
160757	8/17/2017	PARTS AUTHORITY METRO, LLC	000000001		702-3800-480.38-52	RESISTOR BLOCK	13.34
					702-3800-480.38-52	#622 EVAP PURGE VALVE	52.91
					702-3800-480.38-52	#108 FR LWR C-ARM	55.49
					702-3800-480.38-52	PR-EACH / BX - 50	(56.15)
					702-3800-480.38-52	POS CERAMIC/MASTER CYLND CREDIT ORG INV 62-485175	(37.71)
					702-3800-480.38-52	PR-EACH / BX - 50	85.98
					702-3800-480.38-52	#609 AIR/OIL/FUEL FILTER	23.77
					702-3800-480.38-52	GLOSS BLACK/PRIMER	37.71
					702-3800-480.38-52	PR-EACH/BOX-50	65.11
					702-3800-480.38-52	BALL JOINT/TIE ROD END	4.85
					702-3800-480.38-52	OIL FILTER	4.85
					702-3800-480.38-52	#335 PR-EACH/BX-10	1.03
					702-3800-480.38-52	BRAKE CLEANER	25.73
					702-3800-480.38-52	#222 GREEN CON. GAL	22.50
					702-3800-480.38-52	#336 FUEL/WATER SEPARATOR	8.62
					702-3800-480.38-52	(8) BATTERIES	859.67
					702-3800-480.38-52	#221 RADIATOR	14.48
					702-3800-480.38-52	INV. OIL FILTERS	7.54
					001-0000-218.22-22	UB CR REFUND 000052590	19.99
					660-0300-471.25-02	UNIFORMS-WATER	50.00
					001-0000-454.25-02	UNIFORMS-WASTEWATER	15.00
					702-3800-480.23-16	FLEET UNIFORMS/TOWELS	10.36
					702-3800-480.23-16	FLEET UNIFORMS/TOWELS	23.50
					702-3800-480.23-16	FLEET UNIFORMS/TOWELS	10.36
					702-3800-480.23-16	FLEET UNIFORMS/TOWELS	23.50
					610-5800-434.25-02	UNIFORM SERVICE	20.75
					610-5800-434.25-02	UNIFORM SERVICE	55.77
					100-4000-111.25-02	STREET UNIFORMS	15.20
160758	8/17/2017	PECSON, ARNEL & LUCY	000000001				
160759	8/17/2017	PRUDENTIAL OVERALL SUPPLY	000000001				

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160759	8/1/2017	PRUDENTIAL OVERALL SUPPLY	2240259	028553	001-3400-461.25-02	PARKS UNIFORMS	6.65
160760	8/1/2017	PUBLIC AGENCY RETIREMENT SERVICES	7240260	028553	001-3200-412.25-02	BLDG. MAINT. UNIFORMS	5.36
160761	8/1/2017	RCS INVESTIGATIONS & CONSULTING LLC	24246		001-1500-412.53-11	PAIRS PLAN ID# PH-ARS05A SVC PERIOD 20170630	300.00
160762	8/1/2017	RELIABLE WORKPLACE SOLUTIONS	1778	028489	001-2200-421.33-11	INVESTIGATION/TRANSCRIPT	3,485.00
160763	8/1/2017	ROAH, THELMA	84651070	028568	001-1600-412.46-00	HR PRINTER SERVICE	258.75
160764	8/1/2017	RUVOLO, BLANCA & DANIEL	0000040439		001-0000-218.22-22	UB CR REFUND 000000474	10.51
160765	8/1/2017	RYAN, JUSTIN T	000005652		001-0000-218.22-22	UB CR REFUND 000051144	10.51
160766	8/1/2017	SALLEY, CURTIS	000006051		001-0000-218.22-22	UB CR REFUND 000006890	12.09
160767	8/1/2017	SCOTT, DANIEL, GERTRUDE L	000006205		001-0000-218.22-22	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	144.32
160768	8/1/2017	SCOTT, DAVID E & DEAN ANN	000006205		001-0000-218.22-22	UB CR REFUND 000003398	12.09
160769	8/1/2017	SERRANO, CINDY	000006205		001-0000-218.22-22	WORKED 4 HOURS OT CVRGE	17.62
160770	8/1/2017	SHUBIN, DEBORAH	000006205		001-0000-218.22-22	EYEWEAR REIMBURSEMENT FISCAL YEAR 2018	16.00
160771	8/1/2017	SMITH, BRANDON	000006205		001-0000-218.22-22	ICI GANG FOUNDATION SAN DIEGO 8/27-9/01	250.00
160772	8/1/2017	SMITH, RUTH	000006205	028577	001-0000-218.22-22	ENERGY ASSISTANCE PROGRAM REBATE AUG 2016- JAN 2017	160.00
160773	8/1/2017	SOFTWARE ONE, INC	000006205		001-0000-218.22-22	COMPUTERS, DP & WORD PROC.	180.12
160774	8/1/2017	SOTO, GABINO	000006205		001-0000-218.22-22	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	48,230.08
160775	8/1/2017	SPRAGUE, LEDENE & ROY	000006205		001-0000-218.22-22	UB CR REFUND 000011096	139.16
160776	8/1/2017	STAGECOACH DAYS ASSOCIATION	000006205		001-0000-218.22-22	HALF PAGE AD 2017 BANNING STAGECOACH DAYS	16.04
160777	8/1/2017	STATE OF CALIFORNIA	000006205	028602	001-3600-461.23-06	QAC TRAINING	250.00
160778	8/1/2017	STONE, PAMELA	000006205		001-0000-218.22-22	QAC TRAINING	480.00
160779	8/1/2017	TAKATA, ANDREW & TAMI	000006205		001-0000-218.22-22	COMPUTER LOAN 07/21/2017	2,784.93
160780	8/1/2017	TANGENT COMPUTER	000006205	028591	001-0000-218.22-22	UB CR REFUND 000054216	17.62
160781	8/1/2017	UNITED POWER CONTRACTORS, INC	000006205		001-0000-218.22-22	SPAM FILTER	1,000.00
160782	8/1/2017	UNITED WAY OF THE INLAND VALLEY	000006205		001-0000-218.22-22	UB CR REFUND 000013750	47.88
160783	8/1/2017	UTILITY TREE SERVICE	000006205	028387	001-0000-218.22-22	PAYROLL SUMMARY	82.00
160784	8/1/2017	VERIZON WIRELESS	000006205		001-0000-218.22-22	TREE TRIM SVCS WE 7/29/17	4,400.00
160785	8/1/2017	VERIZON WIRELESS	000006205		001-0000-218.22-22	ACCT # 972157141-00001 JUN 24, 2017 - JUL 23, 2017	14.04
					001-0000-218.22-22	ACCT # 9721004536-00001 JUN 27, 2017 - JUL 26, 2017	19.28
					001-0000-218.22-22	ACCT # 9721004536-00001 JUN 27, 2017 - JUL 26, 2017	27.75
					001-0000-218.22-22	ACCT # 9720653806-00001 JUN 27, 2017 - JUL 26, 2017	152.04
					001-0000-218.22-22	ACCT # 9720653806-00002 JUN 27, 2017 - JUL 26, 2017	76.02
					001-0000-218.22-22	ACCT # 9720653806-00001 JUN 27, 2017 - JUL 26, 2017	270.64
					001-0000-218.22-22	ACCT # 9720653806-00001 JUN 27, 2017 - JUL 26, 2017	13.78
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	38.01
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	38.01
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	66.22
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	485.39
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	11.20
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	38.01
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	37.38
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	178.81
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	103.51
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	25.99
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	66.00
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	115.33
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	11.20
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	136.44
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	56.14
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	233.73
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	380.92
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	60.70
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	67.72
					001-0000-218.22-22	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	67.89

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160786	8/17/2017	VISTA PAINT	2017-055155-00	028571	761-1100-480.26-05	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	11.40
160787	8/17/2017	WASTE MANAGEMENT OF THE	2017-055155-00	028571	761-3110-480.26-05	ACCT # 972006139-00001 JUL 02, 2017 - AUG 01, 2017	49.73
160788	8/17/2017	WHENEVER COMMUNICATIONS, LLC	2017-055155-00	028571	100-4900-431.36-00	RED CURB PAINT	611.72
160789	8/17/2017	WHITE, BEVERLY	2017-055155-00	028571	100-4900-431.36-00	REFUSE FOR JULY 2017	233,086.99
160790	8/17/2017	WILLDAN FINANCIAL SERVICES	2017-055155-00	028571	100-4900-431.36-00	MONTHLY EMERGENCY PLAN	278.82
160791	8/17/2017	AHERN, THOMAS E	2017-055155-00	028571	100-4900-431.36-00	ENERGY ASSISTANCE PROGRAM REBATE JAN 2017- JUN 2017	137.16
160792	8/17/2017	ALBERT A. WEBB ASSOCIATES	2017-055155-00	028571	100-4900-431.36-00	COST ALLOCATION/STUDY FEE	4,713.75
160793	8/17/2017	ALVAREZ, MICHAEL	2017-055155-00	028571	100-4900-431.36-00	UB CR REFUND 000001744	17.62
160794	8/17/2017	AMERICAN WATER WORKS ASSN	2017-055155-00	028571	100-4900-431.36-00	LIONS PARK ENV.	334.50
160795	8/17/2017	ARROW STAFFING SERVICE	2017-055155-00	028571	100-4900-431.36-00	TRAFFIC SURVEY	5,795.00
160796	8/17/2017	AUSTIN, KAREN L	2017-055155-00	028571	100-4900-431.36-00	UB CR REFUND-FINALS 000013710	33.75
160797	8/17/2017	AVERY, ALEXANDRA	2017-055155-00	028571	100-4900-431.36-00	ARTURO VELA - RENEWAL #01011773 11/2017-10/2018	262.00
160798	8/17/2017	BABCOCK LABORATORIES, INC	2017-055155-00	028571	100-4900-431.36-00	ROCK, SUSAN W/E 08/12/17	1,093.20
160799	8/17/2017	BARNES, ROBERT W	2017-055155-00	028571	100-4900-431.36-00	UB CR REFUND 000016314	18.41
160800	8/17/2017	BARNETT, DAVID	2017-055155-00	028571	100-4900-431.36-00	PLANNED OT EXCEEDED NORMAL WORK SHIFT	16.00
160801	8/17/2017	BEAUMONT DO IT BEST HOME CENTER	2017-055155-00	028571	100-4900-431.36-00	8 HOURS OT 19.2E	48.00
160802	8/17/2017	BEAUMONT, CITY OF	2017-055155-00	028571	100-4900-431.36-00	SHIFT COVERAGE FOR W NEES 8 HOURS OT 19.2E	32.00
160803	8/17/2017	BEILSTEIN, JAMES & JACQUELINE	2017-055155-00	028571	100-4900-431.36-00	COLIFORMS	165.00
160804	8/17/2017	BENITEZ, YENESIA	2017-055155-00	028571	100-4900-431.36-00	COLIFORMS	120.00
160805	8/17/2017	BLACKBURN, JULIO CESAR	2017-055155-00	028571	100-4900-431.36-00	DISSOLVED SOLIDS	165.00
160806	8/17/2017	BOA ARCHITECTURE	2017-055155-00	028571	100-4900-431.36-00	COLIFORMS	40.00
160807	8/17/2017	BURGOS, BENJAMIN	2017-055155-00	028571	100-4900-431.36-00	LOW LEVEL HEX CHROMIUM	20.00
160808	8/17/2017	CABALLERO, DANIEL	2017-055155-00	028571	100-4900-431.36-00	DISSOLVED SOLIDS	89.62
160809	8/17/2017	CALDERON, MARIE	2017-055155-00	028571	100-4900-431.36-00	UB CR REFUND-FINALS 000004294	134.68
						PV SOLAR EXCESS ELECTRIC OUTPUT - 1548 KWH IN 2017	49.00
						FOLDING 3 STEP STOOL	37.24
						AUTO WASH/WIPES, CLEANER	77.97
						ABS ELBOWS, HOSE, FILTER	15.06
						MATTE BLACK CUSTOM	85.20
						A/C REPAIR PARTS	3.98
						A/C REPAIR PARTS	15.61
						SAWZALL BLADES	303.83
						BUS TICKET RECONCILIATION JULY 2017	163.77
						UB CR REFUND 000014444	38.69
						UB CR REFUND-FINALS 000007500	16.83
						UB CR REFUND 000020990	19,470.00
						PROJECT 2017-01 DESIGN	3,150.00
						PROJECT 2017-01 DESIGN	85.43
						UB CR REFUND-FINALS 000007028	16.00
						TREE DOWN AND BLOCKING ROAD	500.00
						RETIREMENT GIFT	

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160810	8/23/2017	CALDERON, SANDRA B	007AL 08/02/17		001-2500-411.25-06	REGULAR PC MEETING	16.00
160811	8/23/2017	CALIFORNIA, STATE OF	249929	028259	001 1300-412.34.11	JULY LIVESCAN FEES	96.00
160812	8/23/2017	CAROLLO ENGINEERS	0125934		661-6300-471.90-78	INTEGRATED MASTER PLAN	8,297.65
					662-6300-471.90-10	INTEGRATED MASTER PLAN	6,279.30
					681-8000-454.90-78	INTEGRATED MASTER PLAN	7,849.13
160813	8/23/2017	CARRILLO, SALVADOR & MARIA G	00008643		001-0000-218.22-22	UB CR REFUND-FINALS 000002950	118.71
160814	8/23/2017	CASSADAS, ERICA	64886 08/04/17		001 3100-480.25-06	1ST OF THE MONTH/SHORT STAFFED/ISSUES W/DRAWER	16.00
160815	8/23/2017	CHAGOLLA, GARY C	000090821		001-0000-218.22-22	UB CR REFUND 000002304	123.79
160816	8/23/2017	CHAPPAROSA, TOM	007AL 08/02/17	028250	661-3110-480.25-06	READ METERS-PLANNED OT	16.00
160817	8/23/2017	CHARLES ABBOTT ASSOCIATES, INC	56259		001-3000-442.33-53	ENG. CONSULTING SERVICES	1,769.00
160818	8/23/2017	CHAVEZ, ANNA	11CB 17 - JUL 17		675 7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE FEB 2017 - JUL 2017	138.52
160819	8/23/2017	COOLEY, DONNA L	000074751	028080	001 0000-218.22-22	UB CR REFUND 000003410	19.20
160820	8/23/2017	CORELOGIC INFORMATION SOLUTIONS INC	81305263	028597	001-2400-422.30.17	METRO SCAN - MAY 2017	33.34
			81823311		001-3000-442.30.17	ENG. METROSCAN	66.68
160821	8/23/2017	CORNWELL, BONNIE & KEN	000089019		001-0000-218.22.22	UB CR REFUND 000050868	69.61
160822	8/23/2017	COTTAGE, GREGORY	007AL 08/04/17		001-3600-461.25-06	1471 N. ALESSANDRO TREE DOWN, REMOVE FROM STREET	16.00
160823	8/23/2017	COUNSELING TEAM INTERNATIONAL, THE	40360		001-1300-412.33-32	PO APPLICANT PSYCHOLOGICAL ASSESSMENT	275.00
160824	8/23/2017	COUTS HEATING & COOLING, INC	58VCCT00431	028625	001 3200-412.30.21	PD-LEAKING A/C LINES	595.00
160825	8/23/2017	FEDEX	58671 99786	028538	001-2200-421.23-04	SEND TASERS IN FOR REPAIR	56.62
160826	8/23/2017	FONT, REINALDO	000093001		001-0000-218.22-22	UB CR REFUND-FINALS 000004040	131.10
160827	8/23/2017	FOX OCCUPATIONAL MEDICAL CENTER	22633 34909		001-1300-412.33-32	PRE-EMPLOYMENT EXAM & DRUG SCREENING	352.00
					700-5020-480.41-14	HEP B INJECTION	50.00
160828	8/23/2017	FRANCO, JUAN	01C 16 - MAY 17		675 7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE DEC 2016- MAY 2017	99.35
160829	8/23/2017	FRONTIER COMMUNICATIONS	9538492 296AUG17		001-4500-412.20-05	951-849-7296 AUG 16,2017 - SEP 15,2017	107.57
			9538499205AUG17		001-4500-412.20-05	951-849-9205 AUG 13,2017 -SEP 12,2017	107.57
160830	8/23/2017	FROST, JEFF	007AL 08/05/17	028310	001-4500-412.20-05	READ WELLS WHILE CREWS FIXING WATER LEAKS	16.00
160831	8/23/2017	GAETE, SERGIO R	000071159		001 0000-218.22.22	UB CR REFUND 000008378	22.91
160832	8/23/2017	GARDA CL WEST INC	20247654		661-3100-480.23-43	EXCESS FEES JULY 2017	99.75
160833	8/23/2017	GAS COMPANY, THE	01292631007AG17		001-4000-461.20-06	789 N SAN GORGONIO AVE 07/14/2017 - 08/14/2017	82.14
			01912710001AG17		001-4000-461.20-06	201 W GEORGE ST 07/14/2017 - 08/14/2017	18.21
			05026621006AG17		001-2300-422.20-06	172 N MURRAY ST 07/14/2017 - 08/14/2017	55.52
			09142473007AG17		001-4050-461.20-06	84 W WILSON ST 07/14/2017 - 08/14/2017	64.32
			12662493001AG17		001-2300-422.20-06	3900 W WILSON ST 07/07/2017 - 08/07/2017	19.98
			16103244439AG17		001-4010-461.25-06	749 N SAN GORGONIO AVE 07/14/2017 - 08/14/2017	1,269.19
160834	8/23/2017	GIFFORD, AMBER	007AL 08/02/17		001-2210-421.25-06	8 HOURS OT 19.2E VACATION COVERAGE FOR HERNANDEZ	32.00
			007AL 08/09/17		001-2210-421.25-06	12 HOURS OT VACATION COVERAGE FOR HERNANDEZ	48.00
			007AL 08/12/17		001-2210-421.25-06	12 HOURS OT VACATION COVERAGE FOR HERNANDEZ	48.00
			000029111		001-0000-218.22.22	UB CR REFUND 000015940	23.76
160835	8/23/2017	GLEBA &, WILLIAM A	000094165		001-0000-218.22.22	UB CR REFUND-FINALS 000016316	46.47
160836	8/23/2017	GLOVER, KEVIN M TTEE	000096687		001-0000-218.22.22	UB CR REFUND-FINALS 000014852	92.03
160837	8/23/2017	GONZALEZ & JENNIFER	000096829		001-0000-218.22.22	UB CR REFUND-FINALS 000055160	35.99
160838	8/23/2017	GREEN &, VINCENT	000094959		660 6300-471.90-78	LEAK ON 5547 RIVIERA AVE	16.00
160839	8/23/2017	HAFT, ROBERT	007AL 08/05/17		660 6300-471.90-78	LEAK REPAIR ON BROOKSIDE	32.00
			007AL 08/13/17		001-0000-218.22.22	UB CR REFUND 000049574	19.20
160840	8/23/2017	HOLMBROCKMANN &, GAY LEE	000048757	028292	430-2900-441.34.11	CITY FACILITIES REDESIGN	300.00
160841	8/23/2017	HOLT ARCHITECTS INC	11/A 17-07 010		660 6300-471.90-78	CITY FACILITIES REDESIGN	400.05
					673-7000-473.43-11	CITY FACILITIES REDESIGN	600.00
					680-8000-454.90-78	CITY FACILITIES REDESIGN	199.95
160842	8/23/2017	HOME DEPOT #8987	3972049	028552	001-3200-412.30-02	32W T8 4FT LAMPS	59.24
160843	8/23/2017	IEDC	0913278	028552	001 3200-412.30.07	CITY HALL ROOF PATCH	78.56
160844	8/23/2017	INDOFF, INC	84360		001-1210-412.23-03	TED SHOVE-CECD RECENT FEE JULY 1,2017 -JUNE 30,2020	315.00
			2944919	028474	660 6300-471.90-15	LOCKERS, PAINT	5,071.42
			2979357	028486	001-2200-412.90-15	WAREHOUSE SHELVING	2,420.27
					001-5600-461.50.15	WAREHOUSE SHELVING	820.99

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160844	8/23/2017	INDOFF, INC	2149857	028486	001-4900-431.90-15	WAREHOUSE SHELVING	547.48
160845	8/23/2017	JLXT GROUP, INC	000094619		111-4900-432.90-15	WAREHOUSE SHELVING	800.33
160846	8/23/2017	KAYAVONG, PHILLIP & RATISALINH	000095413		001-0000-218.22-22	UB CR REFUND-FINALS 000014116	185.87
160847	8/23/2017	KESTER, ELIZABETH	000095413		001-0000-218.22-22	UB CR REFUND-FINALS 000001878	142.06
160848	8/23/2017	KLAUSNER, EILEEN	000095413		001-2700-421.25-06	DIALED IN-RESET DISPATCH PASSWORD	16.00
160849	8/23/2017	KRAMER, LEO & SHIRLEY	000095413		675-7000-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2016- MAR 2017	95.06
160850	8/23/2017	KRAMER, STEVEN	000095413		001-0000-218.22-22	UB CR REFUND 000001690	11.30
160851	8/23/2017	LAM, ANGIE	000095413		001-0000-218.22-22	UB CR REFUND 000001690	16.83
160852	8/23/2017	LEWIS, ROBERT & KRIEMHILDE	000095413		001-2200-421.25-06	SHIFT COVERAGE FOR MANDEEP STEPHENS	32.00
160853	8/23/2017	LEXISNEXIS RISK SOLUTIONS	16086017070741		001-0000-218.22-22	UB CR REFUND 000004430	12.88
160854	8/23/2017	LIEBERS, LARRY	000095413		001-2200-421.30-17	JULY 2017 2 USERS	191.34
160855	8/23/2017	LITHOPASS PRINTING, FORMS,	000095413		001-0000-218.22-22	DORS ANNUAL LICENSE 07/01/2017 - 06/30/2018	6,813.70
160856	8/23/2017	LYNCH, MIKE	000095413	028535	001-0000-218.22-22	UB CR REFUND 000013258	30.25
160857	8/23/2017	MADRIGAL CHAVES, SERGIO	000095413		855-9500-490.90-30	PLANS COPIES	1,090.97
160858	8/23/2017	MARTINEZ, ROSA M. & EFRAIN	000095413		660-6300-471.25-06	LEAK ON HARGRAVE AND GEORGE ST	32.00
160859	8/23/2017	MEDINA, MOSES	000095413		660-6300-471.25-06	REPAIR SERVICE LINE LEAK 5955 BROOKSIDE, READ WELL	16.00
160860	8/23/2017	MEYER-EVENSEN, PATRICIA	000095413		660-6300-471.25-06	LEAK ON 5547 RIVIERA AVE	68.06
					001-0000-218.22-22	UB CR REFUND-FINALS 000052256	16.00
					702-3800-480.23-49	FLUID LEAK AND REPAIR CNG	100.11
					670-7000-456.38-01	MEDICAL LIFELINE REBATE MAY 2016 - OCT 2016	3.37
					675-7000-456.38-15	PUBLIC BENEFIT CHARGE RBT MAY 2016 - OCT 2016	37.40
					675-7000-456.38-15	MEDICAL LIFELINE REBATE NOV 2016 - APR 2017	1.48
160861	8/23/2017	MORENO, ANGELA	000095413		001-0000-201.10-00	PUBLIC BENEFIT CHARGE RBT NOV 2016 - APR 2017	51.02
160862	8/23/2017	MOTOROLA SOLUTIONS, INC.	1174391	028579	001-2200-421.30-17	ENERGY ASSISTANCE PROGRAM REBATE NOV 2016- APR 2017	(39.05)
160863	8/23/2017	MUELLER, ROSINA	000095413		001-0000-218.22-22	SALES TAX	19,274.56
160864	8/23/2017	NAASZ, CALEB	000095413		660-6300-471.25-06	3 APX7500 RADIOS-GRANT S	73.82
					660-6300-471.25-06	UB CR REFUND-FINALS 000050970	32.00
					660-6300-471.25-06	MAIN LEAK ON HARGRAVE	16.00
					660-6300-471.25-06	LEAK CALL OUT @ DYSART PARK	16.00
					660-6300-471.25-06	READ WELLS AND INSPECTION	32.00
160865	8/23/2017	NI GOVERNMENT SERVICES, INC	000095413	028101	001-2400-422.26-07	SERVICE REPAIR @ 5955 BROOKSIDE	39.66
				028101	001-2400-422.26-07	SAT PHONE - APRIL 2017	39.66
				028101	001-2400-422.26-07	SAT PHONE - MAY 2017	39.66
				028101	001-2400-422.26-07	SAT PHONE - JUNE 2017	39.66
				028586	001-2400-422.26-07	SAT PHONE - JULY 2017	133.28
160866	8/23/2017	NOBEL SYSTEMS, INC	000095413		001-2800-441.23-07	GIS UPDATES SEWER,SEPTIC	533.44
					660-6300-471.30-17	GIS UPDATES SEWER,SEPTIC	533.28
					670-7000-473.30-17	GIS UPDATES SEWER,SEPTIC	400.00
					680-8000-454.30-17	GIS UPDATES SEWER,SEPTIC	689.73
					001-2500-441.23-07	GIS UPDATES SEWER,STORM	2,760.55
					660-6300-471.30-17	GIS UPDATES SEWER,STORM	2,759.72
					670-7000-473.30-17	GIS UPDATES SEWER,STORM	2,070.00
					680-8000-454.30-17	GIS UPDATES SEWER,STORM	91.04
160867	8/23/2017	OFFICE DEPOT	000095413	028526	001-1000-411.36-07	SNACKS FOR COUNCIL	61.58
				028526	001-4000-461.46-00	SUPPLIES CCTR	4.79
				028526	670-5800-434.36-00	TRANSIT OFFICE SUPPLIES	14.36
160868	8/23/2017	ON TRAC	000095413	028539	001-3000-442.23-04	ENGINEERING S&H	13.77
160869	8/23/2017	PACIFICORE CONSTRUCTION INC	000095413		001-0000-218.22-22	UB CR REFUND-FINALS 000055554	10.50
160870	8/23/2017	PARKHOUSE TIRE, INC.	000095413	028549	702-3800-480.23-49	DUMP TRUCK TIRES	2,717.02
				028549	702-3800-480.23-49	DUMP TRUCK TIRES	1.75
					702-3800-480.23-49	RECYCLING FEE	1,148.07
					702-3800-480.23-49	#619 TIRES	3.50
					702-3800-480.23-49	305/70D16.5 TIRES	384.22
					702-3800-480.23-49	305/70D16.5 TIRES	

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160871	8/23/2017	PARTS AUTHORITY METRO, LLC	62530674	028583	702-3800-480.38-57	#831 BRAKE PADS	77.54
			91-06-0019	028583	702-3800-480.38-52	#831 BRAKE ROTOR	149.64
			91-06-0156	028583	702-3800-480.38-52	OIL FILTER	19.61
160872	8/24/2017	PAYPRO ADMINISTRATORS	42409		001-1300-412.23-11	JULY COBRA ADMINISTRATION QUALIFYING EVENT NOTIFCTN	202.00
160873	8/24/2017	PEREZ, JORGE	16164 08/07/17		761-1110-480.25-06	READ ROUTE 98 - 19.2E	16.00
160874	8/24/2017	PETTY CASH CUSTODIAN-COMM SVCS	3006		001-4000-461.36-00	USTA-SCA CERTIFIED MAIL USPS	6.99
			3006		001-4000-461.36-09	BIG 5 - SPORTSWATCH BBALL SHOOTOUT JULY 4	10.76
			3006		001-4000-461.36-09	WALMART - SNACKS	24.32
			0008		001-4900-461.36-09	RIO RANCH - HEALTHY FORUM SNACKS	17.39
			0009		001-5000-461.36-09	DOLLAR TREE STORES 4TH OF JULY EVENT	22.63
			0010		610-5000-461.36-00	DOLLAR GENERAL FLASH DRIVE FOR TRANSIT	12.93
			0011		610-5800-434.76-00	RITE AID - BLUE QUICK DRY	3.44
			0013		001-4000-461.36-00	USPS - DOMESTIC M O FEE	1.20
160875	8/24/2017	PETTY CASH CUSTODIAN-SR CENTER	1150		610-5800-434.76-00	3 CAR WASH BOTTLE-BUSES	12.54
			1151		201-4060-361.41-96	BINGO SUPPLIES CHICKEN RAMEN	1.00
			1152		201-4060-361.41-96	DOLLAR TREE - BINGO SUPPLIES	22.44
160876	8/24/2017	PRISKE, WARREN	060006471		001-0900-218.22-22	UB CR REFUND-FINALS 000020322	99.04
160877	8/24/2017	PRUDENTIAL OVERALL SUPPLY	27151000		761-3110-480.25-02	FSR UNIFORM	26.23
			27401606		761-3110-480.25-02	FSR UNIFORM	26.23
			25165247		660-6300-471.25-02	UNIFORMS-WASTEWATER	50.00
			27401232		680-8000-450.25-02	UNIFORMS-WASTEWATER	15.00
			25405257		702-3800-480.23-16	FLEET UNIFORMS/TOWELS	10.36
					702-3800-480.25-02	FLEET UNIFORMS/TOWELS	23.50
			24062461		761-3110-480.25-02	FSR UNIFORMS	26.23
			27400815		100-4900-431.25-02	STREET UNIFORMS	15.20
			27400816		001-5600-461.25-02	PARKS UNIFORMS	6.65
			27400817		001-3200-412.25-02	BLDG. MAINT. UNIFORMS	5.36
			27400818		761-3110-480.25-02	FSR UNIFORMS	26.23
			27400824		610-5800-434.25-02	UNIFORM SERVICE	20.75
					610-5800-434.25-02	UNIFORM SERVICE	55.77
					610-5800-434.25-02	UNIFORM SERVICE	4.93
160878	8/24/2017	PYRO SPECTACULARS, INC	51206		001-5600-446.41-58	DEPOSIT - FIREWORKS	12,500.00
160879	8/24/2017	QT POD	65080		600-5100-435.30-06	AP FUEL SOFTWARE LICENSE	995.00
160880	8/24/2017	RAILROAD MANAGEMENT CO, LLC	652059		660-6300-471.21-03	LICENSE # 0244793 11/27/17 - 11/26/18	1,058.86
160881	8/24/2017	RAUM, WILLIAM	14109 16 - 8/18/17		675-7020-473.02-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2016- APR 2017	144.32
160882	8/24/2017	REARDON, DOLORES E	00060916-4		001-0000-218.22-22	UB CR REFUND 000023932	20.78
160883	8/24/2017	RECORD GAZETTE, THE	00134443		001-2200-421.23-01	ORD#1513-REC VEHICLES AD	132.05
160884	8/24/2017	RELIABLE WORKPLACE SOLUTIONS	AR51023		610-5800-434.30-06	B/W & COLOR COPIES W543L500122	56.94
					610-5800-434.30-06	B/W & COLOR COPIES W543L500122	56.94
160885	8/24/2017	RILEY, CHARLES	118 17 - 10/17		675-7020-473.02-36	ENERGY ASSISTANCE PROGRAM REBATE FEB 2017 - JUL 2017	100.21
160886	8/24/2017	RIV. CO. CLERK RECORDER	AR94541-300 001		001-2740-442.23-07	REAL ESTATE FRAUD TRUST 690 S SAN GORGONIO AVE	10.00
160887	8/24/2017	RIV. CO. CLERK RECORDER	AR94541-300 002		001-2740-442.23-07	RELEASE PEND/LEN BY GOV 690 S SAN GORGONIO AVE	13.00
160888	8/24/2017	RIV. CO. CLERK RECORDER	AR94541-300 003		001-2740-442.23-07	REAL ESTATE FRAUD TRUST 690 S SAN GORGONIO AVE	78.00
160889	8/24/2017	RIV. CO. CLERK RECORDER	AR94541-300 005		001-2740-442.23-07	RELEASE PEND/LEN BY GOV 1180 N HERMOSA AVE	10.00
160890	8/24/2017	RIVERSIDE, COUNTY OF	1019 2017		001-2200-421.18-06	RELEASE PEND/LEN BY GOV 1626 W LINCOLN ST	13.00
160891	8/24/2017	RM GRAHAM ENTERPRISES, INC	060093125		001-0000-218.22-22	PARKING CITATION ASSESSMN JULY 2017	98.00
160892	8/24/2017	ROBERTSON'S	48309		660-6300-471.25-02	UB CR REFUND-FINALS 000023868	108.57
160893	8/24/2017	ROBLEE, DAVID R & KARINA L	000607243		001-0000-218.22-22	RCB-RCY CON BASE	415.40
160894	8/24/2017	SAN GORGONIO MEMORIAL HOSPITAL	106613		001-0000-218.22-22	UB CR REFUND 000003120	16.83
160895	8/24/2017	SANDOVAL, ANA	161 AT 05/01/17		001-4000-461.25-06	OVERPAYMENT-PD CONSUMPT TWICE INV #0621017-1	3,885.84
						BACKPACK GIVEAWAY	16.00

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160896	8/28/2017	SATIN, REDEMPTIA	60000-218-22-22		001-0000-218-22-22	UB CR REFUND-FINALS 000023092	56.11
160897	8/24/2017	SCHRAEDER, LEON	600-4300-471-25-06		600-4300-471-25-06	REPLACEMENT OF EYEWEAR DUE TO DAMAGE	200.00
160898	8/21/2017	SCUDIERI, LUCIANO	600-4300-471-25-06		600-4300-471-25-06	SERVICE LEAK ON RIVIERA MAIN LINE LEAK ON HARGRAV	32.00
160899	8/24/2017	SERRANO, CINDY	600-4300-471-25-06		600-4300-471-25-06	8 HOURS OT VACATION COVERAGE FOR HERNANDEZ	32.00
160900	8/24/2017	SIDA, LEONARDO	600-4300-471-25-06		600-4300-471-25-06	12 HRS OT 19.2E VACATION FOR V HERNANDEZ	48.00
160901	8/24/2017	SMITH, JASON	600-4300-471-25-06		600-4300-471-25-06	PUBLIC RELATIONS WORK	16.00
160902	8/24/2017	SOUTHERN CALIFORNIA GAS CO	600-4300-471-25-06		600-4300-471-25-06	551 E NICOLET DOWNED LINE	16.00
160903	8/24/2017	STEPHENSON, BEN & IRENE	600-4300-471-25-06		600-4300-471-25-06	FLEET CNG FUEL 07/01/2017 - 08/01/2017	5,458.32
160904	8/24/2017	STERLING TALENT SOLUTIONS	600-4300-471-25-06		600-4300-471-25-06	UB CR REFUND 000011960	21.03
160905	8/24/2017	STONE, PAMELA	600-4300-471-25-06		600-4300-471-25-06	JULY BACKGROUNDS	285.04
160906	8/24/2017	STRUWE, CHARLES W	600-4300-471-25-06		600-4300-471-25-06	SICK COVERAGE FOR CHELSE YOUNGBLOOD	48.00
160907	8/24/2017	SUNRISE SERVICES	600-4300-471-25-06		600-4300-471-25-06	11.5 HOURS OT 19.2E SICK COVERAGE FOR C YOUNGBLOOD	32.00
160908	8/24/2017	SUPERION	600-4300-471-25-06		600-4300-471-25-06	8 HOURS OT 19.2E SICK COVERAGE FOR C YOUNGBLOOD	32.00
						12 HOURS OT 19.2E SICK COVERAGE FOR C YOUNGBLOOD	48.00
						12 HOURS OT 19.2E SICK COVERAGE FOR C YOUNGBLOOD	48.00
						UB CR REFUND-FINALS 000024178	48.08
						JANITORIAL SUPPLIES	3,780.90
						SOCRATA OPEN EXPENDITURE NOV 1, 2015 - OCT 31, 2016	4,650.00
						SOCRATA OPEN BUDGET APP FEB 1, 2016 - JAN 31, 2017	4,981.08
						NAVI-HUMAN RESOURCES APPLICANT TRACKING	5,097.88
						NAVI-GMBA W/EXTENDED RPRT PAYROLL/PERSONNEL DMS	17,490.36
						NAVI - PURCHASING INV NAVILINE ASSET MANAGEMENT	10,846.98
						NAVI-BUILDING PERMITS CODE ENFORCEMENT DMS	11,638.82
						NAVI-PLANNING & ENGRING DMS & TAXES	5,188.00
						NAVI- WORK ORDERS FAC MANAGEMENT	5,992.59
						QREP CAT HR, QREP ADM QREP END	802.33
						DMS & TAXES	200.58
						SPLIT PORTIONALLY TO ALL THREE ACCOUNTS	1,002.92
						NAVI- CASH RECEIPTS	29,645.39
						ENERGY ASSISTANCE PROGRAM REBATE JAN 2017 -JUN 2017	115.82
						UB CR REFUND 000005654	12.09
						ENERGY ASSISTANCE PROGRAM REBATE JAN 2017 -JUN 2017	81.09
						ENERGY ASSISTANCE PROGRAM REBATE JUL 2016 -DEC 2016	114.46
						UB CR REFUND 000008118	126.71
						UB CR REFUND-FINALS 000020024	247.03
						THERMO SWITCH	196.71
						PUBLIC RELATION WORK	16.00
						PUBLIC RELATION WORK	16.00
						TRENCH TOP 6X10	112.50
						UB CR REFUND 000017620	10.51
						INVESTIGATE LEAK AT 5547 RIVIERA WOH#163965-11	16.00
						REPAIRED MAINLINE LEAK AT GEORGE & HARGRAVE	32.00
						READ WELLS AND CHECK LEAK FOR PD	16.00
						REPAIR EMERGENCY LEAK AT 5955 BROOKSIDE	32.00
						MULTI TREES DOWNED CK RE-ISSUE	16.00
						UB CR REFUND-FINALS 000022176	136.78
						UB CR REFUND 000010008	12.88
						UB CR REFUND 000002352	48.90
						BACKPACK EVENT- MOVING BUSES	16.00
						DRIVER EVALUATIONS-MOVING BUSES	16.00
						CA ISO - FRED MASON 2017 ISO SYMPOSIUM REGISTRATN	549.00
						HOTELS.COM - F MASON 2017 ISO SYMPOSIUM HOTEL 10/17	444.28
						HOTELS.COM - J SMITH 9/12 WUC CONF HOTEL	406.23
						PAYPAL - JASON SMITH WUC CONF REGISTRATION	225.00

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160924	8/1/2017	WELLS FARGO CARD SERVICES INC	160924 AUG 17		670-7000-473-23-05	SOUTHWEST - J SMITH EARLY BIRD BOARDING	30.00
160925	8/1/2017	WILLS, BARBARA	000070257		001-0000-218-22-22	SOUTHWEST - J SMITH WUC CONF FLIGHT 10/12	263.96
160926	8/1/2017	WILTZ, TOI R & ARMAND	000015128		001-0000-218-22-22	UB CR REFUND 000023352	15.25
160927	8/1/2017	WOODARD & CURRAN, INC	24103	028485	000-4500-471-33-11	UB CR REFUND-FINALS 000005896	186.24
160928	8/1/2017	YOUNGBLOOD, CHELSE	000074067		001-2210-421-25-06	IRWM PROGRAM	104,096.75
160929	8/1/2017	ZAKY & WAFICK F	000074067		001-0000-218-22-22	MANZANITA FIRE	16.00
160930	8/1/2017	2012-B PROPERTY HOLDINGS LLC	000074069		001-0000-218-22-22	UB CR REFUND-FINALS 000022916	41.32
160931	8/1/2017	AIR RESOURCES BOARD	TRAVELLER 10/17		670-7000-473-23-05	UB CR REFUND 000019184	338.77
160932	8/1/2017	AL'S KUBOTA TRACTOR	001222	028540	001-4600-461-30-06	AB32 COST OF IMPLMTATION FY 2017-18 ARB ID#3025	24,744.00
160933	8/1/2017	ALEXANDER, TAMMIE L	000029587		001-0000-218-22-22	CHAINS AW REPAIR	77.73
160934	8/1/2017	ANIXTER, INC	350570701		670-0000-131-00-00	UB CR REFUND 000022688	18.41
160935	8/1/2017	ARMANI-PASCU, SILVIA	000072909		001-0000-218-22-22	TRANSFORMER PO NUM 028469	791.96
160936	8/1/2017	ARROW STAFFING SERVICE	1001007	028601	001-1900-412-30-01	UB CR REFUND 000019474	12.88
160937	8/1/2017	AUTOMATED GATE SERVICES, INC.	1001007	028636	660-6100-471-23-32	ROCK, SUSAN W/E 8/19/17	1,093.20
160938	8/1/2017	BABCOCK LABORATORIES, INC	1001007	028636	660-6100-471-23-32	REPAIR PD GATE	770.00
			1001007	028636	660-6100-471-23-32	PHYSICAL ANALYSIS	54.00
			1001007	028636	660-6100-471-23-32	PHYSICAL ANALYSIS	54.00
			1001007	028636	660-6100-471-23-32	COLIFORMS	165.00
			1001007	028636	660-6100-471-23-32	DISSOLVED SOLIDS	20.00
160939	8/1/2017	BEAUMONT DO IT BEST HOME CENTER	422084	027915	001-2400-422-30-02	FLOOD BULB/LUBE GRAPHTE	20.47
			422084	027915	001-2400-422-30-02	GARAGE DOOR GREASE/SILCN	43.25
			422084	027915	001-2400-422-30-02	AUTO SPRAY WASH	26.80
			422084	027915	001-2400-422-30-02	CLAMP, ADHESIVE STIP, ETC	11.16
			422084	027915	001-2400-422-30-02	LUMBER CRAYON/FIP CAP	25.42
			422084	028527	702-3900-480-38-52	#903 TUBE, TOGGLE	38.56
			422084	028527	702-3900-480-38-52	STRAPS	2.35
			422084	028527	001-3200-412-36-00	BATTERY/CHAIN LINK	18.85
			422084	028527	001-3600-461-36-00	SINGLE SIDED KEY	5.14
			422084	028527	001-4000-461-36-03	JANITORIAL SUPPLIES	31.33
160940	8/1/2017	BEAUMONT SAFE & LOCK	61225	028570	001-3600-461-36-03	REKEY RWP BUILDING	169.26
160941	8/1/2017	BELL & FRANK	1001007		670-7000-356-38-15	MEDICAL LIFELINE REBATE JAN 2017 - JUN 2017	46.93
160942	8/1/2017	BENHAR, DIANA T	1001007		675-7070-356-38-15	PUBLIC BENEFIT CHARGE REBATE JAN 2017 - JUN 2017	2.32
			1001007		001-4000-461-23-15	WATER EXERCISE CLASS AUGUST 2017	73.50
			1001007		001-4000-461-23-15	WATER EXERCISE CLASS JULY 2017	189.70
			1001007		001-4000-461-23-15	WATER EXERCISE CLASS JUNE 2017	170.10
160943	8/1/2017	BENSON, JOHN E	000004391		001-0000-218-22-22	UB CR REFUND 000003360	16.83
160944	8/1/2017	BIRCHARD, SUZANNE P & CLYDE	000051225	028611	001-4000-218-22-22	UB CR REFUND 000039724	12.09
160945	8/1/2017	BLACK MARKET WINDOW TINT	000051225		148-2216-421-90-52	WINDOW TINT PD UNIT#46	180.00
160946	8/1/2017	BLAKELEY, CATHERINE	000074277		001-0000-218-22-22	UB CR REFUND 000015086	17.62
160947	8/1/2017	BLUE SHIELD OF CALIFORNIA	000074277		001-0000-204-31-00	HEALTH INSURANCE PREMIUMS SEPTEMBER 2017	72,527.18
160948	8/1/2017	BOEHM, REGINA	1001007		001-4300-412-25-09	TUITION REIMBURSEMENT SBPEA/MNGMNT UNIT MOU	1,920.00
160949	8/1/2017	BREY, GERALD M	000091111		001-0000-218-22-22	UB CR REFUND 000022624	17.62
			000091111		001-0000-218-22-22	UB CR REFUND 000023138	16.04
160950	8/1/2017	BRITTONNEWELL, JACQUELINE	100067419		001-0000-218-22-22	UB CR REFUND 000016320	16.04
160951	8/1/2017	BURGESS FAMILY TRUST	000054003		001-0000-218-22-22	UB CR REFUND 000022882	15.09
160952	8/1/2017	CA. ST. DEPT. OF FORESTRY &	345228		100-4900-431-30-15	CALFIRE OAK GLEN CONSRVTN CAMP	1,828.96
			345228		600-5100-431-30-01	WEED ABATEMENT	685.86
160953	8/1/2017	CA. ST. DEPT. OF FORESTRY &	345228		001-3600-461-30-01	CALFIRE OAK GLEN CONSRVTN CAMP	1,371.72
160954	8/1/2017	CA. ST. DEPT. OF FORESTRY &	345228		001-3600-461-30-01	CALFIRE OAK GLEN CONSRVTN CAMP	685.86
160955	8/1/2017	CA. ST. DEPT. OF FORESTRY &	345228		100-4900-431-30-15	CALFIRE OAK GLEN CONSRVTN CAMP	2,284.80
			345228		660-6300-471-45-06	WEED ABATEMENT ASSISTANCE	228.48
160956	8/1/2017	CAFFALL, RONALD	100074225		001-0000-218-22-22	UB CR REFUND 000005680	12.88
160957	8/1/2017	CALIFORNIA MUNICIPAL UTILITIES	170804		670-7000-473-23-03	ELEC UTILITY ASSN DUES JULY 1, 2017 - JUN 30, 2018	16,381.00
160958	8/1/2017	CALIFORNIA, STATE OF	248557		001-2200-471-33-41	JULY 2017 LIVE SCANS FEES	1,402.00

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160959	8/11/2017	CALLAHAN, BRIAN	MEAL 9/18/17 WFAH/09160918		001-2200-421.23-06 001-0000-216.21-01	CRISIS INTERVENTION TRNG EMPLOYEE GUN LOAN FY 2018	12.00 1,677.00
160960	8/11/2017	CAPITAL REALTY ANALYSTS, INC	12-2030	028563	001-1210-412.33-11	541-141-005 & 006	3,600.00
160961	8/11/2017	CAROLLO ENGINEERS	0160960	028259	G61-6300-471.50-78 662-6300-471.90-10	INTEGRATED MASTER PLAN INTEGRATED MASTER PLAN	16,553.53 13,284.69
160962	8/11/2017	CARRERA, ISAAC & LEELEAH	000092022	028071	001-0000-218.22-22	UB CR REFUND 000021582	14,696.43
160963	8/11/2017	CENTER ELECTRIC	515-1 8479	028071	660-6300-471.45-06 660-6300-471.45-06	SCADA REPORTING WIRE SITE FOR NEW SCADA	10.51 869.28
160964	8/11/2017	CHARLES ABBOTT ASSOCIATES, INC	56264		674-7000-473.90-11	MAR 2017 BUILDING & SAFETY 176 E LINCOLN/ PRJ 15-184	217.32
160965	8/11/2017	CHOI, OLEVIA	000091317		001-0000-218.22-22	UB CR REFUND 000016816	5,781.36
160966	8/11/2017	CHOU, GLORIA L & JOHNNY Y	000092429		001-0000-218.22-22	UB CR REFUND 000027186	12.88
160967	8/11/2017	COFFEY, BENJAMIN	1011001603/118		001-1300-412.25-09	TUITION REIMBURSEMENT FY17/18 UTILITY UNIT MOU	18.41
160968	8/11/2017	COPLAND, DIANNE & ROBERT	000066415		001-0000-218.22-22	UB CR REFUND 000020330	12.88
160969	8/11/2017	COUNSELING TEAM INTERNATIONAL, THE	400183	028635	700-5040-480.23-07	JULY EMPLOYEE SUPPORT	700.00
160970	8/11/2017	COUTS HEATING & COOLING, INC	SHAW TUGS 30		001-3200-412.30-02	PD LINE LEAK	545.00
160971	8/11/2017	CRUZ JR, LORENZO J	000094939	028548	001-0000-218.22-22	UB CR REFUND 000051282	16.83
160972	8/11/2017	DANIELS TIRE SERVICE	230104339 230104505 230104592	028548 028548 028548	702-3800-480.23-49 702-3800-480.38-52 702-3800-480.23-49	TIRE DISPOSAL FEE POLY FILL 185/70R14 TIRES	42.00 90.51 7.00
160973	8/11/2017	DE LA FUENTE, SONIA	230104657	028548	702-3800-480.23-49	TIRE DISPOSAL FEE	253.17
160974	8/11/2017	DEPOTO, ANGELA M	MEAL 8/22/17 000094445		001-1200-412.25-06 001-0000-218.22-22	CITY COUNCIL MEETING 8/22 UB CR REFUND 000015026	16.00 16.04
160975	8/11/2017	DEVLYN LLC	000096211		001-0000-218.22-22	UB CR REFUND 000010224	18.41
160976	8/11/2017	DEX MEDIA	6100133929/173	028551	001-2200-421.23-01	PD WEBSITE-7/23-8/22/17	39.95
160977	8/11/2017	DIRECTV	33080595093		001-2200-421.26-09	PD SATELLITE--COMMAND CTR AUG 9, 2017 - SEP 8, 2017	23.25
160978	8/11/2017	DIVITA, MICHAEL	000061857		001-0000-218.22-22	UB CR REFUND 000005418	13.67
160979	8/11/2017	DONALDSON, GEORGE & ANN	000092371		001-0000-218.22-22	UB CR REFUND 000050722	17.62
160980	8/11/2017	DUNN, TERRY	MEAL 8/03/2017		702-3800-480.25-06	W/C REPAIR 221 @ WALMART	16.00
160981	8/11/2017	ELTOHAMY & WESAM	000091799	028538	001-0000-218.22-22	UB CR REFUND 000009346	13.67
160982	8/11/2017	FEDEX	53091970/1	028538	001-2200-421.23-04	SEND POST APP-D.THEISER SEND PUMA IN FOR REPAIR	64.59 34.31
160983	8/11/2017	FLAMINGO'S EVENT PLANNER	ENC 100-192403		355-9500-490.90-30	ROOSEVELT PARK CEREMONY TABLECLOTHES	81.00
160984	8/11/2017	FORD, FRED	000015473		001-0000-218.22-22	UB CR REFUND 000011364	12.88
160985	8/11/2017	FOREMASTER, ERROL	000023919		001-0000-218.22-22	UB CR REFUND 000016220	17.62
160986	8/11/2017	FOSTER, SCOTT	MIH FARGT 8/18/17		G10-5800-434.25-05	ENHANCING LEADERSHIP EFF TRANSIT & PARATRANSIT PRG	79.50
160987	8/11/2017	FOX OCCUPATIONAL MEDICAL CENTER	5536384970	027927	G10-5800-434.33-32 G70-7000-473.33-37	DOT EXAM DOT EXAM	35.00 35.00
160988	8/11/2017	FRONTIER COMMUNICATIONS	21301970030617		001-2200-421.26-05	ACCT # 213-019-7968 AUG 7, 2017 - SEP 6, 2017	307.87
160989	8/11/2017	FUENTEZ, CYNTHIA L	2131817186AUG17		703-3700-480.30-17	ACCT # 213-181-7186 AUG 19, 2017 - SEP 18, 2017	298.75
160990	8/11/2017	FUN EXPRESS	9518198256AUG17		001-2200-421.26-05	ACCT # 951-849-8256 AUG 16, 2017 - SEP 15, 2017	924.98
160991	8/11/2017	GALINDO, JOSE M & FLORENCEIA S	000015473	028523	001-2700-351.35-16	REFUND BUILDING PERMIT 17-1125 / PLAN CHECK	176.00
160992	8/11/2017	GARCIA JR, JESUS	0000158227		001-4000-461.36-09	SUPPLIES	313.38
160993	8/11/2017	GARNER TRUST	000032475		201-4000-446.36-65	SUPPLIES	124.63
160994	8/11/2017	GAS COMPANY, THE	0770263375JAG17		001-0000-218.22-22	UB CR REFUND 000020118	19.20
160995	8/11/2017	GRAFIX SYSTEMS	13392459007AUG17	028649	001-0000-218.22-22	UB CR REFUND 000012488	19.99
160996	8/11/2017	GROCHOWSKI, JAMES & ROBERTA	29959		001-0000-218.22-22	UB CR REFUND 000050580	10.51
160997	8/11/2017	GUALANO, JOSEPH	0000216043		001-2700-421.26-06	125 E RAMSEY ST JUL 14, 2017 - AUG 14, 2017	62.07
160998	8/11/2017	GUEVARA, RAYMOND & TONI	000063523		600-5100-435.26-06	408 S HATHAWAY ST JUL 20, 2017 - AUG 18, 2017	14.30
160999	8/11/2017		000012039		702-3800-480.38-52	VINYL VEHICLE DECALS	653.43
					001-0000-218.22-22	UB CR REFUND 000015880	16.83
					001-0000-218.22-22	UB CR REFUND 000050076	12.88
					001-0000-218.22-22	UB CR REFUND 000007192	12.09

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160999	8/11/2017	HAUER, KARL	1041002		700-5040-480-40-02	FULL AND FINAL CLAIM SMNT	110.36
161000	8/11/2017	HEMBD JR, GARY D & CARRIE	000008295		001-0000-218-22-22	UB CR REFUND 000051360	14.46
161001	8/11/2017	HERNANDEZ, VICKIE MARIE	000015412-15		001-22100-421-23-06	CA CLETS USER GROUP SMNR PALM SPRINGS 9/12-9/15	48.00
161002	8/11/2017	HOME DEPOT #8987	0010041	028552	600-6300-471-05-02	QUICKRETE, PALLET FEE	163.69
			0101029		060-6300-471-05-08	PALLET FEE CREDIT	(16.17)
			5181920	028552	660-6300-471-40-02	SIDE COOLER/CANOPY	492.75
					670-7000-473-05-16	SIDE COOLER/CANOPY	172.36
161003	8/11/2017	HR GREEN CALIFORNIA, INC.	113335	028657	001-3000-442-23-53	WQMP REVIEW	362.50
161004	8/11/2017	HUYNH &, NIEL K	000070967		001-0000-218-22-22	UB CR REFUND 000013718	16.83
161005	8/11/2017	IBEW LOCAL 47 RETIREE MEDICAL TRUST	201709001		001-0000-204-80-10	PAYROLL SUMMARY	2,078.16
161006	8/11/2017	ICMA RETIREMENT TRUST 457	00170301		001-0000-204-16-00	PAYROLL SUMMARY	1,349.86
161007	8/11/2017	INFOSEND, INC	123205	028650	761-3100-480-23-02	UB BILL SRVC 7/03-7/07	108.63
					761-3100-480-23-04	UB BILL SRVC 7/03-7/07	907.63
					761-3100-480-33-11	UB BILL SRVC 7/03-7/07	193.46
				028650	761-3100-480-23-02	UB BILL SRVC 7/10-7/14	109.37
			123392		761-3100-480-23-04	UB BILL SRVC 7/10-7/14	947.26
					761-3100-480-33-11	UB BILL SRVC 7/10-7/14	194.59
			123503	028650	761-3100-480-23-02	UB BILL SRVC 7/17-7/21	135.96
					761-3100-480-23-04	UB BILL SRVC 7/17-7/21	1,167.18
					761-3100-480-33-11	UB BILL SRVC 7/17-7/21	236.40
			123170	028650	761-3100-480-23-02	UB BILL SRVC 7/24-7/28	256.66
					761-3100-480-23-04	UB BILL SRVC 7/24-7/28	2,091.82
					761-3100-480-33-11	UB BILL SRVC 7/24-7/28	451.03
			124002	028650	761-3100-480-23-02	UB BILL SRVC 7/31-8/04	58.29
					761-3100-480-23-04	UB BILL SRVC 7/31-8/04	491.40
					761-3100-480-33-11	UB BILL SRVC 7/31-8/04	103.65
			124003	028650	761-3100-480-23-02	UB BILL SRVC 8/07-8/11	62.12
					761-3100-480-23-04	UB BILL SRVC 8/07-8/11	555.40
					761-3100-480-33-11	UB BILL SRVC 8/07-8/11	112.64
			194760	028650	761-3100-480-23-02	UB BILL SRVC 8/14-818	129.90
					761-3100-480-23-04	UB BILL SRVC 8/14-818	1,094.95
					761-3100-480-33-11	UB BILL SRVC 8/14-818	222.72
161008	8/11/2017	IRON MOUNTAIN INFORMATION MGMT, LLC	2017061984	028164	703-3700-480-33-11	MEDIA STORAGE MAR 2017	209.77
				028164	703-3700-480-33-11	MEDIA STORAGE MAR 2017	227.43
			2011357006	028164	703-3700-480-33-11	IT FILE STORAGE	367.90
			201164172		703-3700-480-33-11	COMMUNICATIONS/MEDIA SERV	307.65
			000002517		001-0000-218-22-22	UB CR REFUND 000032296	16.04
			5181920		001-0000-204-31-00	KAISER PREMIUMS GROUP 101565-0002	35,527.42
						KAISER PREMIUMS GROUP 101565-0006	8,384.27
161009	8/11/2017	JONES, CATHERINE	00001918/17		001-2200-421-23-06	CRISIS INTERVENTION TRNG	12.00
161010	8/11/2017	KAISER FOUNDATION HEALTH	000015412-15		001-2200-421-23-06	2017 CLET USER SEMINAR PALM SPRINGS 9/12-15/2017	48.00
161011	8/11/2017	KELLY, PATRICK	000008295		001-0000-218-22-22	UB CR REFUND 00003018	12.09
161012	8/11/2017	KESTER, ELIZABETH	000008297		001-0000-218-22-22	UB CR REFUND 00005730	19.99
161013	8/11/2017	LAND, PEGGY PLEUNTJE	000008277		700-5040-480-33-11	LEGAL SERVICES RENDERED THROUGH 07/31/17	723.00
161014	8/11/2017	LI &, GANG	1414991		001-0000-218-22-22	UB CR REFUND 000012640	16.04
161015	8/11/2017	LIEBERT CASSIDY WHITMORE	000078921		001-0000-218-22-22	UB CR REFUND 000014432	19.20
161016	8/11/2017	LUONG, JESSICA	000078921		001-0000-218-22-22	UB CR REFUND 000017774	48.54
161017	8/11/2017	MACLEAN, CALLISTA K	000082855		001-0000-218-22-22	UB CR REFUND 000015148	12.88
161018	8/11/2017	MARTINEZ, EZEQUIEL S JR	000092231		001-0000-218-22-22	UB CR REFUND 00003924	17.62
161019	8/11/2017	MASSENGALE &, ROSS D	000080053		702-3800-480-25-03	FY 2018 TOOL REIMBURSEMENT	1,500.00
161020	8/11/2017	MCDONALD, JOSEPH	000051779		001-0000-218-22-22	UB CR REFUND 000021286	16.04
161021	8/11/2017	MEDINA, MOSES	14001110011718		001-0000-218-22-22	UB CR REFUND 00000422	272.00
161022	8/11/2017	MEDVE &, LASZLO	000080059		001-0000-218-22-22	BATTERY RECYCLING BUCKETS	10.51
161023	8/11/2017	MERCER, RICHARD J & JOANNE	000070263	028605	001-0000-218-22-22		
161024	8/11/2017	MERCURY DISPOSAL SYSTEM, INC	22898		001-0000-218-22-22		
161025	8/11/2017	MICHAEL, JAMES	000012795		001-0000-218-22-22		

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161026	8/11/2017	MULLER, FRANCES ANN & ROBERT	0000431115	028531	001-0000-218-2-2-22	UB CR REFUND 000023930	14.46
161027	8/20/2017	MUNICIPAL CODE CORPORATION	00794277		001-1000-412-43-72	SUPPLEMENT PAGES, IMAGES	1,919.66
161028	8/11/2017	NATIONWIDE RETIREMENT SOLUTIONS	007109017		001-0000-204-16-00	PAYROLL SUMMARY	2,883.39
161029	8/11/2016	NELSON, MARY	0000622107		001-0000-218-2-2-22	UB CR REFUND 000013224	18.41
161030	8/14/2017	NI EWALD, JUANITA & LEONARD	000050909		001-0000-218-2-2-22	UB CR REFUND 000018492	17.62
161031	8/11/2016	NOTTINGHAM, MICHAEL	00100001000188	028526	001-0000-116-21-01	EMPLOYEE GUN LOAN FY 2018	1,677.00
161032	8/11/2017	NSF INTERNATIONAL	018-0980		670-7000-473-27-50	GREEN HOUSE GAS VERIFICATION	5,850.00
161033	8/11/2016	OFFICE DEPOT	06787300-0001		001-0000-461-36-00	SLANTED HOLDER	54.56
161034	8/11/2017	OGAZ, LUCY	06787300-0001		001-2200-421-36-00	TONER-EVIDENCE PRINTER	107.36
					670-7000-356-38-35	MEDICAL LIFE LINE REBATE DEC 2016 - MAY 2017	51.51
161035	8/11/2017	P&P UNIFORMS	01068274	028546	025-7070-473-42-36	PUBLIC BENEFIT CHARGE REBATE DEC 2016- MAY 2017	1.99
161036	8/11/2017	PADILLA, ANTONIO JR	000991071		001-2200-421-36-04	ENERGY ASSISTANCE PROGRAM REBATE DEC 2016- MAY 2017	144.32
161037	8/11/2017	PADILLA, MIGUEL JR	00004555		001-0000-218-2-2-22	C.SAYESKI-PARAGON VEST	818.89
161038	8/11/2017	PARIS	20100901		001-0000-218-2-2-22	UB CR REFUND 000014946	16.04
161039	8/11/2017	PARTS AUTHORITY METRO, LLC	6255541		001-0000-204-25-00	UB CR REFUND 000004972	11.30
				702-3800-480-38-52	PAYROLL SUMMARY	757.18	
				028583	702-3800-480-38-52	AIR/OIL FILTERS	89.28
				028583	702-3800-480-38-52	#838 ENGINE MOUNTS	61.45
				028583	702-3800-480-38-52	#311 OIL SWITCH	46.35
				028583	702-3800-480-38-52	INV. OIL FILTER	4.23
				028583	702-3800-480-38-52	PQ EXT WEAR PAD, WIPER BLADE, DIRECT CONNECT	73.83
				028583	702-3800-480-38-52	BRAKECLEANER/FILTER	230.05
				028583	702-3800-480-38-52	DOOR HANDLES	82.08
				028583	702-3800-480-38-52	WAGNER LIGHTING	3.98
				028583	702-3800-480-38-52	#204 ELEC LITHIUM 3	7.63
				028583	702-3800-480-38-52	#204 OIL FILTER	2.47
				028583	702-3800-480-38-52	FILTERS/BLADES/DIR. CONN	35.47
				028583	702-3800-480-38-52	YELLOW/RED PAINT PEN	7.87
				028583	702-3800-480-38-52	#828 GEAR BOX	314.03
				028583	702-3800-480-38-52	INV. OIL FILTERS	12.70
				028583	702-3800-480-38-52	#240 MC 3 1/2 HD	3.07
				028583	702-3800-480-38-52	#812 MC 4 HD	7.03
				028583	702-3800-480-38-52	#838 SEAL,BEARING, CONE	165.51
				028583	702-3800-480-38-52	OIL/FUEL/AIR FILTERS	321.63
				028583	702-3800-480-38-52	GREEN CONC. 1 GALLON	22.50
				161040	8/11/2017	PIECHOWSKI, KENNETH J	000072405
161041	8/11/2017	PIONEER REALTY	000072103	001-0000-218-2-2-22	UB CR REFUND 000051330	5.76	
161042	8/11/2017	PRECIADO, JAVIER & ALEJANDRA	000091243	001-0000-218-2-2-22	UB CR REFUND 000003478	12.88	
161043	8/11/2017	PRUDENTIAL OVERALL SUPPLY	27450501	670-7000-473-25-02	EL UNIFORMS	157.19	
			670-7000-473-25-02	EL UNIFORMS	157.19		
				028553	670-7000-473-25-02	FLEET UNIFORMS/TOWELS	10.36
				028553	670-7000-473-25-02	FLEET UNIFORMS/TOWELS	23.50
				028553	670-7000-473-25-02	EL UNIFORMS	157.19
				028553	660-6300-471-25-02	UNIFORMS-WATER	50.00
				028553	650-8000-454-25-02	UNIFORMS-WASTEWATER	15.00
				028553	100-4900-431-25-02	STREET UNIFORMS	15.20
				028553	001-4600-461-25-02	PARKS UNIFORMS	6.65
				028553	001-3700-412-25-02	BLDG. MAINT. UNIFORMS	5.36
				027959	761-4110-480-25-02	FSR UNIFORMS	26.23
				028553	670-7000-473-25-02	EL UNIFORMS	157.19
161044	8/11/2017	PULSIFER, ALBERT R & SHIRLEY A	000005475	028553	001-0000-218-2-2-22	UB CR REFUND 000022628	18.41
161045	8/11/2017	RANCHO PASEO MEDICAL GROUP	060170174		001-1100-412-21-32	SEASONAL PRE-EMPLOYMENT EXAMS & DRUG SCREENINGS	750.00
161046	8/11/2017	RECORD GAZETTE, THE	001444729		001-1900-412-23-01	PUBLIC HEARING NOTICE AD	118.15

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161046	8/21/2017	RECORD GAZETTE, THE	00146537	027945	001-2800-441.23-01	MCA 17-9503	163.33
			00146602	028525	001-2800-441.23-01	PHN - ZTA 17-97502	163.33
			00146604	028525	001-2800-441.23-01	PHN - TTM 30906 EXT	145.95
			00146688	028525	001-2800-441.23-01	MCA 17-9505	184.18
			00146695	028525	001-2800-441.23-01	PHN TTM 15-4502	274.52
161047	8/21/2017	RELIABLE WORKPLACE SOLUTIONS	AR51021		001-2200-421.30-06	B/W & COLOR COPIES W793P102594	32.80
			AR51022		001-2200-421.30-06	B/W & COLOR COPIES E183MA10503	171.95
			AR51024		001-2200-421.30-06	B/W & COLOR COPIES W794P900072	14.54
			AR527584		001-2200-421.30-06	B/W & COLOR COPIES W793P102594 & W795P402369	50.07
			AR527585		001-2200-421.30-06	B/W & COLOR COPIES E183MA10503	302.95
			AR527587		001-2200-421.30-06	B/W & COLOR COPIES W794P900072	16.62
161048	8/21/2017	RICKS, BETTY J	000067829		001-0000-218.22-22	UB CR REFUND 000011138	21.57
161049	8/21/2017	RIV. CO. CLERK RECORDER	2016-0354281		001-2740-441.23-07	COPY FEE 2016-0354281	2.00
						REAL ESTATE FRAUD TRUST 2016-0354281	10.00
						RELEASE PEND/LIEN BY GOV 2016-0354281	13.00
161050	8/21/2017	RIV. CO. FIRE DEPARTMENT	234454		001-0000-219.00-00	QTR 4-FIRE PROTECTION SRV APR 1, 2017 - JUN 30, 2017	641,348.49
161051	8/21/2017	RIV. CO. LAW ENFORCEMENT	052 AR5		001-2200-421.23-06	2017 ANNUAL CONFERENCE ALEX DIAZ 9/21/2017	50.00
161052	8/21/2017	ROBERTSON'S	052 AR5	028544	660-6300-471.45-17	RCB-RCY CON BASE	825.46
161053	8/21/2017	ROCKWELL, AMBER	0010104 2017 2		001-1300-412.25-09	2017 BALANCE DUE PER MOU INCREASE	500.00
			0010104 2017 13		001-1300-412.25-09	TUITION REIMBURSEMENT FY17/18 UTILITY EMPLOYEE	4,500.00
161054	8/21/2017	RODRIGUEZ, CARLOS M & GINA L	000001177		001-0000-218.22-22	UB CR REFUND 000016346	12.88
161055	8/21/2017	RON'S BEE SERVICE	589	028594	660-6300-471.23-24	BEE REMOVAL - 5 ADDRESSES	500.00
161056	8/21/2017	ROW TRAFFIC SAFETY, INC	15281	028545	100-4900-431.89-54	STOP AND SPEED LIMIT SIGN	930.96
161057	8/21/2017	SAMPSON-FERRELL &, DEBORAH	000004135		001-0000-218.22-22	UB CR REFUND 000011050	13.67
161058	8/21/2017	SAN BERNARDINO CO SHERIFF'S DEPT	TUITION 9/18/17		001-2200-421.23-06	BRIAN CALLAHAN - TUITION CRISIS INTERVENTION TEAM	100.00
161059	8/21/2017	SAN BERNARDINO CO SHERIFF'S DEPT	TUITION 9/18/17		001-2200-421.23-06	PATRICK KELLY - TUITION CRISIS INTERVENTION TEAM	53.72
161060	8/21/2017	SAN GORGONIO PASS DESIGN AND PRINT	5206	028536	001-2200-421.23-02	BUS CARDS: NOLAN & CAMPA	23.15
161061	8/21/2017	SANDOR, RUDOLF & KLARA	000023055		001-0000-218.22-22	UB CR REFUND 000017046	16.04
161062	8/21/2017	SCHULZ, LA VERNY & JOHN C/O	000021637		001-0000-218.22-22	UB CR REFUND 000015874	19.99
161063	8/21/2017	SEALS, VERNELL	000024679		001-0000-218.22-22	UB CR REFUND 000018420	12.66
161064	8/21/2017	SERVENTI, ARTHUR D	000020601		001-0000-218.22-22	UB CR REFUND 000016060	7,813.97
161065	8/21/2017	SILVER & WRIGHT, LLP	27435	028528	700-5300-480.33-04	JULY 2017 LEGAL SERVICES	47.16
161066	8/21/2017	SMART & FINAL	027943		001-1000-411.36-00	SUPPLIES FOR COUNCIL	63.95
161067	8/21/2017	SMITH, ANTONETTE P	025039	028528	201-4050-446.36-05	SENIOR CTR SUPPLIES DRINKS/LEMONADE	16.83
161068	8/21/2017	SOUTH COAST AIR QUALITY	000081737		001-0000-218.22-22	UB CR REFUND 000016246	127.46
			1347545		660-6300-471.41-04	FLAT FEE FAC ID 173998 2850 W WESTWARD AVE FY17	127.46
			000099		680-8000-454.41-04	FLAT FEE FAC ID 173998 2850 W WESTWARD AVE FY17	378.28
			1350240		660-6300-471.41-04	I C E EM ELEC GEN DIESEL 4781 W RAMSEY FACID 71614	378.28
			4151215		680-8000-454.41-04	I C E EM ELEC GEN DIESEL 2850 W WESTWARD AVE	57.77
161069	8/21/2017	SOUTHERN CALIFORNIA EDISON	20119538516JUL17		670-7000-473.26-04	HIGHLAND HOME RD / S / O JUL 1, 2017 - AUG 1, 2017	37.58
			2015215072AUG17		660-6300-471.26-04	WELL 9 - 7070 PLANT D-5 JUL 14, 2017 - AUG 14, 2017	1,101.35
			2015215092AUG17		660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 JUL 14, 2017 - AUG 14, 2017	41.99
			219627420AUG17		660-6300-471.26-04	DEL RITA BOOSTER STATION JUL 14, 2017 - AUG 14, 2017	693.11
			10533		670-7000-473.27-11	JULY 2017 MONTHLY DUES	19,982.00
161070	8/21/2017	SOUTHERN CALIFORNIA JOINT POLE	3910	028653	001-2200-421.30-17	RIMS ANNUAL SUPPORT SVCS	1,939.05
161071	8/21/2017	SUN RIDGE SYSTEMS INC	143904		673-7000-473.95-31	CONSULTING SERVICES 1/26 D ERICKSON LUNCH & MILEAGE	46.35
161072	8/21/2017	SUPERION	135200		673-7000-473.95-31	D ERICKSON LUNCH & MILEAG VISIT 2/28/2017	46.35
			135251		673-7000-473.95-31	D ERICKSON LUNCH & MILEAG 3/09/2017 VISIT	8,014.05
			135253		673-7000-473.95-31	D ERICKSON CONSULTING & LUNCH & MILEAGE 2/8-9,13	46.35
			136246		673-7000-473.95-31	D ERICKSON LUNCH & MILEAGE 3/24/2017	4,725.00
			136248		673-7000-473.95-31	D ERICKSON CONSULTING 2/28,3/09,3/24 VISITS	219.05
			141342		761-3100-480.23-52	TRANS MANAGER JUNE 2017	227.11
161073	8/21/2017	SURVALENT TECHNOLOGY CORP	162434	028652	761-3100-480.23-52	JULY 2017 TRANS MNGR	12,825.00
			017126	028622	670-7000-473.30-17	1 YEAR PLATINUM SUPPORT	

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161074	6/11/2017	SZOYKA, CARL	REIMBURSEMENT 18/17		85%-9500-430 90-30	ROOSEVELT PARK GROUND BRKG CEREMONY	186.20
161075	6/11/2017	TAYLOR, LOUISE	0000042805		001-0000-218-22-22	UB CR REFUND 000014742	14.73
161076	6/11/2017	TIME WARNER CABLE	0111111111 9/2017		001-0000-218-22-22	99 E RAMSEY ST ACCT # 8448410810051007	73.31
			0100000000 9/2017		001-2000-446-26-09	789 N SAN GORGONIO AVE ACCT # 8448410810014070	10.44
			0100000000 9/2017		001-2000-446-26-09	176 E LINCOLN ST - FIBER ACCT #8448410810332241	821.61
			5000000000 9/2017		001-2000-446-26-09	769 N SAN GORGONIO AVE ACCT # 8448410810022933	10.44
161077	6/11/2017	TOUCHARD &, GWENDOLYN	0000000000 9/2017		001-0000-218-22-22	UB CR REFUND 000017720	16.04
161078	6/11/2017	TRI-STATE SEMINAR, LLC	WGS 5/16/2017		1000-1300-47123-05	CALEB NAAZS REGISTRATION SEP 26-28, 2017 LAS VEGAS	99.00
					001-0000-218-22-22	PERRY GERDES REGISTRATION SEP 26-28, 2017 LAS VEGAS	49.50
					001-0000-218-22-22	C THORNTON REGISTRATION SEP 26-28, 2017 LAS VEGAS	99.00
					001-0000-218-22-22	PERRY GERDES REGISTRATION SEP 26-28, 2017 LAS VEGAS	49.50
					001-0000-218-22-22	PAYROLL SUMMARY	70.00
161079	6/11/2017	UNITED WAY OF THE INLAND VALLEY	20170001		001-0000-204-80-00	LRPMP - RDA WIND-DOWN	1,687.50
161080	6/11/2017	URBAN FUTURES INCORPORATED	0247 001	023791	005-1210-412-33-11	LRPMP - RDA WIND DOWN	112.50
			0117 001	023791	005-1210-412-33-11	LRPMP - RDA WIND-DOWN	112.50
			0117 005		005-1210-412-33-11	LRPMP INV DATE 11/08/2016	4,297.50
			1016 004		005-1210-412-33-11	CONTINUING DISCLOSURE	1,250.00
			00 2017 11	023791	005-1210-412-33-11	TREE TRIM SVCS WE 8/12/17	3,300.00
161081	6/11/2017	UTILITY TREE SERVICE	241000217	028387	070-2000-473-23-17	GLOW PLUG REPAIR	1,551.80
161082	6/11/2017	VALLEY POWER SYSTEMS, INC	10-3117		702-3800-480-30-05	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	525.00
161083	6/11/2017	VAN, GAIL	90127-23104	028672	075-2020-473-23-15	BIG BELLY DOUBLE STATION	8,260.66
161084	6/11/2017	WASTE MANAGEMENT	02-212017		001-1000-411-36-00	OAK VALLEY FLORIST FLOWERS FOR PAM D'SPAIN	72.31
161085	6/11/2017	WELLS FARGO CARD SERVICES INC	RECE 19 00 000117		001-1210-412-23-05	RIVERSIDE COUNTY EDA SO CAL PROCUREMENT SHOW	25.00
161086	6/11/2017	WELLS FARGO CARD SERVICES INC	RECE 19 00 000117		001-1210-412-36-00	GOLDEN OPENINGS CEREMONIAL RIBBON CUTTING	524.79
					001-1300-412-23-01	WESTERN CITY MAGAZINE BASIC JOB POSTING	250.00
					001-1300-412-23-05	CALPERS CVENT - M CASTRO CALPERS EDUCATIONAL FORUM	350.00
					001-1900-412-23-06	CALPERS CVENT - C STAFFORD CALPERS EDUCATIONAL FORUM	350.00
						WELLS FARGO FINANCE CHARGE	48.52
						WELLS FARGO PREVIOUS BALANCE	47.33
						CAPPO - JENNIFER MCCOY 2018 CONF PALM SPRINGS	295.00
						CAPPO - JENNIFER MCCOY ANATOMY OF FRAUD WEBINAR	39.00
						EXPEDIA - HOTEL RESERVATN R MACIAS & J ARIAS	152.14
						EXPEDIA - HOTEL RESERVATN J WOODLEY & D CABALLERO	152.14
161087	6/11/2017	WESTERN ELECTRICITY COORDINATING	1420004210		170-7010-473-23-20	2016 UNSCHEDULED FLOW MITIGATION PLAN	476.17
161088	6/11/2017	WILLIS, CAROLINE	00000-87491		001-0000-218-22-22	4' X 8' SIGN W/WEATHER COATING	15.25
161089	6/11/2017	XENIA PACIFIC, INC	04243		001-1210-412-33-11	UB CR REFUND 000003766	390.06
161090	6/11/2017	YANG, TIMOTHY C	0000000000		001-0000-218-22-22	UB CR REFUND 000003766	12.88
161091	6/11/2017	YETTO, PATTY	5000011110		001-0000-218-22-22	EMPLOYEE COMPUTER LOAN FY 2018	19.99
161092	6/11/2017	YOUNG, CARLA	5000011110		001-0000-218-22-22	EMPLOYEE COMPUTER LOAN FY 2018	543.74
9006076	6/11/2017	WELLS FARGO BANK	190 02/30/2017		001-0000-204-80-04	PAYROLL PPE 07/30/2017	332,314.04
9006077	6/11/2017	CA. ST. EMPLOYMENT DEV. DEPT.	190 02/30/2017		001-0000-204-80-05	PAYROLL TAX DEPOSIT PPE 07/30/2017	19,427.80
9006078	6/11/2017	INTERNAL REVENUE SERVICE	190 02/30/2017		001-0000-204-80-14	PAYROLL TAX DEPOSIT PPE 07/30/2017	60,139.82
					001-0000-204-11-00	PAYROLL TAX DEPOSIT PPE 07/30/2017	80,584.52
					001-0000-204-13-00	MEDICAL CONTRIBUTIONS PPE 07/30/2017	4,887.45
9006079	6/11/2017	TASC	190 02/30/2017		001-0000-204-80-04	DEP CARE CONTRIBUTIONS PPE 07/30/2017	544.18
					001-0000-204-80-05	CAL PERS 457 CONTRIBUTION PPE 07/30/2017	35,657.01
9006080	6/11/2017	CALPERS 457 PLAN - 450260	190 02/30/2017		001-0000-204-16-00	RETIREMENT BENEFITS PPE 07/30/2017	80,393.75
9006081	6/11/2017	CA. ST. PUBLIC EMPLOYEES	190 02/30/2017		001-0000-204-80-14	VEBA CONTRIBUTION PPE 07/30/2017	700.00
9006082	6/11/2017	WELLS FARGO BANK	190 02/30/2017		001-0000-204-10-00	PAYROLL PPE 08/13/2017	302,996.98
9006083	6/11/2017	WELLS FARGO BANK	190 02/30/2017		001-0000-204-11-00	PAYROLL TAX DEPOSIT PPE 08/13/2017	16,569.88
9006084	6/11/2017	CA. ST. EMPLOYMENT DEV. DEPT.	190 02/30/2017		001-0000-204-11-00	PAYROLL TAX DEPOSIT PPE 08/13/2017	52,023.50
9006085	6/11/2017	INTERNAL REVENUE SERVICE	190 02/30/2017		001-0000-204-13-00	PAYROLL TAX DEPOSIT PPE 08/13/2017	75,150.08
					001-0000-204-13-00	MEDICAL CONTRIBUTION PPE 08/13/2017	4,887.45
9006086	6/11/2017	TASC	190 02/30/2017		001-0000-204-80-04	DEPENDENT CARE CONTR PPE 08/13/2017	544.18
					001-0000-204-80-05		

City of Banning
Warrant List Detail August 2017

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
9006087	8/13/2017	CALPERS 457 PLAN - 450260	PPE 08/13/17		001-0000-204-16-00	CAL PERS 457 CONTRIBUTION PPE 08/13/2017	38,794.05
9006088	8/13/2017	CA. ST. PUBLIC EMPLOYEES	PPE 08/13/2017		001-0000-204-20-00	RETIREMENT BENEFIT PPE 08/13/2017	79,760.38
9006089	8/13/2017	CALIFORNIA, STATE OF	01141806/30/17		700-5030-450-40-03	ST. UNEMPLOYMENT INS QUARTER END 6/30/2017	718.00
9006090	8/21/2017	WELLS FARGO BANK	PPE 08/13/2017		001-0000-204-80-14	VEBA CONTRIBUTIONS PPE 08/13/2017	1,147.48
9006091	8/24/2017	CA. ST. PUBLIC EMPLOYEES	100069015048252		001-1900-412-33-11	GASB 68 REPORT & SCHEDULE	1,050.00
Grand Total							7,043,851.00
Less Voided / Reissued Checks from Prior Period							(2,856.67)
Less Voided Checks Prior Period							-
Add Payroll Checks							12,427.87
Total Remittance for Month							7,053,422.20

Voided Checks

August 2017

Date	Check	Vendor #	Reason	Amount	Check	Vendor #	Amount
8/3/2017	160193	2507	Changed Custodians of account	\$ 55.74	160587	2507	\$ 55.74
8/17/2017	160462	2896	Changed Vendor	\$ 2,784.93	160778	5524	\$ 2,784.93
8/24/2017	158276	7186	Re-issued due to stale dated check	\$ 16.00	160919	7186	\$ 16.00
TOTALS				\$ 2,856.67	\$ 2,856.67		

Payroll
August 2017

Start	End	Date	Description	Check Total
11036	11060	8/4/2017	WARRANT REGISTER	\$ 6,898.69
11061	11084	8/18/2017	WARRANT REGISTER	\$ 5,529.18

TOTALS	\$ 12,427.87
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51 CHECKS USED

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M	6585	11036	.00
	FRANCHISE TAX BOARD		11037	50.00
	OFFICE OF THE ATTORNEY GENERAL		11038	241.38
	FRANCHISE TAX BOARD		11039	150.00
	UNITED STATES TREASURY		11040	125.50
	CALIF. STATE DISBURSEMENT UNIT		11041	322.61
	CALIF. STATE DISBURSEMENT UNIT		11042	180.46
	TRACY YOUNGBLOOD		11043	223.39
	FRANCHISE TAX BOARD		11044	100.00
	FRANCHISE TAX BOARD		11045	96.10
4000-461	LAPHAM, SIERRA G	4397	11046	712.87
4010-461	ALDERMAN, LUKE D	220	11047	509.92
4010-461	FLOYD, ANTHONY P	2394	11048	224.68
4010-461	GARCIA, JUAN C	2545	11049	660.72
4010-461	GARCIA, SAMUEL I	2551	11050	61.35
4010-461	GILCHRIST JR, SEAN E	2699	11051	402.72
4010-461	QUINN, MELISSA S	6748	11052	390.39
4010-461	RAMIREZ, GABRIEL M	6756	11053	371.77
4010-461	TORRES, JOANNA M	8439	11054	352.59
4010-461	TRYON, MYKAELA C	8441	11055	632.97
4010-461	UNITED STATES TREASURY		11056	260.00
	MARY NELL WARE		11057	300.00
	FRANCHISE TAX BOARD		11058	75.00
	CALIF. STATE DISBURSEMENT UNIT		11059	193.84
	FRANCHISE TAX BOARD		11060	260.43

6,898.69

25

Total Checks -

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 CITY OF BANNING

Check Register
 BIWEEKLY
 Pay Date 8/18/17

Page 1
 Pay Period 17
 7/31/17 To 08/13/17

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M	6585	11061	.00
	FRANCHISE TAX BOARD		11062	50.00
	OFFICE OF THE ATTORNEY GENERAL		11063	241.38
	FRANCHISE TAX BOARD		11064	150.00
	UNITED STATES TREASURY		11065	125.50
	CALIF. STATE DISBURSEMENT UNIT		11066	322.61
	CALIF. STATE DISBURSEMENT UNIT		11067	180.46
	TRACY YOUNGBLOOD		11068	221.39
	FRANCHISE TAX BOARD		11069	100.00
	FRANCHISE TAX BOARD		11070	86.22
	LAPHAM, SIERRA G	4397	11071	192.84
4000-461	ALDERMAN, LUKE D	220	11072	450.30
4010-461	FLOYD, ANTHONY P	2394	11073	195.26
4010-461	GARCIA, JUAN C	2545	11074	248.92
4010-461	GILCHRIST JR, SEAN E	2699	11075	332.55
4010-461	QUINN, MELISSA S	6748	11076	462.89
4010-461	RAMIREZ, GABRIEL M	6756	11077	395.64
4010-461	TORRES, JOANNA M	8439	11078	197.98
4010-461	TRYON, MYKAELA C	8441	11079	507.50
	UNITED STATES TREASURY		11080	260.00
	MARY NELL WARE		11081	300.00
	FRANCHISE TAX BOARD		11082	75.00
	CALIF. STATE DISBURSEMENT UNIT		11083	193.84
	FRANCHISE TAX BOARD		11084	236.90
Total Checks -				5,529.18
				24



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: September 26, 2017

SUBJECT: Public Works Capital Improvement Project Status List

RECOMMENDED ACTION:

This is informational only; receive and file report.

GOAL STATMENT:

The purpose of presenting the attached Public Works Capital Improvement Project (CIP) Status List is to keep City Council and the public informed of the status of the various capital improvement projects that are currently managed by the Public Works Department.

BACKGROUND:

There are several planning, environmental, design and construction contracts that have been approved by City Council and/or the City Manager's office that are being managed by the Public Works Department. In an effort to keep the City Council and the public informed of the progress made and current status of each project, staff has prepared and will continue to update the attached Public Works CIP Status List. The list will be presented to City Council on the second regularly scheduled council meeting per month.

FISCAL IMPACT:

None

ATTACHMENTS:

1. CIP Status List

Approved by:

A handwritten signature in blue ink, appearing to read 'Alejandro Diaz', is written over a horizontal line.

Alejandro Diaz
Interim City Manager

ATTACHMENT 1

(Public Works CIP List)

PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS STATUS TABLE

Category	Project #	Project	Phase	Council Award Date	Project Kickoff	% Completed	Tasks Completed	Current Tasks	1 Month Look Ahead Tasks	Future Tasks	Tentative Completion Date	Project Budget
Streets	2014-03	Hargrave/Ramsey Street Intersection	Design	5/26/2015	8/10/2015	95%	PS& E are 100% complete. Staff has met with most owners to discuss right-of-way acquisition.	Waiting for SCE to complete their advance design for relocation of power poles.	Waiting on SCE	Finalize PS&E once SCE completes their design. Construction phase cannot commence until County Flood Control project is completed. Acquire needed right-of-way.	11/1/17	\$ 79,920
Streets	2016-11	Hathaway/Ramsey Street Intersection	Design	12/12/2016	1/18/2017	75%	Staff completed reviewing 1st submittal of plans, specs and hydrology report.	Staff is reviewing the 2nd (90%) submittal of design plans.	Approval of monument sign concept. Appraisal of right-of-way acquisition. Review of right-of-way documents. Review specifications and construction cost estimates.	Prepare Final right-of-way dedications/acquisitions, monuments sign review and selection and PS&E.	11/1/17	\$ 254,512
Streets	2016-03	Street Improvements at Various Locations	Construction	12/12/2016	2/13/2017	98%	Completed all striping. Completed slope repair on Sunset Avenue.	Waiting for Caltrans permit for sidewalk on San Geronio Ave.	Preliminary punch list items to be corrected by contractor.	Final punch list and project completion.	10/1/17	\$ 1,039,390
Streets	ATPL-5214(012)	ATP Bicycle/Pedestrians Safe Routes to School	Environmental, Design, Construction	-	-	3%	Environmental completed and approved. Design Funding Allocation approved by CTC in March 2017 and approved by Caltrans in April 2017.	Developing RFP for Design Services	Send out RFP for Design Services and Reviewing Proposals (use short list of qualified firms if allowed by Caltrans).	Select consultant for design; recommend award to City Council.	-	\$ 1,082,000
Streets	HSIP-5214 (010)	Traffic Signal System Improvements on Ramsey Street	Constuction	6/27/2017	-	-	Contract agreement executed and pre-construction conducted.	Contractor is waiting for delivery of materials prior to commencing work.	Start of construction.	Construction in progress.	2/1/18	\$ 384,000
Streets	STPL 5214 (011)	Ramsey Street, from Hargrave St. to west of Hathaway St.	Environmental, PS&E	-	-	75%	PS&E are 75% complete. Cultural resources study approved by Caltrans.	Completion of PS&E	Advertise Notice Inviting to Bid, consider combining this project with Hargrave St and Hathaway St improvements for better bid costs and results	Open bids and recommend award to City Council	-	\$ 295,000
Parks	2017-03	Lions Park Multi Purpose Fields CEQA	Environmental	11/7/2016	-	90%	Received FAA and ALUC approval for project. AB52 Consultation was started.	AB52 Consultation	Complete burrowing owl study		10/1/17	\$ 66,300
Parks	2017-03	Lions Park Multi Purpose Fields	Design	7/11/2017	9/5/2017	2%	Provided all as-built plans and topo map to design consultant.	Working on design plans, SWPPP and WQMP.	50% submittal of plans, SWPPP and WQMP for review.	90% submittal of PS&E. Completion of SWPPP and WQMP.	1/1/18	\$ 77,798
Parks	2016-04	Roosevelt Williams Park Improvements	Construction	6/27/2017	8/2/2017	10%	Construction started. Demolition and earthwork.	Reviewing submittals. Continue earthwork.	Rough grading, installation of drain system, forming for basketball court and gazebos, installation of electric conduits	Commence installation of irrigation system, site furnishings, building improvements.	3/1/18	\$ 2,450,000
Parks	2017-10	Repplier Park Parking Lot Landscaping	Design	-	4/5/2017	95%	Development of PS&E	Finalizing PS&E. Reviewing final submittal of plans.	Finalize PS&E and advertise NIB	Move on to construction phase	10/1/17	\$ 10,960
Building Maint	-	City Wide Facility Assessment	Planning	1/10/2017	1/18/2017	85%	Department head interviews. Spacing programming	Finalizing office layouts	Finalize office layouts and prepare cost estimates	Present results to City Council	10/1/17	\$ 75,000
Building Maint	2017-01	Community/Senior Center Improvements	Design	1/24/2017	2/28/2017	95%	Submittal of plans to Building and Safety	Finalizing specifications	Send out Notice Inviting to Bid	Award contract and execute construction agreement.	10/2/17	\$ 29,400
Fleet	2017-06	CNG Assessment	Planning	11/7/2016	1/18/2017	100%	CNG Assessment Completed	-		Present findings to City Council	-	\$ 46,480
Water	2016-02W	Water Canyon Pipeline Replacement	Bidding	5/10/2016	5/25/2016	95%	100% Design (Mylars Signed), IS/MND (NOD Filed), AB 52 Consultation	Contract for Environmental Support Services, Bidding Materials Pre-Procurement	Bid & Award Construction	Bio Survey and Construction Survey	12/31/17	\$ 220,900
Water	2017-08W	Chromium-6 Compliance Project	On Hold	-	-	0%	Submitted SRF Loan Application; conducted consultant interviews; court ruled that state must withdrawal MCL	SWRCB in the process of withdrawing 10 parts per billion MCL; no-cost small scale pilot with SBA Ion Exchange	no-cost small scale pilot with SBA Ion Exchange at Well 12	18-24 months for State to adopt new MCL	-	
Water	2015-01W	Water Line Replacement (3 Locations)	Design	3/24/2015	4/15/2016	80%	Final Design of Location 1; 60% Design of Locations 2 & 3, Potholing	90% Design for Location 3	100% Plans and Specs for Location 3	Bidding of Location 3, 90% Design for Location 2	11/30/17	\$ 107,980
Water	2017-11W	Integrated Regional Water Management Plan	Planning, Technical Studies	3/14/2017	4/11/2017	45%	Drafted descriptions for Sections 1 and 2; Water Supply Reliability research; Reviewed information for RW Study; Coordination between SGPWA and USGS and related GIS work; SAC outreach	SAC outreach; data collection and review; coordination with USGS; weekly meetings; Groundwater Model Coupling; additional SAC outreach	Incorporate input for governance structure and regional descriptions; groundwater model updates; weekly meetings for SAC and management group; website improvements	Continued development of plans and supporting technical studies; meetings.	4/1/18	\$ 1,079,904
Water	2017-02W	Tank Inspections and Cleaning	Professional Services	6/27/2017	9/13/2017	5%	DIR Registration, Kickoff Meeting, Tentative Schedule	Submittals Review	Mobilization	Tank Inspections, Cleaning, Repairs	12/31/17	\$ 48,542
Water	2017-GWA	Groundwater Audit	Planning	-	10/4/2017	0%	Bid Opening and Evaluation	Contract Execution	Kickoff Meeting, Data Gathering	Preliminary Report, Pumping Recommendations	1/31/18	\$ 19,886
Water/Wastewater/Recycled	2017-07W	Integrated Water, Wastewater, and Recycled Water Master Plan	Planning	12/12/2016	12/19/2016	85%	Data Gathering, Pressures and Flow Monitoring, Models Calibration, Finalized Evaluation Criteria; Inspection of Critical Facilities; Preliminary CIP List	Preliminary Cost Estimates; IPR Analysis; Creation of Dynamic CIP Tracking Tool	Draft Master Plan Sections; City Staff Review of Master Plan Sections	Finalize Master Plan; Presentation to Council and Formal Adoption	11/30/17	\$ 431,344
Wastewater	2017-09WW	WWTP Fencing	Construction	6/27/2017	8/10/2017	100%	Construction Completed	Project Closeout	Final Invoicing and NOC	Release Retention and Project Closure	11/15/17	\$ 90,000
LMD	2017-12	Landscape Maintenance District No.1 Redesign	Design	-	7/10/2017	25%	Reviewed conceptual plans	Field surveys and commencement of design drawings	Continue to work on design drawings	Design approval, development of specifications.	10/1/17	\$ 24,560



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Sonja De La Fuente, Executive Assistant/Deputy City Clerk

MEETING DATE: September 26, 2017

SUBJECT: Receive and File List of Contracts Approved Under the City Manager's Signature Authority

RECOMMENDATION:

Receive and file the list of Contracts approved under the City Manager's signature authority of \$25,000 or less.

BACKGROUND:

City Council requested regular reports of contracts signed under the City Manager's signature authority of \$25,000 or less.

ATTACHMENT:

- 1) List of Contracts approved by City Manager

Reviewed and Approved by:

A handwritten signature in blue ink, appearing to read "Alejandro Diaz", written over a horizontal line.

Alejandro Diaz, Interim City Manager

ATTACHMENT 1

(List of Contracts)

Contracts Approved Under City Manager Signature Authority				
Date	Department	Vendor/Contractor	Amount	Services Provided
15-Aug	Public Works	Safety Compliance Company, Inc.	\$ 25,000	Safety Training Consultant
22-Aug	Public Works	Red Hawk Services	\$ 25,000	Fence & Gate repair services
22-Aug	Public Works	HR Green	\$ 25,000	WQMP Review & Environmental Engineering
8-Sep	Police	Innovative Emergency Equipment	\$ 25,000	Emergency vehicle equipment repair, parts & labor (as needed)
14-Sep	Public Works	Pacific Alarm Service, Inc.	\$ 15,974	Alarm monitoring services

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Rochelle Clayton, Deputy City Manager

MEETING DATE: September 27, 2017

SUBJECT: Status on the Recruitment of Open Positions in the City of Banning.

RECOMMENDATION:

That the City Council receive and file the status report on the recruitment of open positions in the City of Banning.

JUSTIFICATION:

The Council requested a status update at its meeting on September 11, 2017.

BACKGROUND:

During the budget process, staff requested and Council approved the budget for new and previously unbudgeted positions. Since that time, three employees announced their retirement. Staff is in-process of recruiting for nearly all of the positions referenced.

Below is the status of each recruitment:

Buyer (Admin. Services/Finance) – Interviews completed and 2nd interviews scheduled for September 28, 2017

Electric Utility Director (Electric) – Position is open until filled and applications will be reviewed as they are received

Executive Assistant (City Manager's Office) – Interviews completed and position offered

Field Service Representative (Admin. Services/Utility Billing) – Recruitment closes on October 4, 2017

Human Resources/Risk Manager (Admin. Services/Human Resources) – Interviews conducted and position offered

Information Technology Analyst I (City Manager's Office) – Interviews completed and two (2) positions offered

Multimedia Specialist (City Manager's Office) – 1st review of applications was conducted on September 25, 2017 and interviews will be scheduled as soon as possible

Water/Wastewater Management Analyst (Public Works) – Applications will be reviewed on September 29, 2017

OTHER OPEN POSITIONS:

Financial Services Specialist (Admin. Services/Finance) – Closed on September 25th and interviews are being scheduled

Senior Planner (Community Development) – 1st review of applications was conducted on September 25, 2017 and interviews will be scheduled as soon as possible

Bus Driver-Part Time (Transit) – Open continuously

Dial-A-Ride Driver-Part Time (Community Services) – Open continuously

Police Officer (Police) – Open continuously

Public Safety Dispatcher (Police) – Open continuously

FISCAL IMPACT:

None.

ATTACHMENTS:

None.

Approved by:


Alejandro Diaz
Interim City Manager



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Phil Holder, Captain

MEETING DATE: September 26, 2017

SUBJECT: Discuss and Consider Adopting Resolution 2017-96: Amending Resolution 2017-20 to allow an additional payment to Innovative Emergency Equipment for essential modifications and installation of weapon racks in police department black and white patrol vehicles, for a total authorization of \$68,316.

RECOMMENDATION:

The City Council approve Resolution 2017-96, a Resolution of the City of Banning, California, authorizing an amendment to Resolution 2017-20 allowing the police department to make an additional payment of \$2,005 to Innovative Emergency Equipment for needed modifications and installation of weapon racks in police department black and white patrol vehicles that were essential for the vehicles to be deployed in the field. The total authorization is not to exceed \$68,316, under Riverside County Contract #SHARC-005516-006-09/19.

JUSTIFICATION:

The modified and installed weapon racks are necessary components of every patrol vehicle, as they are used by officers to secure weapons in the vehicles while they patrol the City. The weapons secured in the racks are then readably available in the field if the officer needs to use them. Absent the weapon racks, patrol vehicles cannot be deployed in the field with secured weapons.

BACKGROUND:

On February 14, 2017, the Banning City Council adopted Resolution 2017-20, authorizing the police department to utilize Innovative Emergency Equipment to outfit new police vehicles in the amount of \$66,311.00, under Riverside County Contract #SHARC-005516-006-09/19.

In an attempt to save funds, the police department provided used weapon racks to be installed in the vehicles. However, at the end of the vehicle builds, it was determined the used weapon racks did not properly fit and secure weapons in the new style of patrol vehicle, Ford Explorer instead of Ford Crown Victoria. Subsequently, it became necessary to make modifications to the weapon racks for them to work properly in the Explorers.

When this problem was discovered, the number of working patrol vehicles in the police department's fleet was diminished due to several types of mechanical issues. To resolve this crisis, Innovative Emergency Equipment was given the approval to make the weapon rack modifications, which resulted in the timely deployment of 7 patrol vehicles ready for use.

The contract the Banning Police Department used to "Piggy Back" on for the weapon rack modifications and installations was adopted on September 9, 2016 by the Riverside County Board of Supervisors and is in effect through September 30, 2019.

FISCAL IMPACT:

The cost for the weapon rack modifications and installations in the patrol vehicles will be paid for with existing funds in the Supplemental Law Enforcement Services Allocation (SLESA) Grant account. Subsequently, no general funds are required.

OPTIONS:

1. Adopt Resolution 2017-96
2. Reject Resolution 2017-96 and provide direction to staff.

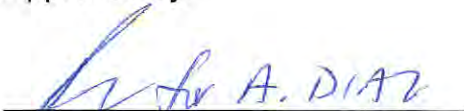
STRATEGIC PLAN OBJECTIVE:

This request supports the City's strategic goal related to "Public Health and Safety".

ATTACHMENT:

1. Resolution 2017-96
2. Resolution 2017-20
3. Riverside County Contract (SHARC-005516-006-09/19)
4. Innovative Emergency Equipment Invoices

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

RESOLUTION 2017-96

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA AMENDING RESOLUTION 2017-20 AND AUTHORIZING THE POLICE DEPARTMENT TO MAKE A PAYMENT TO INNOVATIVE EMERGENCY EQUIPMENT FOR THE MODIFICATION AND INSTALLATION OF WEAPON RACKS IN PATROL VEHICLES UNDER RIVERSIDE COUNTY CONTRACT #SHARC-05516-006-09/19 IN AN AMOUNT NOT TO EXCEED \$ 2,005.00.

WHEREAS, the City of Banning Police Department is responsible for the security and safety of the Citizens of the City; and,

WHEREAS, emergency equipment in police vehicles is necessary for their deployment in the field; and,

WHEREAS, purchases in excess of \$25,000 require City Council approval.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Banning hereby amends Resolution 2017-20 and authorizes the Banning Police Department to make a payment to Innovate Emergency Equipment for the modification and installation of weapon racks in patrol vehicles using Riverside County Contract #SHARC-05516-006-09/19 in an amount not to exceed \$ 2,005.00. The Finance Department is authorized to make the necessary budget adjustments related to these funds.

PASSED, APPROVED, AND ADOPTED this 26th day of September 2017.

George Moyer, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT

ATTEST

John C. Cotti, Interim City Attorney
Jenkins & Hoggins, LLP

Sonja De La Fuente, Deputy City Clerk
City of Banning

CERTIFICATION

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the forgoing Resolution 2017-96 was duly adopted by the City Council of the City of Banning at the regular meeting thereof held on the 26th day of September, 2017, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

RESOLUTION 2017-20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA AUTHORIZING THE POLICE DEPARTMENT TO UTILIZE INNOVATIVE EMERGENCY EQUIPMENT FOR THE PURCHASE, REMOVAL, AND INSTALLATION OF EQUIPMENT NECESSARY TO OUTFIT SEVEN NEW POLICE VEHICLES UNDER RIVERSIDE COUNTY CONTRACT #SHARC-05516-006-09/19 IN AN AMOUNT NOT TO EXCEED \$ 66,311.

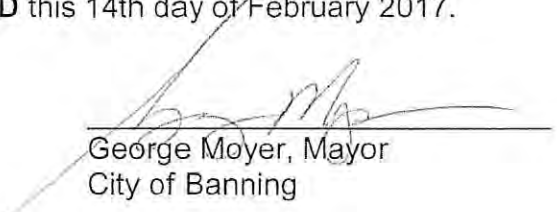
WHEREAS, the City of Banning Police Department is responsible for the security and safety of the citizens of the city; and,

WHEREAS, emergency equipment in police vehicles is necessary for their deployment in the field; and,


WHEREAS, purchases in excess of \$25,000 require City Council approval.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Banning hereby authorizes the Banning Police Department to utilize Innovate Emergency Equipment for the purchase, removal, and installation of equipment necessary to outfit seven new police vehicles using Riverside County Contract #SHARC-05516-006-09/19 in an amount not to exceed \$ 66,311. The Finance Department is authorized to make the necessary budget adjustments related to these funds.

PASSED, APPROVED, AND ADOPTED this 14th day of February 2017.


George Moyer, Mayor
City of Banning

ATTEST:


Marie A. Calderon, City Clerk
City of Banning

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


John C. Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the forgoing Resolution 2017-20 was duly adopted by the City Council of the City of Banning at the regular meeting thereof held on the 14th day of February, 2017, by the following vote, to wit:

AYES: Councilmembers Andrade, Franklin, Peterson, Welch, Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

A handwritten signature in black ink, appearing to read "Marie A. Calderon", written over a horizontal line.

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

ATTACHMENT 3

PERSONAL SERVICE AGREEMENT

for

**SHERIFF VEHICLES-EQUIPMENT
INSTALLATION/LABOR AND REMOVAL**

between

COUNTY OF RIVERSIDE

and

**INNOVATIVE DESIGN AND SHEET METAL PRODUCTS, INC.
DBA: INNOVATIVE EMERGENCY EQUIPMENT**



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This Agreement, made and entered into this 20th day of September, 2016, by and between Innovative Design and Sheet Metal Products, Inc. (Db: Innovative Emergency Equipment), (herein referred to as "CONTRACTOR"), and the COUNTY OF RIVERSIDE, a political subdivision of the State of California, (herein referred to as "COUNTY"). The parties agree as follows:

1. Description of Services

1.1 CONTRACTOR shall provide all services as outlined and specified in Exhibit A, Scope of Services, at the prices stated in Exhibit B, and Payment Provisions, to the Agreement.

1.2 CONTRACTOR represents that it has the skills, experience, and knowledge necessary to perform under this Agreement and the COUNTY relies upon this representation. CONTRACTOR shall perform to the satisfaction of the COUNTY and in conformance to and consistent with the highest standards of firms/professionals in the same discipline in the State of California.

1.3 CONTRACTOR affirms this it is fully apprised of all of the work to be performed under this Agreement; and the CONTRACTOR agrees it can properly perform this work at the prices stated in Exhibit B. CONTRACTOR is not to perform services or provide products outside of the Agreement.

1.4 Acceptance by the COUNTY of the CONTRACTOR's performance under this Agreement does not operate as a release of CONTRACTOR's responsibility for full compliance with the terms of this Agreement.

2. Period of Performance

2.1 This Agreement shall be effective upon signature of this Agreement by both parties and continues in effect through September 30, 2019 unless terminated earlier. CONTRACTOR shall commence performance upon signature of this Agreement by both parties and shall diligently and continuously perform thereafter. The Riverside County Board of Supervisors is the only authority that may obligate the County for a non-cancelable multi-year agreement.

3. Compensation

3.1 The COUNTY shall pay the CONTRACTOR for services performed, products provided and expenses incurred in accordance with the terms of Exhibit B, Payment Provisions. Maximum payments by COUNTY to CONTRACTOR shall not exceed eight hundred thousand dollars (\$800,000) annually including all expenses. The COUNTY is not responsible for any fees or costs incurred above or beyond the contracted amount and shall have no obligation to purchase any specified amount of services or products.

Unless otherwise specifically stated in Exhibit B, COUNTY shall not be responsible for payment of any of CONTRACTOR's expenses related to this Agreement.

3.2 No price increases will be permitted during the first year of this Agreement (If applicable). All price decreases (for example, if CONTRACTOR offers lower prices to another governmental entity) will automatically be extended to the COUNTY. The COUNTY requires written proof satisfactory to COUNTY of cost increases prior to any approved price adjustment. After the first year of the award, a minimum of 30-days advance notice in writing is required to be considered and approved by COUNTY. No retroactive price adjustments will be considered. Any price increases must be stated in a written amendment to this Agreement. The net dollar amount of profit will remain firm during the period of the Agreement. Annual increases shall not exceed the Consumer Price Index- All Consumers, All Items - Greater Los Angeles, Riverside and Orange County areas and be subject to satisfactory performance review by the COUNTY and approved (if needed) for budget funding by the Board of Supervisors.

3.3 CONTRACTOR shall be paid only in accordance with an invoice submitted to COUNTY by CONTRACTOR within fifteen (15) days from the last day of each calendar month, and COUNTY shall pay the invoice within thirty (30) working days from the date of receipt of the invoice. Payment shall be made to CONTRACTOR only after services have been rendered or delivery of materials or products, and acceptance has been made by COUNTY. Prepare invoices in duplicate. For this Agreement, send the original and duplicate copies of invoices to:

SHERIFF FLEET SERVICES
7195 ALESSANDRO BLVD
RIVERSIDE, CA 92506
ATTN: FLEET SERGEANT

- a) Each invoice shall contain a minimum of the following information: invoice number and date; remittance address; bill-to and ship-to addresses of ordering department/division; Agreement number (SHARC-05516-006-09/19); Vehicle Identification Number ("VIN"), unit number and date of delivery to the CONTRACTOR's facility; quantities; item descriptions, unit prices, extensions, sales/use tax if applicable, and an invoice total.
- b) The CONTRACTOR (s) shall submit invoices to Sheriff's Fleet after inspection and acceptance by the COUNTY.

3.4 The COUNTY obligation for payment of this Agreement beyond the current fiscal year end is contingent upon and limited by the availability of COUNTY funding from which payment can be made, and invoices shall be rendered "monthly" in arrears. In the State of California, Government agencies are not allowed to pay excess interest and late charges, per Government Codes, Section 926.10. No legal liability on the part of the COUNTY shall arise for payment beyond June 30 of each calendar year unless funds are made available for such payment. In the event that such funds are not forthcoming for any reason, COUNTY shall immediately notify CONTRACTOR in writing; and this Agreement shall be deemed terminated, have no further force, and effect.

4. Alteration or Changes to the Agreement

4.1 The Board of Supervisors and the COUNTY Purchasing Agent and/or his designee is the only authorized COUNTY representatives who may at any time, by written order, alter this Agreement. If any such alteration causes an increase or decrease in the cost of, or the time required for the performance under this Agreement, an equitable adjustment shall be made in the Agreement price or delivery schedule, or both, and the Agreement shall be modified by written amendment accordingly.

4.2 Any claim by the CONTRACTOR for additional payment related to this Agreement shall be made in writing by the CONTRACTOR within 30 days of when the CONTRACTOR has or should have notice of any actual or claimed change in the work, which results in additional and unanticipated cost to the CONTRACTOR. If the COUNTY Purchasing Agent decides that the facts provide sufficient justification, he may authorize additional payment to the CONTRACTOR pursuant to the claim. Nothing in this section shall excuse the CONTRACTOR from proceeding with performance of the Agreement even if there has been a change.

5. Termination

5.1. COUNTY may terminate this Agreement without cause upon 30 days written notice served upon the CONTRACTOR stating the extent and effective date of termination.

5.2 COUNTY may, upon five (5) days written notice terminate this Agreement for CONTRACTOR's default, if CONTRACTOR refuses or fails to comply with the terms of this Agreement or fails to make progress that may endanger performance and does not immediately cure such failure. In the event of such termination, the COUNTY may proceed with the work in any manner deemed proper by COUNTY.

5.3 After receipt of the notice of termination, CONTRACTOR shall:

- (a) Stop all work under this Agreement on the date specified in the notice of termination; and,
- (b) Transfer to COUNTY and deliver in the manner as directed by COUNTY any materials, reports or other products, which, if the Agreement had been completed or continued, would have been required to be furnished to COUNTY.

5.4 After termination, COUNTY shall make payment only for CONTRACTOR's performance up to the date of termination in accordance with this Agreement.

5.5 CONTRACTOR's rights under this Agreement shall terminate (except for fees accrued prior to the date of termination) upon dishonesty or a willful or material breach of this Agreement by CONTRACTOR; or in the event of CONTRACTOR's unwillingness or inability for any reason whatsoever to perform the terms of this Agreement. In such event, CONTRACTOR shall not be entitled to any further compensation under this Agreement.

5.6 If the Agreement is federally or State funded, CONTRACTOR cannot be debarred from the System for Award Management (SAM). CONTRACTOR must notify the COUNTY immediately of a debarment. Reference: System for Award Management (SAM) at <https://www.sam.gov> for Central Contractor Registry (CCR), Federal Agency Registration (Fedreg), Online Representations and Certifications Application, and Excluded Parties List System (EPLS)). Excluded Parties Listing System (EPLS) (<http://www.epls.gov>) (Executive Order 12549, 7 CFR Part 3017, 45 CFR Part 76, and 44 CFR Part 17). The System for Award Management (SAM) is the Official U.S. Government system that consolidated the capabilities of CCR/FedReg, ORCA, and EPLS.

5.7 The rights and remedies of COUNTY provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or this Agreement.

6. Ownership/Use of Contract Materials and Products

The CONTRACTOR agrees that all materials, reports or products in any form, including electronic, created by CONTRACTOR for which CONTRACTOR has been compensated by COUNTY pursuant to this Agreement shall be the sole property of the COUNTY. The material, reports or products may be used by the COUNTY for any purpose that the COUNTY deems to be appropriate, including, but not limit to, duplication and/or distribution within the COUNTY or to third parties. CONTRACTOR agrees not to release or circulate in whole or part such materials, reports, or products without prior written authorization of the COUNTY.

7. Conduct of Contractor

7.1 The CONTRACTOR covenants that it presently has no interest, including, but not limited to, other projects or contracts, and shall not acquire any such interest, direct or indirect, which would conflict in any manner or degree with CONTRACTOR's performance under this Agreement. The CONTRACTOR further covenants that no person or subcontractor having any such interest shall be employed or retained by CONTRACTOR under this Agreement. The CONTRACTOR agrees to inform the COUNTY of all the CONTRACTOR's interests, if any, which are or may be perceived as incompatible with the COUNTY's interests.

7.2 The CONTRACTOR shall not, under circumstances which could be interpreted as an attempt to influence the recipient in the conduct of his/her duties, accept any gratuity or special favor from individuals or firms with whom the CONTRACTOR is doing business or proposing to do business, in accomplishing the work under this Agreement.

7.3 The CONTRACTOR or its employees shall not offer gifts, gratuity, favors, and entertainment directly or indirectly to COUNTY employees.

8. Inspection of Service; Quality Control/Assurance

8.1 All performance (which includes services, workmanship, materials, supplies and equipment furnished or utilized in the performance of this Agreement) shall be subject to inspection and test by the COUNTY or other regulatory agencies at all times. The CONTRACTOR shall provide adequate cooperation to any inspector or other COUNTY representative to permit him/her to determine the CONTRACTOR's conformity with the terms of this Agreement. If any services performed or products provided by CONTRACTOR are not in conformance with the terms of this Agreement, the COUNTY shall have the right to require the CONTRACTOR to perform the services or provide the products in conformance with the terms of the Agreement at no additional cost to the COUNTY. When the services to be performed or the products to be provided are of such nature that the difference cannot be corrected; the COUNTY shall have the right to: (1) require the CONTRACTOR immediately to take all necessary steps to ensure future performance in conformity with the terms of the Agreement; and/or (2) reduce the Agreement price to reflect the reduced value of the services performed or products provided. The COUNTY may also terminate this Agreement for default and charge to CONTRACTOR any costs incurred by the COUNTY because of the CONTRACTOR's failure to perform.

8.2 CONTRACTOR shall establish adequate procedures for self-monitoring and quality control and assurance to ensure proper performance under this Agreement; and shall permit a COUNTY representative or other regulatory official to monitor, assess, or evaluate CONTRACTOR's performance under this Agreement at any time, upon reasonable notice to the CONTRACTOR.

9. Independent Contractor/Employment Eligibility

9.1 The CONTRACTOR is, for purposes relating to this Agreement, an independent contractor and shall not be deemed an employee of the COUNTY. It is expressly understood and agreed that the CONTRACTOR (including its employees, agents, and subcontractors) shall in no event be entitled to any benefits to which COUNTY employees are entitled, including but not limited to overtime, any retirement benefits, worker's compensation benefits, and injury leave or other leave benefits. There shall be no employer-employee relationship between the parties; and CONTRACTOR shall hold COUNTY harmless from any and all claims that may be made against COUNTY based upon any contention by a third party that an employer-employee relationship exists by reason of this Agreement. It is further understood and agreed by the parties that CONTRACTOR in the performance of this Agreement is subject to the control or direction of COUNTY merely as to the results to be accomplished and not as to the means and methods for accomplishing the results.

9.2 CONTRACTOR warrants that it shall make its best effort to fully comply with all federal and state statutes and regulations regarding the employment of aliens and others and to ensure that employees performing work under this Agreement meet the citizenship or alien status requirement set forth in federal statutes and regulations. CONTRACTOR shall obtain, from all employees performing work hereunder, all verification and other documentation of employment eligibility status required by federal or state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986, 8 U.S.C. §1324 et seq., as they currently exist and as they may be hereafter amended. CONTRACTOR shall retain all such documentation for all covered employees, for the period prescribed by the law.

9.3 Ineligible Person shall be any individual or entity who: Is currently excluded, suspended, debarred or otherwise ineligible to participate in the federal health care programs; or has been convicted of a criminal offense related to the provision of health care items or services and has not been reinstated in the federal health care programs after a period of exclusion, suspension, debarment, or ineligibility.

9.4 CONTRACTOR shall screen prospective Covered Individuals prior to hire or engagement. CONTRACTOR shall not hire or engage any Ineligible Person to provide services directly relative to this

Agreement. CONTRACTOR shall screen all current Covered Individuals within sixty (60) days of execution of this Agreement to ensure that they have not become Ineligible Persons unless CONTRACTOR has performed such screening on same Covered Individuals under a separate agreement with COUNTY within the past six (6) months. Covered Individuals shall be required to disclose to CONTRACTOR immediately any debarment, exclusion or other event that makes the Covered Individual an Ineligible Person. CONTRACTOR shall notify COUNTY within five (5) business days after it becomes aware if a Covered Individual providing services directly relative to this Agreement becomes debarred, excluded or otherwise becomes an Ineligible Person.

9.5 CONTRACTOR acknowledges that Ineligible Persons are precluded from providing federal and state funded health care services by contract with COUNTY in the event that they are currently sanctioned or excluded by a federal or state law enforcement regulatory or licensing agency. If CONTRACTOR becomes aware that a Covered Individual has become an Ineligible Person, CONTRACTOR shall remove such individual from responsibility for, or involvement with, COUNTY business operations related to this Agreement.

9.6 CONTRACTOR shall notify COUNTY within five (5) business days if a Covered Individual or entity is currently excluded, suspended or debarred, or is identified as such after being sanction screened. Such individual or entity shall be promptly removed from participating in any activity associated with this Agreement.

10. Subcontract for Work or Services

No contract shall be made by the CONTRACTOR with any other party for furnishing any of the work or services under this Agreement without the prior written approval of the COUNTY; but this provision shall not require the approval of contracts of employment between the CONTRACTOR and personnel assigned under this Agreement, or for parties named in the proposal and agreed to under this Agreement.

11. Disputes

11.1 The parties shall attempt to resolve any disputes amicably at the working level. If that is not successful, the dispute shall be referred to the senior management of the parties. Any dispute relating to this Agreement, which is not resolved by the parties, shall be decided by the COUNTY's Purchasing Department's Compliance Contract Officer who shall furnish the decision in writing. The decision of the COUNTY's Compliance Contract Officer shall be final and conclusive unless determined by a court of

competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous to imply bad faith. The CONTRACTOR shall proceed diligently with the performance of this Agreement pending the resolution of a dispute.

11.2 Prior to the filing of any legal action related to this Agreement, the parties shall be obligated to attend a mediation session in Riverside County before a neutral third party mediator. A second mediation session shall be required if the first session is not successful. The parties shall share the cost of the mediations.

12. Licensing and Permits

CONTRACTOR shall comply with all State or other licensing requirements, including but not limited to the provisions of Chapter 9 of Division 3 of the Business and Professions Code. All licensing requirements shall be met at the time proposals are submitted to the COUNTY. CONTRACTOR warrants that it has all necessary permits, approvals, certificates, waivers and exemptions necessary for performance of this Agreement as required by the laws and regulations of the United States, the State of California, the County of Riverside and all other governmental agencies with jurisdiction, and shall maintain these throughout the term of this Agreement.

13. Use By Other Political Entities

The CONTRACTOR agrees to extend the same pricing, terms, and conditions as stated in this Agreement to each and every political entity, special district, and related non-profit entity in Riverside County. It is understood that other entities shall make purchases in their own name, make direct payment, and be liable directly to the CONTRACTOR; and COUNTY shall in no way be responsible to CONTRACTOR for other entities' purchases.

14. Non-Discrimination

CONTRACTOR shall not be discriminate in the provision of services, allocation of benefits, accommodation in facilities, or employment of personnel on the basis of ethnic group identification, race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status or sex in the performance of this Agreement; and, to the extent they shall be found to be applicable hereto, shall comply with the provisions of the California Fair Employment and Housing Act (Gov. Code 12900 et. seq), the Federal Civil Rights Act of 1964 (P.L. 88-352), the Americans with Disabilities Act of 1990 (42 U.S.C. S1210 et seq.) and all other applicable laws or regulations.

15. Records and Documents

CONTRACTOR shall make available, upon written request by any duly authorized Federal, State, or COUNTY agency, a copy of this Agreement and such books, documents and records as are necessary to certify the nature and extent of the CONTRACTOR's costs related to this Agreement. All such books, documents and records shall be maintained by CONTRACTOR for at least five years following termination of this Agreement and be available for audit by the COUNTY. CONTRACTOR shall provide to the COUNTY reports and information related to this Agreement as requested by COUNTY.

16. Confidentiality

16.1 The CONTRACTOR shall not use for personal gain or make other improper use of privileged or confidential information which is acquired in connection with this Agreement. The term "privileged or confidential information" includes but is not limited to: unpublished or sensitive technological or scientific information; medical, personnel, or security records; anticipated material requirements or pricing/purchasing actions; COUNTY information or data which is not subject to public disclosure; COUNTY operational procedures; and knowledge of selection of contractors, subcontractors or suppliers in advance of official announcement.

16.2 The CONTRACTOR shall protect from unauthorized disclosure names and other identifying information concerning persons receiving services pursuant to this Agreement, except for general statistical information not identifying any person. The CONTRACTOR shall not use such information for any purpose other than carrying out the CONTRACTOR's obligations under this Agreement. The CONTRACTOR shall promptly transmit to the COUNTY all third party requests for disclosure of such information. The CONTRACTOR shall not disclose, except as otherwise specifically permitted by this Agreement or authorized in advance in writing by the COUNTY, any such information to anyone other than the COUNTY. For purposes of this paragraph, identity shall include, but not be limited to, name, identifying number, symbol, or other identifying particulars assigned to the individual, such as finger or voice print or a photograph.

17. Administration/Contract Liaison

The Sheriff Department, or designee, shall administer this Agreement on behalf of the COUNTY. The Purchasing Department shall also serve as a liaison with CONTRACTOR in connection with this Agreement.

18. Notices

All correspondence and notices required or contemplated by this Agreement shall be delivered to the respective parties at the addresses set forth below and are deemed submitted two days after their deposit in the United States mail, postage prepaid:

COUNTY OF RIVERSIDE

Sheriff Fleet Services
7195 Alessandro Blvd
Riverside, CA 92506
Sgt. John Carlberg

Purchasing and Fleet Services
2980 Washington Street
Riverside, CA 92504

CONTRACTOR

Innovative Design and Sheet Metal Products, Inc.
(Dba: Innovative Emergency Equipment)
1616 Marlborough Ave. Unit S-1
Riverside, CA 92507

19. Force Majeure

If either party is unable to comply with any provision of this Agreement due to causes beyond its reasonable control, and which could not have been reasonably anticipated, such as acts of God, acts of war, civil disorders, or other similar acts, such party shall not be held liable for such failure to comply.

20. EDD Reporting Requirements

In order to comply with child support enforcement requirements of the State of California, the COUNTY may be required to submit a Report of Independent Contractor(s) form **DE 542** to the Employment Development Department. The CONTRACTOR agrees to furnish the required data and certifications to the COUNTY within 10 days of notification of award of Agreement when required by the EDD. This data will be transmitted to governmental agencies charged with the establishment and enforcement of child support orders. Failure of the CONTRACTOR to timely submit the data and/or certificates required may result in the contract being awarded to another contractor. In the event a contract has been issued, failure of the CONTRACTOR to comply with all federal and state reporting requirements for child support enforcement or to comply with all lawfully served Wage and Earnings Assignments Orders and Notices of Assignment shall constitute a material breach of Agreement. If CONTRACTOR has any questions concerning this reporting requirement, please call (916) 657-0529. CONTRACTOR should also contact its local Employment Tax Customer Service Office listed in the telephone directory in the State Government section under "Employment Development Department" or access their Internet site at www.edd.ca.gov.

21. Hold Harmless/Indemnification

21.1 CONTRACTOR shall indemnify and hold harmless the County of Riverside, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives (individually and collectively hereinafter referred to as Indemnitees) from any liability, action, claim or damage whatsoever, based or asserted upon any services of CONTRACTOR, its officers, employees, subcontractors, agents or representatives arising out of or in any way relating to this Agreement, including but not limited to property damage, bodily injury, or death or any other element of any kind or nature. CONTRACTOR shall defend the Indemnitees at its sole expense including all costs and fees (including, but not limited, to attorney fees, cost of investigation, defense and settlements or awards) in any claim or action based upon such acts, omissions or services.

21.2 With respect to any action or claim subject to indemnification herein by CONTRACTOR, CONTRACTOR shall, at their sole cost, have the right to use counsel of their own choice and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of COUNTY; provided, however, that any such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes CONTRACTOR indemnification to Indemnitees as set forth herein.

21.3 CONTRACTOR'S obligation hereunder shall be satisfied when CONTRACTOR has provided to COUNTY the appropriate form of dismissal relieving COUNTY from any liability for the action or claim involved.

21.4 The specified insurance limits required in this Agreement shall in no way limit or circumscribe CONTRACTOR'S obligations to indemnify and hold harmless the Indemnitees herein from third party claims.

22. Insurance

22.1 Without limiting or diminishing the CONTRACTOR'S obligation to indemnify or hold the COUNTY harmless, CONTRACTOR shall procure and maintain or cause to be maintained, at its sole cost and expense, the following insurance coverage's during the term of this Agreement. As respects to the insurance section only, the COUNTY herein refers to the County of Riverside, its Agencies, Districts, Special Districts, and Departments, their respective directors, officers, Board of Supervisors, employees, elected or appointed officials, agents, or representatives as Additional Insureds.

A. Workers' Compensation:

If the CONTRACTOR has employees as defined by the State of California, the CONTRACTOR shall maintain statutory Workers' Compensation Insurance (Coverage A) as prescribed by the laws of the State of California. Policy shall include Employers' Liability (Coverage B) including Occupational Disease with limits not less than \$1,000,000 per person per accident. The policy shall be endorsed to waive subrogation in favor of The County of Riverside.

B. Commercial General Liability:

Commercial General Liability insurance coverage, including but not limited to, premises liability, unmodified contractual liability, products and completed operations liability, personal and advertising injury, and cross liability coverage, covering claims which may arise from or out of CONTRACTOR'S performance of its obligations hereunder. Policy shall name the COUNTY as Additional Insured. Policy's limit of liability shall not be less than \$1,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to this agreement or be no less than two (2) times the occurrence limit.

C. Vehicle Liability:

If vehicles or mobile equipment is used in the performance of the obligations under this Agreement, then CONTRACTOR shall maintain liability insurance for all owned, non-owned, or hired vehicles so used in an amount not less than \$1,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to this agreement or be no less than two (2) times the occurrence limit. Policy shall name the COUNTY as Additional Insureds.

D. General Insurance Provisions - All lines:

1) Any insurance carrier providing insurance coverage hereunder shall be admitted to the State of California and have an A M BEST rating of not less than A: VIII (A:8) unless such requirements are waived, in writing, by the County Risk Manager. If the County's Risk Manager waives a requirement for a particular insurer such waiver is only valid for that specific insurer and only for one policy term.

2) The CONTRACTOR must declare its insurance self-insured retention for each coverage required herein. If any such self-insured retention exceeds \$500,000 per occurrence each such retention shall have the prior written consent of the County Risk Manager before the commencement of operations under this Agreement. Upon notification of self-insured retention unacceptable to the COUNTY, and at the election of the County's Risk Manager, CONTRACTOR'S carriers shall either; 1) reduce or eliminate such self-

insured retention as respects this Agreement with the COUNTY, or 2) procure a bond which guarantees payment of losses and related investigations, claims administration, and defense costs and expenses.

3) CONTRACTOR shall cause CONTRACTOR'S insurance carrier(s) to furnish the County of Riverside with either 1) a properly executed original Certificate(s) of Insurance and certified original copies of Endorsements effecting coverage as required herein, and 2) if requested to do so orally or in writing by the County Risk Manager, provide original Certified copies of policies including all Endorsements and all attachments thereto, showing such insurance is in full force and effect. Further, said Certificate(s) and policies of insurance shall contain the covenant of the insurance carrier(s) that thirty (30) days written notice shall be given to the County of Riverside prior to any material modification, cancellation, expiration or reduction in coverage of such insurance. In the event of a material modification, cancellation, expiration, or reduction in coverage, this Agreement shall terminate forthwith, unless the County of Riverside receives, prior to such effective date, another properly executed original Certificate of Insurance and original copies of endorsements or certified original policies, including all endorsements and attachments thereto evidencing coverage's set forth herein and the insurance required herein is in full force and effect. CONTRACTOR shall not commence operations until the COUNTY has been furnished original Certificate (s) of Insurance and certified original copies of endorsements and if requested, certified original policies of insurance including all endorsements and any and all other attachments as required in this Section. An individual authorized by the insurance carrier shall sign the original endorsements for each policy and the Certificate of Insurance.

4) It is understood and agreed to by the parties hereto that the CONTRACTOR'S insurance shall be construed as primary insurance, and the COUNTY'S insurance and/or deductibles and/or self-insured retention's or self-insured programs shall not be construed as contributory.

5) If, during the term of this Agreement or any extension thereof, there is a material change in the scope of services; or, there is a material change in the equipment to be used in the performance of the scope of work; or, the term of this Agreement, including any extensions thereof, exceeds five (5) years; the COUNTY reserves the right to adjust the types of insurance and the monetary limits of liability required under this Agreement, if in the County Risk Manager's reasonable judgment, the amount or type of insurance carried by the CONTRACTOR has become inadequate.

6) CONTRACTOR shall pass down the insurance obligations contained herein to all tiers of subcontractors working under this Agreement.

7) The insurance requirements contained in this Agreement may be met with a program(s) of self-insurance acceptable to the COUNTY.

8) CONTRACTOR agrees to notify COUNTY of any claim by a third party or any incident or event that may give rise to a claim arising from the performance of this Agreement.

23. General

23.1 CONTRACTOR shall not delegate or assign any interest in this Agreement, whether by operation of law or otherwise, without the prior written consent of COUNTY. Any attempt to delegate or assign any interest herein shall be deemed void and of no force or effect.

23.2 Any waiver by COUNTY of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term of this Agreement. Failure on the part of COUNTY to require exact, full, and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms or preventing COUNTY from enforcement of the terms of this Agreement.

23.3 In the event the CONTRACTOR receives payment under this Agreement, which is later disallowed by COUNTY for nonconformance with the terms of the Agreement, the CONTRACTOR shall promptly refund the disallowed amount to the COUNTY on request; or at its option the COUNTY may offset the amount disallowed from any payment due to the CONTRACTOR.

23.4 CONTRACTOR shall not provide partial delivery or shipment of services or products unless specifically stated in the Agreement.

23.5 CONTRACTOR shall not provide any services or products subject to any chattel mortgage or under a conditional sales contract or other agreement by which an interest is retained by a third party. The CONTRACTOR warrants that it has good title to all materials or products used by CONTRACTOR or provided to COUNTY pursuant to this Agreement, free from all liens, claims, or encumbrances.

23.6 Nothing in this Agreement shall prohibit the COUNTY from acquiring the same type or equivalent equipment, products, materials or services from other sources, when deemed by the COUNTY to be in its best interest. The COUNTY reserves the right to purchase more or less than the quantities specified in this Agreement.

23.7 The COUNTY agrees to cooperate with the CONTRACTOR in the CONTRACTOR's performance under this Agreement, including, if stated in the Agreement, providing the CONTRACTOR with reasonable facilities and timely access to COUNTY data, information, and personnel.

23.8 CONTRACTOR shall comply with all applicable Federal, State and local laws and regulations. CONTRACTOR will comply with all applicable COUNTY policies and procedures. In the event that there is a conflict between the various laws or regulations that may apply, the CONTRACTOR shall comply with the more restrictive law or regulation.

23.9 CONTRACTOR shall comply with all air pollution control, water pollution, safety and health ordinances, statutes, or regulations, which apply to performance under this Agreement.

23.10 CONTRACTOR shall comply with all requirements of the Occupational Safety and Health Administration (OSHA) standards and codes as set forth by the U.S. Department of Labor and the State of California (Cal/OSHA).

23.11 This Agreement shall be governed by the laws of the State of California. Any legal action related to the performance or interpretation of this Agreement shall be filed only in the Superior Court of the State of California located in Riverside, California, and the parties waive any provision of law providing for a change of venue to another location. In the event any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

23.12 This Agreement, including any attachments or exhibits, constitutes the entire Agreement of the parties with respect to its subject matter and supersedes all prior and contemporaneous representations, proposals, discussions and communications, whether oral or in writing. This Agreement may be changed or modified only by a written amendment signed by authorized representatives of both parties.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Agreement.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

By: 

John J. Benoit, Chairman
Board of Supervisors

Dated: SEP 27 2016

Innovative Design and Sheet Metal Products, Inc.
(DBA: Innovative Emergency Equipment)

By: 

Name: James Wood
Title: President

Dated: SEP. 2, 2016

ATTEST:

Kecia Harper-Ihem
Clerk of the Board

By: 

Deputy

APPROVED AS TO FORM:

Gregory P. Priamos
County Counsel

By: 

Neal Kipnis,
Deputy County Counsel

**EXHIBIT A
SCOPE OF SERVICE**

A. CONTRACTOR REQUIREMENTS

1. CONTRACTOR shall provide equipment, labor/installation and removal services as ordered by the COUNTY for all active, retired duty and service vehicles for the Sheriff Department. The CONTRACTOR shall provide product usage reports to satisfactorily support the COUNTY. The COUNTY shall order products that are identified as approved items that are listed in the Sheriff's Vehicle Specifications Manual 2016, as necessary.
 - a. The Sheriff's Department shall have the CONTRACTOR build patrol, stealth, and plain vehicles to be determined by the Sheriff Fleet Department. Current vehicle types are as follows: Ford: Crown Victoria Patrol Cars, Ford: Crown Victoria Stealth Cars, Ford: Expedition Patrol Cars, Ford: Expedition Stealth Cars, and Ford: Utility Interceptors, Chevrolet Caprice and Dodge Chargers.
 - b. The CONTRACTOR shall be responsible for providing the product inventory's, manpower resources, and/or production equipment.
 - c. The Sheriff Department may evaluate other possible patrol vehicles at the discretion of the Sheriff Department.
2. The Sheriff Department may order Specialty Vehicles from time to time during the year that may include Patrol K-9 adaptations, Forensic Trucks, Bomb Squad Vehicles, S.E.R.T. Vehicles (Sheriff's Emergency Response Team), S.E.B. Vehicles (Special Enforcement Bureau/SWAT), Correction Transportation Vehicles and Coroner Vehicles.
3. The "Specialty Vehicles" are custom built by the CONTRACTOR, and these specialty vehicles may vary from vehicle to vehicle depending on what type of equipment is needed by the Sheriff station or specialized unit. There is no definitive specification book associated with these types of specialty vehicles because of the constant changes in the equipment requirements.
4. The CONTRACTOR shall strip a combination of patrol, stealth, and plain vehicles. The CONTRACTOR shall remotely strip non-drivable vehicles (out of service & collision totals) at the at various COUNTY locations in Moreno Valley, Murrieta (Southwest Temecula), Rubidoux and Indio.
5. Vehicle strips may include, but not limited to, the removal of:
 - a. All emergency lighting equipment and siren
 - b. Police radio, scanner, and mobile data computer
 - c. Partition cages or K-9 kennels
 - d. All gun racks
 - e. Metal trunk boxes and trays
 - f. Fire extinguisher
 - g. Rear plastic seat and seat belts

6. The COUNTY shall have the best pricing, based on the economies of scale, for those items specifically identified in the Sheriff's Vehicle Specification Manual 2016. The COUNTY is to receive the lowest price for those identical/similar items as listed in Exhibit B of the Agreement.
7. Commodities that the Riverside COUNTY Sheriff's Department, COUNTY Agencies, or Contract Cities may **not** acquire from the Agreement are items that would be identified as a fire-arm (weapon) or the ammunition and accessories for such equipment.
8. The CONTRACTOR shall deliver, and shall have "will-call" delivery product inventory as needed for the Sheriff Department.
9. Pricing will be all inclusive of any vendor vehicle pick-up or delivery fees, should the Sheriff Department personnel not be able to provide that service. The Sheriff Department personnel may bring either a new vehicle or a retired vehicle with them when notified by the CONTRACTOR of a completed new vehicle installation or the completion of a vehicle "strip-out."
11. CONTRACTOR pricing shall be accurate to the type of Sheriff's vehicle being built and or stripped (i.e.: a plain Sheriff's vehicle build or strip is expected to be far less than the same for a patrol vehicle equipped with a Mobile Data Computer (MDC) and emergency lighting.
12. The CONTRACTOR shall provide a unit price for the individual products as noted in the Exhibit B and extend those prices to the vehicle type as specified. The COUNTY of Riverside, Sheriff's Department requests that unless an item is discontinued, substitutes are subject to prior review and written approval by the COUNTY.
 - a. Special Equipment:
 - i. The CONTRACTOR shall make the necessary commitment to provide equipment and trained personnel, at the CONTRACTOR'S location, to support the volume of vehicles the Sheriff's Department requires to maintain its operations and fleet levels.
 - ii. The CONTRACTOR shall be required to have access to a custom fabrication shop that would allow for the many and various vehicle builds and subsequent installations that arise from various needs and specialty configurations of the department.
 - iii. The CONTRACTOR shall have made or have made a "one-piece electrical wiring harness" to be installed in the Sheriff's vehicles to maintain consistency in installation of equipment and ease in trouble shooting electrical problems. NO EXCEPTIONS.
13. Equipment: The COUNTY reserves the right to have equipment/parts installed that are of equal design, form, fit, and function. The COUNTY reserves the right to specify or make changes on equipment for the duration of the Agreement.

B. OPERATIONAL SPECIFICATIONS

1. CONTRACTOR shall contact the Sheriff's Department personnel to identify all vehicle service equipment/parts that will be stocked at the CONTRACTOR'S location. This shall be accomplished within 30 days of the approved Agreement. This shall repeat itself every year and prior to the renewal of the Agreement. This is necessary to adjust for rolling stock changes within the Sheriff's

Department. By mutual agreement between the CONTRACTOR and the COUNTY, available inventory of equipment/parts shall be determined using expected weekly production output based on monthly or yearly vehicle installation projections.

2. The CONTRACTOR shall be committed to the "Maximum" production/delivery time required to complete the projected number of vehicle installations. The CONTRACTOR shall complete a single vehicle installation in five (5) business days. The CONTRACTOR shall commit to a service satisfaction level (i.e.95%) and to make the necessary investment in "on-hand inventory of equipment/parts" and service personnel to maintain this Agreement. The CONTRACTOR shall monitor their local and back-up inventories on a regular basis and coordinate their replenishment orders with the supplying factory to take into account lead time and production schedules, and sales to other user agencies, and to insure that the Riverside County Sheriff Department shall be serviced in a proper manner to this Agreement.
 - a. *Should it be determined that the CONTRACTOR has not made the necessary commitment to service the COUNTY with proper inventory stocking levels, demonstrated poor performance, or poor quality of workmanship to the Riverside County Sheriff's Department, the Riverside County Sheriff Department may issue a thirty (30) day notice to rescind the balance of this Agreement shall and will be issued by COUNTY on behalf of the Sheriff's Department. Frequent late deliveries of completed vehicle installations or consistent failure to meet delivery of vehicles without valid and justified reasons may result in cancellation of the entire award/contract and/or possible removal from the bid list.*
3. DELAYS: If a delay is foreseen in the availability of any part, an accessory (of any type), or piece of equipment required to complete the vehicle installation as ordered by the Riverside County Sheriff Department personnel, or any of the above items that are normally considered an "In-Stock" inventory item, the CONTRACTOR shall give thirty (30) day prior written notice to the Sheriff's Department and to the Riverside County Purchasing. This notice shall detail the exact nature of the delay and the date of when the item will be received by the CONTRACTOR to be available in inventory and ready for installation. The Sheriff Department and Riverside County Purchasing Department has the right to extend the delivery due date if reasons appear to be reasonable, at the sole discretion of the COUNTY. The CONTRACTOR must keep the Sheriff Department personnel advised at all times of the status of the delay. Default in "promised delivery" (without acceptable reasons) or failure to meet specifications, authorizes the Sheriff Department and Riverside County Purchasing Department to purchase the parts, accessories, or equipment elsewhere and charge full increase in cost and handling to the defaulting CONTRACTOR.
4. EQUIPMENT PICK-UP: The CONTRACTOR shall notify the Sheriff Department Fleet Unit, managing sergeant only after the required equipment has been completely and successfully installed of the previously delivered COUNTY vehicle; and that this vehicle has successfully completed and passed functionality testing of the installed equipment prior to pick-up from the Riverside County Sheriff Department. A delivery/check-out form, for each vehicle, shall also have been prepared, annotated, and ready for the vehicle pick-up inspection. CONTRACTOR delivery/inspection procedure is important; and that in the event a completed delivery is not made as required by the COUNTY, or the per vehicle delivery/inspection time has been prolonged due to on-site repairs of

equipment or installation defects on that vehicle, liquidated damages of \$70.00 per hour will be assessed for the total combined extended waiting times on those vehicles at the end of the month. The CONTRACTOR will be allotted a total combined waiting time (down time) for minor installation repairs of one (1) hour per month. Excess hours of waiting time (down-time), beyond the one (1) hour, will be "charged-back" to the CONTRACTOR. In the event such liquidated damages are assessed by the COUNTY, the COUNTY shall deduct the amount thereof from any moneys due or that may come due to the CONTRACTOR under this Agreement.

5. **INSTALLATION LOCATION:** The Riverside COUNTY, Sheriff Fleet Services Department is located in the metropolitan area of Riverside, California. The CONTRACTOR installation site shall be located within this area. CONTRACTOR shall be responsible for transporting all vehicles to and from the Riverside COUNTY, Sheriff's Department Communication Center located at 7195 Alessandro Blvd., Riverside, California 92506. Should a delivered vehicle be required to be returned back to the "out-of-the-area" CONTRACTOR, for reason(s) that the CONTRACTOR caused, then a \$70.00 per hour charge-back" will be assessed back to the CONTRACTOR for each day the vehicle is unable to be placed into service. The Riverside COUNTY, Sheriff's Fleet Services personnel will not be responsible for transporting said vehicle to or from the out-of-the-area CONTRACTOR.
6. **SERVICE CENTER:** The CONTRACTOR shall have the ability and experience to service (Emergency Vehicle Lighting Equipment) upon commencement of the Agreement. The CONTRACTOR is not required to be an authorized manufacture warranty repair center, it is expected that the CONTRACTOR will handle all warranty claims.
7. **ALTERATIONS:** Any alterations to the specifications, without the written approval of the Sheriff Department Fleet Services personnel and the Purchasing Agent, will be considered not compliant.
8. **CONTRACT QUANTITIES:** The quantities in the Agreement are not guaranteed and are given for information purposes only to the CONTRACTOR. They do not indicate the actual quantity, which will be ordered, since such volume will depend upon requirements, which develop during the Agreement period.
 - a. Quantities shown or discussed shall not be construed to represent any amount of which the COUNTY shall be obligated to purchase under the Agreement, or relieve the CONTRACTOR of the obligation to fill all vehicle installation orders placed by the COUNTY.
 - b. The COUNTY shall NOT guarantee any order of a specific quantity on any vehicle installation, type of vehicle installation, or vehicle strip-out.
 - c. The COUNTY does not guarantee any amount of services or products to any vendor or vendors. If the CONTRACTOR is unable to perform to the requirements as stated in the Agreement, the COUNTY reserves the right to assign work to another CONTRACTOR in order to maintain Sheriff Fleet Vehicles for Public Safety at any time.
9. **WARRANTY:** CONTRACTOR shall provide a warranty that includes all parts and labor, which includes all repairs/services of equipment(s) under warranty, manufacture warranty or CONTRACTOR warranty. CONTRACTOR warranty for workmanship shall be for two (2) years. CONTRACTOR shall assume all responsibilities pertaining to shipping and handling of equipment

that has to be sent back to the manufacture for repairs/services. In the event the equipment is beyond repair, a replacement of a brand new equipment of the same model or equivalent shall be provided by CONTRACTOR. REMANUFACTURED equipment is not accepted.

10. CONTRACTOR SITE LOCATION SECURITY: CONTRACTOR shall provide site security at their location with no additional charge to the COUNTY. Site security shall be maintained 24 hours a day/365 days a year. All COUNTY vehicles that are in the possession of the CONTRACTOR shall be responsible for any and all damages while they are at the CONTRACTORS site. If any COUNTY vehicle is driven on public roads by the CONTRACTOR, they must have the proper insurance to be provided to the COUNTY and are responsible for any and all damages while in the possession of the CONTRACTOR. COUNTY vehicles that are outfitted with approved equipment shall be placed inside the CONTRACTOR's building when the CONTRACTOR is closed.

C. CALIFORNIA STATE BOARD OF EQUALIZATION

1. The California State Board of Equalization ("BOE") has determined that labor charge for installing parts or accessories to a **new vehicle** is fabrication labor subject to sales tax. Pursuant to the 60 Day Rule, a vehicle is considered new if it entered the CONTRACTOR's facility for vehicle-equipment installation within 60 days of the date the vehicle is registered with the California Department of Motor Vehicles ("DMV") as a new vehicle.
2. Based on the 60 Day Rule, COUNTY agrees to pay California sales tax to the CONTRACTOR on the labor performed by CONTRACTOR for installing equipment to new County vehicles during the term of this Agreement if the CONTRACTOR's invoice includes such sales tax. CONTRACTOR acknowledges and agrees that the COUNTY is not liable for any penalties and/or interests which may be owed by the CONTRACTOR to the State of California relating to sales tax. Within thirty (30) days of COUNTY's written request, CONTRACTOR shall refund the COUNTY any California sales tax that was paid by the COUNTY on labor performed by the CONTRACTOR for installing equipment to County vehicles if such vehicles entered the CONTRACTOR's facility for vehicle-equipment installation after 60 days such vehicles registered with the DMV as new vehicles.
3. In regards to County vehicles entering CONTRACTOR's facility for vehicle-equipment installation on or after May 1, 2016, the COUNTY agrees to provide the CONTRACTOR with a copy of the DMV registration as a new vehicle when available. CONTRACTOR shall not delay its performance of services under this Agreement based upon lack of receipt of such DMV registration."

EXHIBIT B
PAYMENT PROVISIONS

	Alternate Specification
Patrol Utility Interceptor:	Code 3 2100 Series
Cost for Equipment/Materials:	\$ 6,212.32
Cost for Installation:	\$ 2,080.00
California Sales Tax on Equipment/ Materials and to include tax on labor:	\$ 663.39
Complete Cost	\$ 8,955.71
<i>Payment Term Discount</i>	\$ 179.11
<i>Cost after Payment Term Discount</i>	\$ 8,776.60
Commander's Vehicles:	
Cost for Equipment/Materials:	\$ 1,347.50
Cost for Installation:	\$ 650.00
California Sales Tax on Equipment/ Materials and to include tax on labor:	\$ 159.80
Complete Cost	\$ 2,157.30
<i>Payment Term Discount</i>	\$ 43.15
<i>Cost after Payment Term Discount</i>	\$ 2,114.15
Corrections Stealth Utility Interceptor	
Cost for Equipment/Materials:	\$ 6,212.32
Cost for Installation:	\$ 2,080.00
California Sales Tax on Equipment/ Materials and to include tax on labor:	\$ 663.39
Complete Cost	\$ 8,955.71
<i>Payment Term Discount</i>	\$ 179.11
<i>Cost after Payment Term Discount</i>	\$ 8,776.60
Patrol Stealth Utility Interceptor, Expedition or Caprice Models	
Cost for Equipment/Materials:	\$ 6,222.82
Cost for Installation:	\$ 2,080.00
California Sales Tax on Equipment/ Materials and to include tax on labor:	\$ 664.23
Complete Cost	\$ 8,967.05
<i>Payment Term Discount</i>	\$ 179.34
<i>Cost after Payment Term Discount</i>	\$ 8,787.71
VEHICLE STRIP OUT	
Patrol Utility Interceptor: per vehicle	\$ 325.00
Patrol Stealth Utility Interceptor: per vehicle	\$ 325.00
Patrol Expedition: per vehicle	\$ 325.00
Patrol Stealth Expedition: per vehicle	\$ 325.00

Corrections Stealth: per vehicle	\$	325.00
Commander's Stealth: per vehicle	\$	195.00

CONTRACTOR Payment Terms: 2%-10, Net 30.

ATTACHMENT 4

IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT
1616 Marlborough Ave. #S-1
Riverside, CA 92507
(951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2124

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	05	HGA24280/192			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR MODIFY CUSTOMERS EXISTING WEAPON RACK AND WIRE UP NEW STYLE LOCK			2	65.00	130.00
INV-011-RSO	BUTT PLATE FOR DUAL WEAPON			1	13.00	13.00T
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC.			1	5.00	5.00T
	RSO CONTRACT PRICING					

Subtotal \$276.68

Sales Tax (7.75%) \$11.37

Total \$288.05

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS,
STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE
DISPOSED OF.

IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT
 1616 Marlborough Ave. #S-1
 Riverside, CA 92507
 (951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2125

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	03	HGA24281/205			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR MODIFY CUSTOMERS EXISTING WEAPON RACK AND WIRE UP NEW STYLE LOCK			2	65.00	130.00
INV-011-RSO	BUTT PLATE FOR DUAL WEAPON			1	13.00	13.00T
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC.			1	5.00	5.00T

Subtotal	\$276.68
Sales Tax (7.75%)	\$11.37
Total	\$288.05

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS,
 STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE
 DISPOSED OF.

**IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT**
1616 Marlborough Ave. #S-1
Riverside, CA 92507
(951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2126

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	04	HGA24282/437			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR MODIFY CUSTOMERS EXISTING WEAPON RACK AND WIRE UP NEW STYLE LOCK			2	65.00	130.00
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC. BUTT PLATE SPACERS			1	10.00	10.00T

Subtotal	\$268.68
Sales Tax (7.75%)	\$10.75
Total	\$279.43

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS,
STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE
DISPOSED OF.

IDSMP, DBA:
 INNOVATIVE EMERGENCY EQUIPMENT
 1616 Marlborough Ave. #S-1
 Riverside, CA 92507
 (951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2127

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	50	FGB41351/16996			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR TO SWAP OUT BUTT PLATE			0.5	65.00	32.50
INV-011-RSO	BUTT PLATE FOR DUAL WEAPON			1	13.00	13.00T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC. BUTT PLATE SPACERS			1	5.00	5.00T
NOT a new unit utilize acct # 148-2216-421. 30-05						

Subtotal	\$50.50
Sales Tax (7.75%)	\$1.40
Total	\$51.90

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS, STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE DISPOSED OF.

IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT
1616 Marlborough Ave. #S-1
Riverside, CA 92507
(951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2128

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	30	HGA24284/230			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR TO INSTALL THE FOLLOWING EQUIPMENT LISTED BELOW			2	65.00	130.00
INV-SGR-AR	SINGLE GUN RACK A/R NO LOCKS			1	85.00	85.00T
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC.			1	5.00	5.00T
	RSO CONTRACT PRICING					

Subtotal	\$348.68
Sales Tax (7.75%)	\$16.95
Total	\$365.63

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS, STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE DISPOSED OF.

IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT
1616 Marlborough Ave. #S-1
Riverside, CA 92507
(951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2129

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	27	HGA24283/457.6			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR TO INSTALL THE FOLLOWING EQUIPMENT LISTED BELOW			2	65.00	130.00
INV-SGR-AR	SINGLE GUN RACK A/R NO LOCKS			1	85.00	85.00T
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC.			1	5.00	5.00T

Subtotal \$348.68

Sales Tax (7.75%) \$16.95

Total \$365.63

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS, STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE DISPOSED OF.

IDSMP, DBA:
INNOVATIVE EMERGENCY EQUIPMENT
1616 Marlborough Ave. #S-1
Riverside, CA 92507
(951)222-2270

Invoice

Date	Due Date	Invoice #
7/5/2017	8/4/2017	2130

Bill To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. P.O. BOX 998 BANNING CA. 92220 ATTN:DANIELE SAVARD

Ship To
CITY OF BANNING POLICE DEPT. 99 E. RAMSEY ST. BANNING CA. 92220

P.O. Number	Terms	UNIT #	VIN# / MILEAGE	PICK UP DATE	Signature	
	2% 10 Net 30	32	HGA24286/1248			
Item Code	Description			Quantity	Price Each	Amount
65 PER HOUR	LABOR 65.00 PER HOUR TO INSTALL THE FOLLOWING EQUIPMENT LISTED BELOW			2	65.00	130.00
INV-SGR-AR	SINGLE GUN RACK A/R NO LOCKS			1	85.00	85.00T
SC-6/RSO	XL HANDCUFF STYLE LOCK WITH #2 KEY LOCK			1	128.68	128.68T
JOB MATERIALS	MISC. PARTS, WIRE, ZIP TIES, CLAMPS, FASTENERS,SPLIT LOOM, RELAYS, ETC.			1	5.00	5.00T

Subtotal	\$348.68
Sales Tax (7.75%)	\$16.95
Total	\$365.63

2% Interest on all invoices over 30 days: ALL CUSTOMER PARTS (SEATS, STRIPPED PARTS ETC.) MUST BE PICKED UP WITHIN 30 DAYS OR WILL BE DISPOSED OF.

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CITY OF BANNING PUBLIC HEARING

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Phil Holder, Captain

MEETING DATE: September 26, 2017

SUBJECT: Resolution 2017-89: Acceptance of the 2017 Edward Byrne Memorial Justice Assistance Grant

RECOMMENDED ACTION:

The City Council conduct a Public Hearing and Adopt Resolution 2017-89 accepting grant funds provided by the Office of Justice Programs in the amount of \$11,604 for the police department to purchase additional Axon Tasers.

JUSTIFICATION:

The police department proposes to use the grant funds to purchase new Axon Tasers as replacements for older Tasers that are approaching their end of shelf life (5 Years). The grant will facilitate the purchase of seven new Axon Tasers with rechargeable batteries and extended 4-year warranties for each device.

Officers use the Axon Taser as a less than lethal control device when faced with violent subjects who are actively resisting or pose an imminent threat of violence against the police officers and/or citizens.

BACKGROUND:

On August 3, 2017 the Banning Police Department received notification from the U.S. Bureau of Justice Assistance that it was eligible to apply for the 2017 Local Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$11,604. Per U.S. Department of Justice regulations, a public hearing must be conducted to allow

citizens to make comments on the intended use of the noted grant funds before funding can be approved.

For the FY17 Local Edward Byrne Memorial JAG, the U.S. Bureau of Justice Assistance is requiring all eligible agencies in Riverside County to submit a consolidated application with one Fiscal Agent (FA) as the grant administrator. The Riverside County Sheriff's Department has agreed to take on the role as the FA for 2017. As in years past, the FA agency will receive 10% of each agency's grant award (\$1,160 for Banning) to help offset the costs associated with administering the grant for the agencies involved.

FISCAL IMPACT:

Accepted Byrne Grant funds will be appropriated to the Police Department's Ordnance Account to pay for the Axon Tasers, rechargeable batteries, and extended warranties. Upon completion of the purchases, the Police Department will submit a request for reimbursement to the Riverside County Sheriff's Department.

ALTERNATIVES:

1. Adopt Resolution 2017-89.
2. Reject Resolution 2017-89. If rejected, provide direction on the use of the noted grant.

ATTACHMENTS:

1. Resolution 2017-89.

Approved by:

A handwritten signature in blue ink, appearing to read 'Alejandro Diaz', is written over a horizontal line.

Alejandro Diaz
Interim City Manager

ATTACHMENT 1

RESOLUTION 2017-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, AUTHORIZING THE ACCEPTANCE OF THE 2017 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$11,604 TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE NEW AXON TASERS, RECHARGEABLE BATTERIES, AND EXTENDED WARRANTIES.

WHEREAS, having completed a public hearing on the proposed use of the 2017 U.S. Department of Justice Byrne Grant; and

WHEREAS, the Banning Police Department is committed to providing its officers with up-to-date technology and equipment; and

WHEREAS, the City's procedures require the City Council to adopt a resolution authorizing the acceptance of grant funds and their use.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS: The City Council of the City of Banning authorizes the acceptance of the 2017 U.S. Department of Justice Edward Byrne Memorial Assistance Grant in the amount of \$11,604 and its intended use and upon award of the grant appropriates \$10,444 of those funds to the Banning Police Department Ordnance Account (001-2200-421.36-01), which, upon completion of the purchase will be reimbursed to the City through the Riverside County Sheriff's Department. The Finance Department is authorized to make necessary budget adjustments related to these accepted funds.

PASSED, APPROVED, AND ADOPTED this 26th day of September 2017.

George Moyer, Mayor
City of Banning

ATTEST

Sonja De La Fuente, Deputy City Clerk
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT

John C. Cotti, Interim City Attorney

CERTIFICATION

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the forgoing Resolution 2017-89 was duly adopted by the City Council of the City of Banning at the regular meeting thereof held on the 26th day of September, 2017, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director

MEETING DATE: September 26, 2017

SUBJECT: TENTATIVE TRACT MAP (TTM) 36710, PLANNED UNIT DEVELOPMENT PERMIT (PUD) 17-9507, DESIGN REVIEW (DR) 15-7004, MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR A PROPOSAL TO SUBDIVIDE FOUR LOTS TOTALING 10.6 ACRES INTO 46 SINGLE-FAMILY RESIDENTIAL LOTS AND FIVE LETTERED LOTS AND DEVELOP SAID LOTS WITH TWO-STORY SINGLE FAMILY HOMES IN THE LOW DENSITY RESIDENTIAL ZONE, ASSESSOR'S PARCEL NUMBERS 534-183-014, 534-200-004, 534-200-008 AND 534-200-047

RECOMMENDED ACTION:

Staff recommends that the City Council Adopt Resolution 2017-91:

- I. Adopting a Mitigated Negative Declaration and Mitigation Monitoring Report and Program for TTM 36710; and
- II. Adopting findings and approving Tentative Tract Map 36710, Planned Unit Development Permit 17-9507 and Design Review 15-7004.

COMMITTEE RECOMMENDATION:

The project was considered at the September 6, 2017 Planning Commission meeting. At the meeting, the Planning Commission voted 3-2 to recommend approval of the project to the City Council. During that meeting, concerns were expressed regarding the minimum lot sizes and parking availability; comments regarding the proposed houses were generally favorable.

BACKGROUND:

TTM 36710 intends to subdivide four parcels totaling 10.6 acres into 46 single-family residential lots for development purposes. The Project site is located north of East Wilson Street west of North Florida Street. The 10.6 acre vacant site is an undeveloped infill parcel primarily covered with dry, tall grasses with scattered low bushes that slopes generally from the northwest to the southeast. The property is currently zoned Low Density Residential (LDR), which establishes a minimum single-family residential lot size of 7,000 square feet. The project site's existing General Plan land use designation allows for construction of up to 53 units based on a maximum of five dwelling units per acre.

Table 1 below denotes the surrounding zoning districts within the Project area.

Table 1: Subject Site Zoning Districts

Location	General Plan Designation	Zoning Designation
Site	Low Density Residential (LDR)	LDR (0-5 dwelling units per acre)
North	Low Density Residential (LDR)	LDR (0-5 dwelling units per acre)
South	Public Facility – School (PF-S)	PF-S
East	Low Density Residential (LDR)	LDR (0-5 dwelling units per acre)
West	Low Density Residential (LDR)	LDR (0-5 dwelling units per acre)
<i>Source: City of Banning General Plan and Zoning Map</i>		

ANALYSIS:

Planned Unit Development 17-9507 (PUD 17-9507)

The applicant is requesting approval of a Planned Unit Development permit. Planned Unit Developments allow greater flexibility of design in residential developments than is possible through the strict application of zoning district regulations and encourage the design of well-planned facilities which offer a variety of land uses through creative and innovative planning.

In accordance with Banning Municipal Code Chapter 17.92, Planned Unit Developments ("PUD's"), PUD's must provide the same density, building heights, landscaping, parking, lot coverage and front yard setbacks as the zoning district they are located in. PUD's must also provide for 30% open space/common areas for parks, trails and other amenities. Lot sizes and side and rear yard setbacks may vary with approval from the Planning Commission. PUD 17-9507 is within the Low Density Residential zoning district which allows for the standards listed in Table 2. Residential developments are to include a variety of housing types and site plans, accessible open or common recreational areas and facilities and other features of substantial benefit to a viable and balanced community.

PUD are to observe the following design criteria:

1. The overall plan shall be comprehensive, and include all land, buildings, landscaping and their interrelationships.
2. The plan shall provide for adequate open space, circulation, off-street parking, recreational facilities and other pertinent amenities as related to the intended use and intensity of development. Buildings, structures and facilities in the parcel shall be well integrated, and oriented to the topographic and natural landscape features of the site, including wildlife passage corridors, when possible.
3. The proposed development shall be compatible with existing and planned land uses and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to the neighborhood or community.
4. The internal street system should not be a dominant feature in the overall design; rather it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities.
5. Common areas and recreational facilities shall be located so as to be readily accessible to the occupants of the PUD and shall be well related to any common open spaces provided.
6. Architectural unity and harmony should be achieved so far as practicable within the development, as well as with historical and other desirable characteristics of the immediate neighborhood, the broader community, and environmental features such as wetlands, trees, other vegetation, and wildlife habitat.

The project proposes a Planned Unit Development Permit with lot sizes ranging from 5,000 square feet to 12,817 square feet for certain cul-de-sac lots. The majority of the lot sizes are within the 5,000 + square foot range. The project proposes a net density of 4.53 dwelling units per acre totaling 46 single-family residential lots. The project will include over thirty percent of Open Space amenities, including a small trail system and park and picnic areas. The open space/park area will also serve as an emergency landing zone as required for projects in Zone D of the Riverside County Airport Land Use Plan for the Banning Municipal Airport. Consequently, the open space park area will not contain any structures higher than four feet.

Table 2 below denotes development standards within the project's zoning district.

Table 2: Subject Site Development Standards

Development Standards for Low Density Residential (LDR)			
Development Standard	Requirement	Provided	Meets or Exceeds
Density	0-5 du/ac	4.53 du/ac	Yes
Bldg. Height	2 story or 35 feet	2 story or 35 feet	Yes
Landscaping	Front/side yards	Front/side yards	Yes
Parking	2 car covered	2 car covered	Yes
Minimum Lot Coverage	40%	40%	Yes
Front Yard Setback	20 feet	20 feet	Yes
Rear Yard Setback	15 feet	10 feet	Yes with PUD
Side Yard Setback	10 feet	5 and 10 feet	Yes with PUD
Side Setback between houses	N/A	15 feet	Yes with PUD
Minimum Lot Size	7,000 square feet	5,000 square feet	Yes with PUD
Minimum Lot Width	70	50	Yes with PUD
Minimum Lot Depth	90	90	Yes
Open Space (PUD)	N/A	30%	Yes

The application for a Planned Unit Development Permit was necessitated by the Airport Land Use Commission (ALUC) compatibility zone in which the project is located. Residential projects in Compatibility Zone D must be either, higher density (5,000 square foot minimum lot size) residential lots or very low density residential lots. The rationale behind this is that higher density single-family residential development can create room for open space areas for emergency landing events. Residential developments in Compatibility Zone D must leave at least, 30 percent of the property available for open space to accommodate aircraft emergency landings. Very low density lots (20,000 square foot minimum), by design, have open areas for emergency landing events. In accordance with the Banning Municipal Code, Planned Unit Developments must create and utilize open space areas for amenities such as parks, recreation and common areas.

The project includes 46 numbered lots and five lettered lots. Three of the lettered lots are for streets and cul-de-sacs and two of the lettered lots are for open space. Lot A will be a combined detention basin for storm water retention and a dog park with picnic tables and benches. Lot B will be open space used as a common area, trail system with Tot Lot, picnic tables and benches. With these proposed amenities and open space, the project is in compliance with ALUC Compatibility Zone D and the Banning Municipal Code regarding Planned Unit Developments.

Tentative Tract Map 36710 (TTM 36710)

TTM 36710 proposes 46 numbered lots with a minimum lot size of 5,000 square feet and two lettered lots dedicated for open spaces purposes. Numbered lots range in size from 5,000 square feet to 12,817 square feet. The majority of lot sizes however are 5,000 square feet, totaling a density of 4.3 dwelling units per acre.

Access to the Project site is from East Wilson Street where the project provides three cul-de-sacs to service the majority of the development. Lots 9 and 46 will gain access via East Hoffer Street and lots 41 – 45 will gain access via North Florida Street. Trip generation for the proposed project was calculated using rates from the Institute of Transportation Engineers (ITE) Trip Generation (9th Edition). For Single-Family Detached Housing of 46 units; the project trip generation would generate 36 trips in the a.m. peak hour and 48 trips in the p.m. peak hour with a total of 457 daily trips. Based on the project's trip generation, under existing and opening year conditions, all the studied intersections operate at satisfactory LOS or better.

Access to the project will be accommodated by using existing streets and/or proposed cul-de-sacs; new cul-de-sac streets proposed within the project would be private, with parking on one side of the street. Water, sewer and electrical service will be provided by the City of Banning Public Works Department and Electrical Division. The Project is required to connect to the existing 8-inch water main on East Wilson Street and existing 8-inch sewer line at the intersection of East Wilson Street and North Florida Street. Lots 9 and 46 will connect to the existing water and sewer lines in Hoffer Street and Lots 41 – 45 will connect to the existing water and sewer lines in North Florida Street.

Design Review 15-7004 (DR 15-7004)

The project has been evaluated for conformance with Chapter 17.56, Design Review, of the Banning Municipal Code. The proposed project, DR 15-7004 is consistent with the General Plan and Zoning Ordinance with the proposed Planned Unit Development Permit which will allow for minimum lot sizes of 5,000 square feet. All structures will be constructed in accordance with the Development Standards and Design Guidelines for the applicable zoning district (see Table 2), subject to certain modifications that can be considered for Planned Unit Developments (see previous discussion). The Developer is proposing three two-story plan types, 1,848, 1,955 and 2,185 square feet in floor area with three different styles, Spanish, Early California and California Ranch.

The design and layout of the proposed subdivision will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards. The majority of the development will gain access to the existing local streets via three cul-de-sacs which will be privately owned by a newly created Home Owners Association. The cul-de-sacs will have 50 foot right-of-way widths which is below the recommended 60 foot right-of-way required by our street design standards. The cul-de-sac bulbs will have adequate turning radius for Fire

Department Equipment and due to the reduced size of the cul-de-sac streets, parking will only be allowed on one side of the street.

The project proposes lot sizes that are compatible with neighboring lot sizes inasmuch as neighboring properties feature a mix of lot sizes, and house styles that are compatible with surrounding homes. The project has provided for landscaped Open Space areas to be utilized for parks, recreation and common areas. The Open Space areas will also be available for aircraft in the event they need to make an emergency landing. Additionally, the design of the proposed project is compatible with the character of the surrounding neighborhood.

Environmental Determination

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared and circulated that demonstrated environmental effects would be reduced to less than significant levels with mitigation measures. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring Program are proposed for the project. The Initial Study and Notice of Intent to adopt a Mitigated Negative Declaration was distributed, August 11, 2017, for a 20 day comment period to organizations and individuals who have previously requested such notice in writing to the City of Banning and to responsible and trustee agencies. The notice of intent was also noticed in the Record Gazette, which is a primary newspaper of circulation in the area and to individuals who live within 300 feet of the project site. The notice of intent and Initial Study were made available to the public at the Planning Counter at Banning City Hall, 99 East Ramsey Street and the local Library located at 21 West Nicolet Street. The Mitigated Negative Declaration is attached as Exhibit D.

Project Approvals

In accordance with Section 17.44.020 of the Banning Municipal Code, projects requiring multiple applications may file all applications concurrently and pay appropriate fees. Processing and environmental review will be concurrent and the final decision on the project shall be made by the highest level of review authority.

This project consists of a Planned Unit Development, Design Review and Tentative Tract Map. The highest level of review authority of a Tentative Tract Map is the City Council. Therefore, the Planning Commission was the recommending body and the City Council is the decision making authority.

FISCAL IMPACT:

The development of the project will result in building permit and development impact fee revenues to the City.


ALTERNATIVES:

1. Approve Staffs' recommendations
2. Do not approve Staffs' recommendations and provide staff with alternate direction.

ATTACHMENTS:

1. City Council Resolution 2017-91
 - a. Exhibit A – TTM 36710
 - b. Exhibit B – TTM 36710 Elevations, Renderings and Floor Plans
 - c. Exhibit C – Conditions of Approval
 - d. Exhibit D –Mitigation Monitoring and Reporting Program
2. Planning Commission Resolution
3. Initial Study/Mitigated Negative Declaration
4. ALUC Approval
5. Public Hearing Notice

Approved by:


Alejandro Diaz
City Manager

ATTACHMENT 1

Resolution 2017-91

RESOLUTION NO. 2017-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 36710, PLANNED UNIT DEVELOPMENT PERMIT 17-9507, DESIGN REVIEW 15-7004 AND A MITIGATED NEGATIVE DECLARATION, FOR PROPERTY LOCATED NORTH OF EAST WILSON STREET AND WEST OF NORTH FLORIDA STREET

WHEREAS, an application for Tentative Tract Map 36710, Planned Unit Development 17-9507, and Design Review 15-7004 has been duly filed by:

Applicant: Beau Cooper, United Engineering Group

Owner: RMG Residential 2010, LLP
8800 N. Gainey Center Drive, Suite 255
Scottsdale, AZ 85258

Parcel Address: North of East Wilson Street, west of North Florida Street

APN's: 534-183-014, 534-200-004, 534-200-008 and 534-200-047

Lot Area 10.6 acres

WHEREAS, the Municipal Code allows the subdivision of approximately 10.6 acres within the Low Density Residential Zone into 46 lots with a minimum lot size of 5,000 square feet with the approval of a Planned Unit Development; and

WHEREAS, on September 6, 2017 the Planning Commission held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Planned Unit Development, Tentative Tract Map and Design Review and at which time the Planning Commission considered the Project and recommended approval to the City Council; and

WHEREAS, in accordance with Government Code § 65854, the City Council hearing was advertised in the Record Gazette newspaper on September 15, 2017 the City gave public notice as required under Government Code Section 66451.3 by advertising in the Record Gazette Newspaper, and mailing notices to all property owners within 300 feet of the project site of the holding of a public hearing for the City Council's review, at which time the project would be considered; and

WHEREAS, on September 26, 2017, the City Council held a duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the City Council considered Planned Unit Development 17-9507, Tentative Tract Map 36710 and Design Review 15-7004.

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

SECTION 1. ENVIRONMENTAL FINDINGS:

California Environmental Quality Act (CEQA)

Approval of Tentative Tract Map 36710 is in compliance with the requirements of CEQA, in that on September 26, 2017, at a duly noticed public hearing, the City Council approved and adopted a Mitigated Negative Declaration and Mitigation Monitoring Program reflecting its independent judgment and analysis and documenting that there was no substantial evidence, in light of the whole record, from which it could be fairly argued that the Project may have a significant effect on the environment. The documents comprising the City's environmental review for the Project are on file and available for public review at Banning City Hall, 99 E. Ramsey Street, Banning, California 92220.

Multiple Species Habitat Conservation Plan (MSHCP)

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided.

SECTION 2. REQUIRED FINDINGS FOR TENTATIVE TRACT MAP 36710

An application for a Tentative Tract Map requires that it meet specific findings in accordance with Title 16 of the Banning Municipal Code, on Subdivisions, and Government Code Sections 66473.1, 66473.5 and Section 66474. A tentative map must adequately meet the adopted provisions of the Title 16 Subdivision chapter based upon the following findings:

Finding A: The proposed map is consistent with the General Plan.

Findings of Fact: The General Plan land use designation for the site is classified as Low Density Residential which allows housing densities from 0 to 5 dwelling units per acre. The proposed Map will result in the development of 46 single family residential dwelling units at a density of 4.3 units per acre. This density level is within the range permitted under the General Plan land use designation for this site. One of the primary policies of the Land Use Element of the General Plan is that projects adjacent to existing neighborhoods shall be carefully reviewed to assure that neighborhood character is protected. The proposed Tentative Tract Map serves to achieve this objective in that the subdivision design is consistent with existing neighborhood housing stock. Considering all of these aspects, the proposed Map furthers the objectives and policies of the General

Plan and is compatible with the general land uses districts within the general vicinity of the Project.

Finding B: The design or improvement of the proposed subdivision is consistent with the City's General Plan.

Findings of Fact: The proposed subdivision has been designed to meet City standards which provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities have been designed and are conditioned to be constructed in conformance with City standards which is consistent with the City's General Plan.

Finding C: The site is physically suitable for the type of development.

Findings of Fact: The 10.6 acre site is relatively flat with a change in elevation from 2,550 to 2,650 feet above mean sea level. The proposed project is adjacent to existing residential development and has availability of all services including, streets, water, sewer and electricity. Therefore, the site is physically suitable for this type of development.

Finding D: The site is physically suitable for the density of development.

Findings of Fact: The site is located within the Low Density Residential Zone which allows for 0-5 dwelling units per acre. The project proposes 4.3 dwelling units per acre which is less than the maximum allowed. The project is proposing a Planned Unit Development Permit which allows for minimum lot sizes of 5,000 square feet and the project includes 30 percent of the site for open space areas that include parks, recreation and common areas. The subdivision, as proposed, is suitable for the density of development.

Finding E: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Findings of Fact: The site is currently vacant and does not contain any significant vegetation or habitat for wildlife. Per the Multiple Habitat Conservation Plan (MSHCP), there is no evidence that any endangered, threatened or listed species of plant or animal, or its habitat, is located on the site. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. The Project incorporates conditions intended to comply with the recommendations of the

MSHCP. In addition, this Project has been conditioned to comply with the environmental policies and regulations of the City of Banning and those of all local and regional governmental agencies having jurisdiction over the site.

Finding F: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Findings of Fact: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all units on the site has been conditioned to comply with all applicable City of Banning ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to Stormwater runoff management and controls. In addition, the design and construction of all improvements for the subdivision has been conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare.

Finding G: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Findings of Fact: There are easements for Banning Provided Utilities and a Southern California Edison easement that traverses the property from south to north which is part of the open space area provided for in the design of the Tentative Tract Map. No other easements of record or easements established by judgement of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any other such easements.

REQUIRED FINDINGS FOR DESIGN REVIEW 15-7004

Finding A: The proposed project is consistent with the general plan.

Findings of Fact: The property's land use designation is Low Density Residential (LDR) which allows for up to five dwelling units per acre. The project proposes 4.3 dwelling units per acre. The minimum lot size in the LDR zone is 7,000 unless a Planned Unit Permit (PUD) is applied for. In the case of this project, TTM 36710, a Planned Unit Development Permit has been applied for and is part of this approval. With the PUD, the applicant proposed minimum lot sizes

of 5,000 square feet, As a condition of a PUD, the project must provide for Open Space areas totaling 30 percent of the project site. The project provides 30 percent Open Space areas used for parks, recreation and common areas. The tentative tract and design review with a PUD permit is consistent with the general plan.

Finding B: The proposed project is consistent with the Zoning Ordinance, including the development standards and guidelines for the district in which it is located.

Findings of Fact: The project is consistent with the Zoning Ordinance and is conditioned to meet or exceed all development standards and guidelines for the zone and type of development.

Finding C: The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards.

Findings of Fact: The project is an infill type of development of 10.6 acres for 46 single-family residential lots. The design and layout has been prepared as a Planned Unit Development which provides for circulation (streets), pedestrian walkways (sidewalks) and trails, parks and common areas. These sidewalks, trails, and streets will connect with existing sidewalks and streets which will complement the neighborhood. Hazards will be reduced by completing all uncompleted streets and sidewalks in the area of the project.

Finding D: The design of the proposed project is compatible with the character of the surrounding neighborhood.

Findings of Fact: The design and character of the project will complement the existing design and character of the neighborhood as new homes, streets, sidewalks, trails, parks, open space and common areas are proposed. New houses will be similar in size and design of existing houses in the area.

SECTION 3. CITY COUNCIL ACTION:

The City Council hereby takes the following action:

Adoption of City Council Resolution 2017-91:

1. Adopting Mitigated Negative Declaration and Mitigation Monitoring Program and directs the Community Development Director to prepare and file with the Clerk

for the County of Riverside a Notice of Determination as provided under Public Resources Code Section 21152, and CEQA Guidelines Section 15075; and

2. Approving Tentative Tract Map 36710, Planned Unit Development Permit 17-9507, and Design Review 15-7004, in accordance with the approved Tentative Tract Map attached hereto and incorporated by reference as Exhibit A and the architectural plans attached hereto and incorporated by reference as Exhibit B and subject to the Conditions of Approval attached hereto and incorporated herein by reference as Exhibit C and the Mitigation Monitoring and Reporting Program attached hereto and incorporated by reference as Exhibit D.

PASSED, APPROVED AND ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

John C. Cotti, Interim City Attorney
Jenkins & Hugin, LLP

CERTIFICATION:

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2017-91 was adopted at a regular meeting of the City Council of the City of Banning held on the 26th day of September, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

EXHIBIT A

BEING A SUBDIVISION OF A PORTION OF BLOCK 16 AND BLOCK 147, BANNING COLONY LANDS AS PER MAP RECORDED IN BOOK 3, PAGE 149 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND IN BOOK 5 PAGE 186 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

UNITED ENGINEERING GROUP CA., INC SEPTEMBER 2016

SITE PLANNING

GUIDELINES	COMMENTS
1. WARED FOOTPRINTS	REPEL PARK VIEWS IS PROPOSING A SUBDIVISION CONSISTING OF SPANISH AND EARLY AMERICAN STYLES. THE ARCHITECTURE WILL BE MODERN WITH BALCONIES AND BALUSTRADES ARE EMPHASIZED.
2. WARED STRUCKS	1. DIFFERENT FLOOR PLANS WITH 3 DIFFERENT ELEVATIONS HAVE BEEN PROPOSED FOR THE PROJECT. THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
3. WARED PLACEMENT OF WAREDS ON ADJACENT LOTS	REPEL PARK VIEWS CONSISTS OF 3 CUL-DE-SACS OFFERING A VARIETY OF LOT SIZES. THIS WILL ALLOW FOR WIDE VARIATION OF HOME PLACEMENTS ON EACH CUL-DE-SAC.
4. SLOWING VEHICULAR TRAFFIC	THE PROJECT CONTAINS PRIVATE STREETS AND SIDEWALKS. THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS. THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
5. PREVENT STARK URBANIZED WALLS	THE PROJECT WILL CONTAIN PERIMETER WALLS FOR HOMES TO MAINTAIN THE PRIVATE OPEN SPACE/ COURTYARDS FOR EACH HOME. HOMES ADJACENT TO THE STREET WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
6. PLACEMENT AND MIX OF LOTS	THE SUBDIVISION CONTAINS 3 SEPARATE CUL-DE-SACS WHICH OFFER A MIX OF LOT SIZES.
7. PRESERVATION OF WILDLIFE HABITAT AND NATURAL FEATURES	THE PROJECT IS IN AN URBAL AREA OF THE CITY. THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
8. PRESERVATION OF VIEWS	THE NEIGHBORHOOD HAS GREAT VIEWS OF MT. SAN ANTONIO. THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
9. TREATMENT OF DRAINAGE AND RUNOFF FROM RAIN	THE PROJECT WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.
10. WALL AND FENCE TREATMENTS	THE WALLS AND FENCES IN REPEL PARK VIEWS WILL BE BUILT IN CONFORMANCE WITH THE CITY CODE. THE WALLS WILL BE BUILT WITH 3 DIFFERENT TYPES OF STRUCKS: FRONT AND SIDE WALL STRUCKS AND VERTICALS.

OPEN SPACE & AMENITIES

CITY OF CHICAGO COMMISSIONERS	SUBJECTS	COMMENTS
<p>1. PROVIDE AT LEAST THIRTY PERCENT OF THE OPEN SPACE REQUIREMENT AS USABLE OPEN SPACE FOR RECREATION AND ACTIVE RECREATION USE.</p> <p>2. USABLE OPEN SPACE SHALL NOT INCLUDE RIGHTS-OF-WAY, UTILITY RIGHTS-OF-WAY, OR OTHER AREAS WHICH ARE LESS THAN FIFTY FEET WIDE AND WHICH ARE LESS THAN FIFTY PERCENT SLOPE AREAS GREATER THAN FIFTY PERCENT.</p>	<p>REPLER PARK VARIAS PROVIDES A LOT PARK, AN ACTIVE RECREATION SPACE, AND A PARKWAY AREA. EACH OF THE PRIVATE COMMENTS THROUGHOUT THE PLAN SPECIFICALLY OVER 3 ACRES OF OPEN SPACE (23%).</p> <p>LANDSCAPE AREAS AND OPEN SPACE WHICH ATTRIBUTE TO THE JOHN DEER SPACE WILL BE INCLUDED IN THE OPEN SPACE CALCULATION. OTHER LANDSCAPE AREAS WHICH WILL BE INCLUDED IN THE OPEN SPACE CALCULATION ARE PRIVATE PARK LOT AREA WHICH IS INCLUDED IN THIS CALCULATION.</p> <p>THE POWER LINE RESERVATION TO SOUTHERN METROPOLITAN POWER COMPANY IS INCLUDED IN THE OPEN SPACE CALCULATION. IT IS UNWARRANTED IN DETERMINING THE QUANTITY FEES.</p> <p>THE LIMITED SIZE OF REPLER PARK VARIAS HAS BEEN CONSIDERED IN THE PLAN. THE PLAN DOES PROVIDE A PARKING AREA, BIODIVERSITY, AND A PARKWAY AREA, AND TRAIL AREAS FOR ACTIVE RECREATION.</p>	
<p>3. USABLE OPEN SPACE SHALL BE CALCULATED BY INCLUDING IN THE OPEN SPACE REQUIREMENT, THE TOTAL AREA OF THE LOT, MINUS THE TOTAL LAND DEDICATION AS REQUIRED IN THE ZONING MAP, MINUS THE AREA OF THE LOT WHICH IS NOT SWAMPING OR OTHER AREAS WHICH ARE NOT TO BE USED FOR RECREATION.</p> <p>4. THE TYPE OF ACTIVITIES SHALL BE DETERMINED BY THE TYPE OF ACTIVITIES WHICH ARE TO BE PROVIDED FOR THE FOLLOWING SCHEDULE:</p> <ul style="list-style-type: none"> 1-50 UNITS 4 AMENITIES 51-100 UNITS 4 AMENITIES 101-200 UNITS 4 AMENITIES 	<p>THE OPEN SPACE SWAMPING AREAS WILL BE INCLUDED IN THE OPEN SPACE CALCULATION. THE LOT WILL BE USED FOR RECREATION, BIODIVERSITY, AND A PARKWAY AREA, AND TRAIL AREAS FOR ACTIVE RECREATION.</p> <p>THE LIMITED SIZE OF REPLER PARK VARIAS HAS BEEN CONSIDERED IN THE PLAN. THE PLAN DOES PROVIDE A PARKING AREA, BIODIVERSITY, AND A PARKWAY AREA, AND TRAIL AREAS FOR ACTIVE RECREATION.</p>	

STREETS

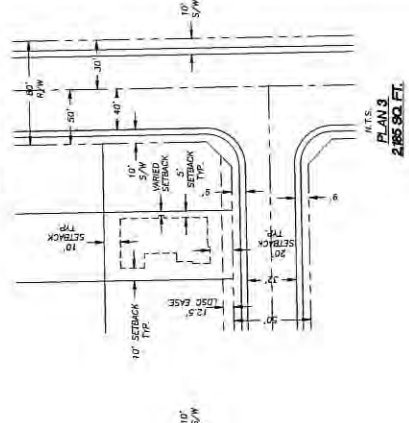
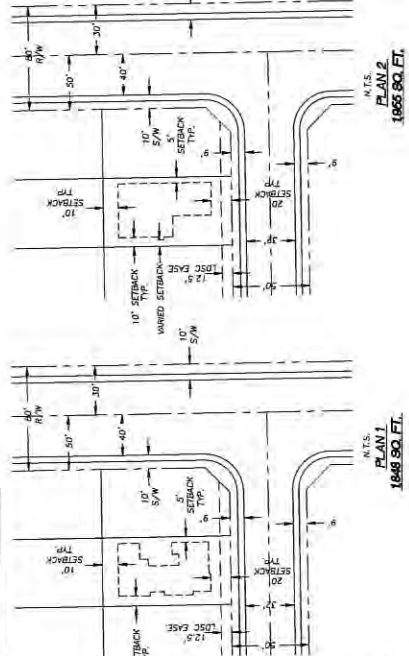
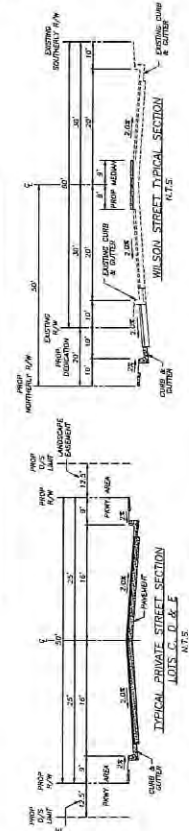
GUIDELINES	COMMENTS
1. PRIVATE STREETS SHALL BE PERMITTED WHEN THERE IS A HOMEOWNER'S ASSOCIATION ESTABLISHED TO MAINTAIN THEIR STREETS. STREETS SHALL BE BUILT TO STANDARDS AND SPECIFICATIONS OF THOSE FOR PUBLIC WORKS CONSTRUCTION.	REPPLIER PARK VISTAS CONTAINS 3 CIVIL-DE-SACS AND IS PROPOSING PRIVATE STREETS. THESE STREETS WILL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION. THE STREETS MEET PUBLIC WORKS STANDARDS AND THEREFORE THERE IS NO PROBLEM. PAVING WILL BE LIMITED TO ONE SIDE OF THE STREET ONLY.

FIRE CODE

GUIDELINES	COMMENTS
1. ALL PARTS OF ANY STRUCTURES SHALL BE WITHIN 150 FEET OF PAVED ACCESS FOR SINGLE STORY RESIDENCES AND WITHIN 50 FEET OF PAVED ACCESS FOR MULTI-STORY RESIDENTIAL UNITS.	ALL STRUCTURES WITHIN THE NEPLLEN PARK VISTAS DEVELOPMENT WILL HAVE DIRECT ACCESS TO PAVED STREETS.

ZONING TABLE

ZONING DISTRICT	MINIMUM BUILDING HEIGHT	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK (FROM OTHER STRUCTURES)	MINIMUM REAR SETBACK	MINIMUM FORCE MAIN HEIGHT	MINIMUM BUILDING COVERAGE	MIN/MAID
TWO-STORY GP 35 FT		5,000 SF	50 FT	20 FT	15 FT	10 FT	0 FT		



SUBMITTALS.

NO	DESCRIPTION	DATE
1	ADDRESS CITY COMMENTS	7/27/10

THE 1/4 AC PLOT E33425474, LINDS BOY HILLS, DKS IN
 S.W. 1/4 SEC 36, T12N, R10E, S4E, CO. OF ALLEN, MO
 S.W. CORNER OF LAMAR ST. IN THE CITY OF BANNING
 BASIS OF BEARING:

THE 1/4 AC PLOT E33425474, LINDS BOY HILLS, DKS IN
 S.W. 1/4 SEC 36, T12N, R10E, S4E, CO. OF ALLEN, MO
 S.W. CORNER OF LAMAR ST. IN THE CITY OF BANNING
 BASIS OF BEARING FOR THIS MAP:

DESIGNED BY: EOP
 DRAWN BY: EOP

①

10932 Tindemusk Place
Suite 509
Rancho Cucamonga
California 91744
Phone 909.466.6240
www.underling.com

uieg

united engineering group

CITY OF BANNING

TENTATIVE TRACT MAP NO. 36710

united engineering group

CA-16809

~~Page 159 of 566~~

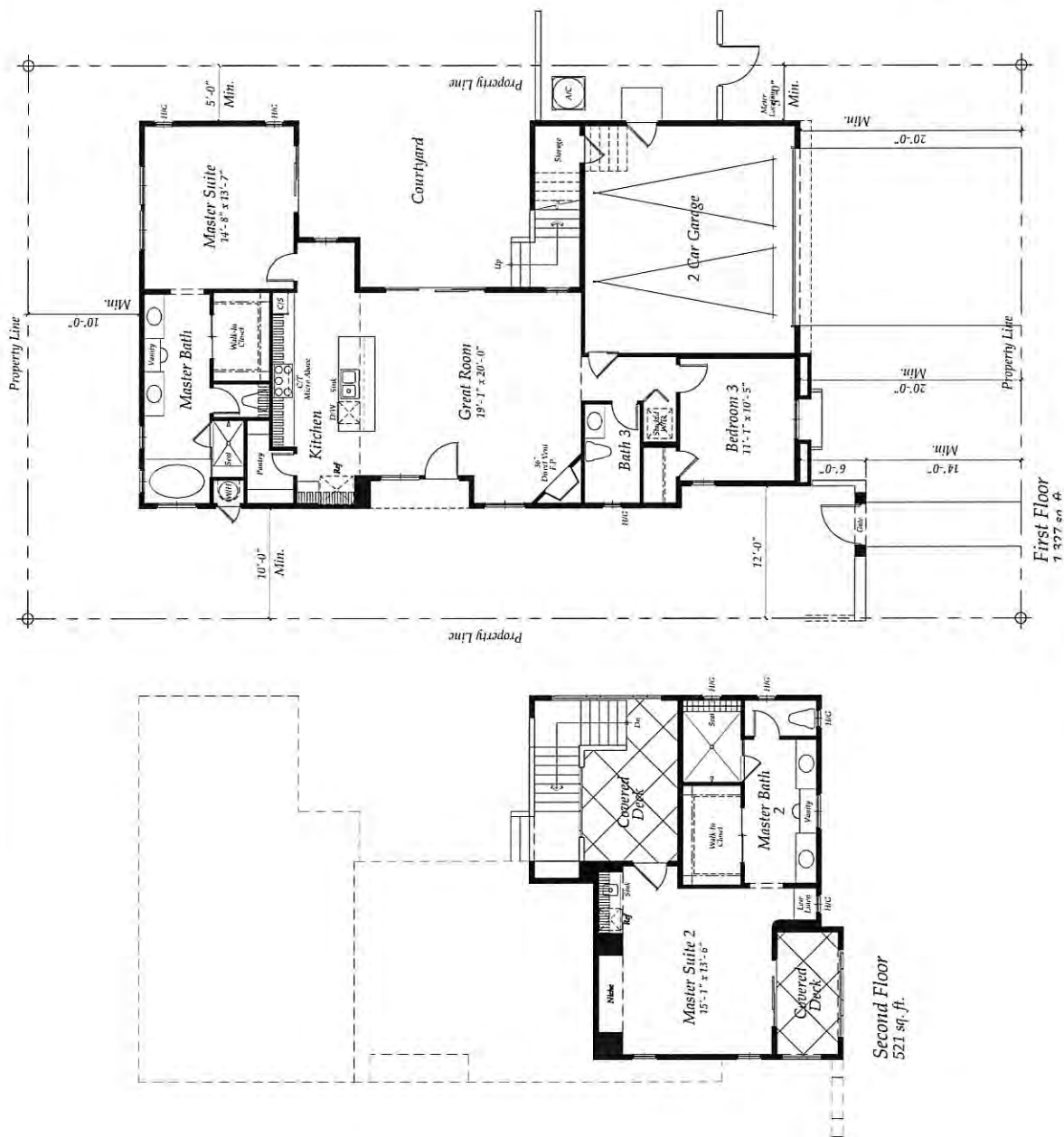
RMG Residential 2010 LLC

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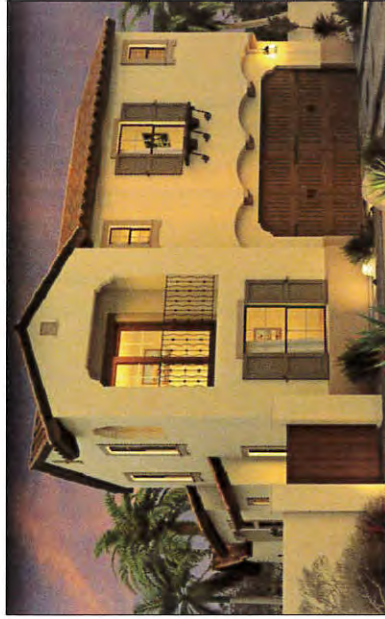
PEKAREK-CRANDELL, Inc.
architecture - planning

31411 camino capistrano, suite 300
san juan capistrano, ca 92675
7-17-15 fax 949/487-2321 #15-24

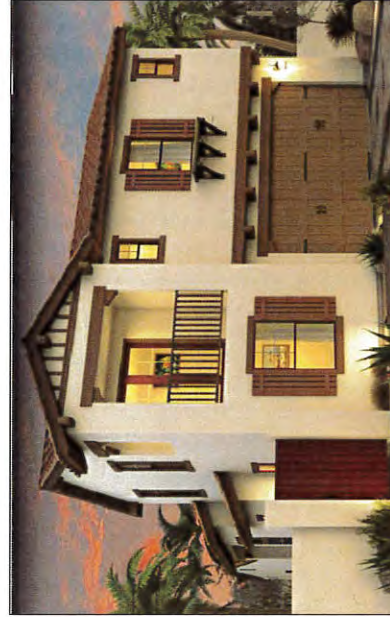




Spanish



Early Californian



Ranch

Repplier Park Vistas *Banning California*

RMG Residential 2010 LLC

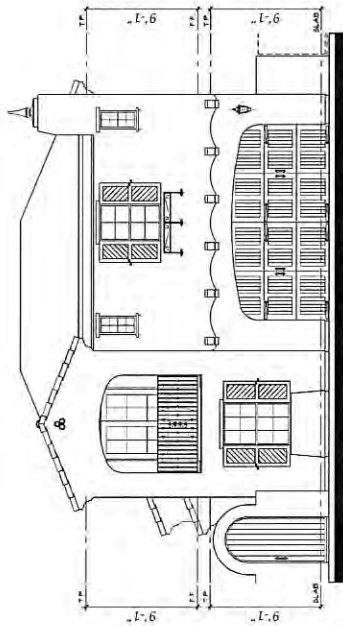
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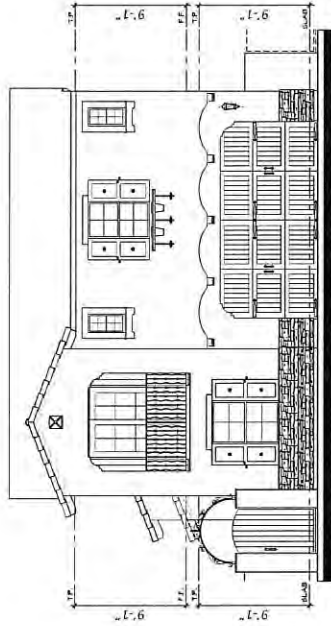


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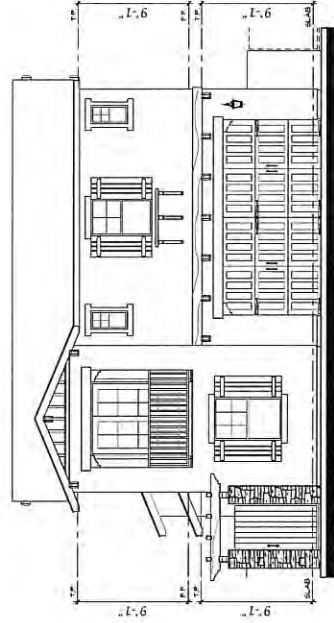
31411 Camino Capistrano, Suite 300 949/487-2320
 San Juan Capistrano, CA 92675 fax 949/487-2321
 7-8735 #13-08



Spanish



Early California



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Polish
4. Stucco w/ Foam Trim
5. Concrete "S" Tile
6. Concrete Flat Tile
7. Wood Fascia/Barge
8. False Clay Tile Vent
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Railing
13. Wood Railing
14. Decorative Metal Fixture
15. Wood Polish
16. Metal Polish
17. Metal Ball-up Garage Door
18. Entry Door per Builder
19. Stucco Corbel
20. Stucco Corbel
21. Wood Corbel
22. Exposed Wood Beam
23. Wood Outliner
24. Built-up Wood Column
25. Wood Siding
26. Furred Stucco Base
27. Stucco Wing Wall
28. Eave/roof Roof
29. Wood Siding
30. Wood Outliner

Plan 1 Front Elevations

Scale: 1/4" = 1'-0"

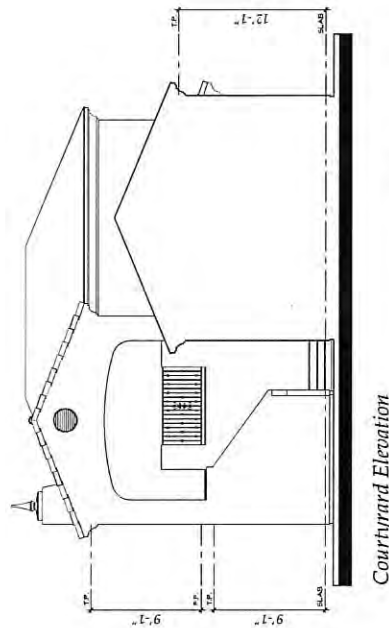
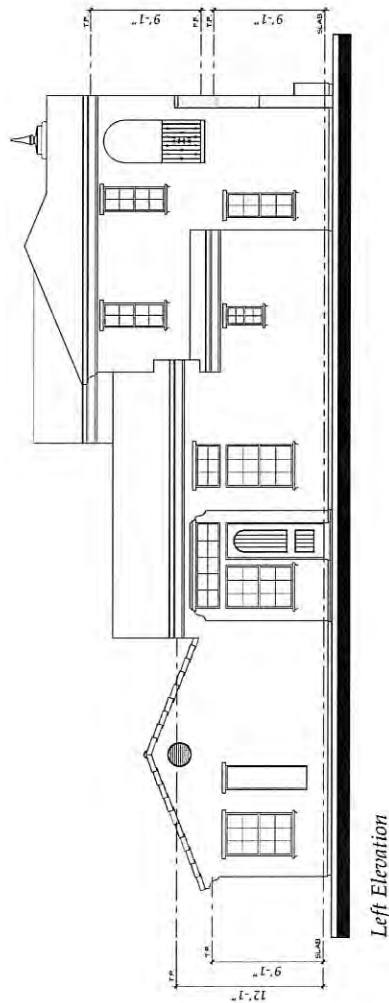
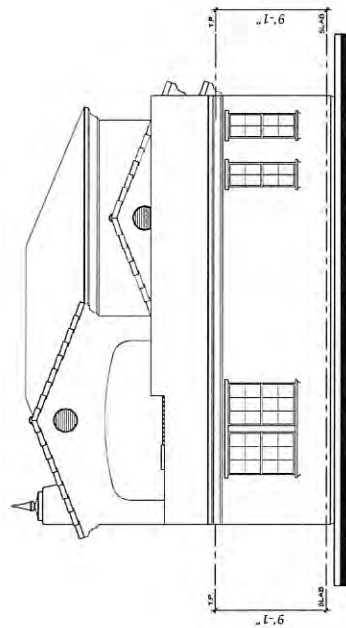
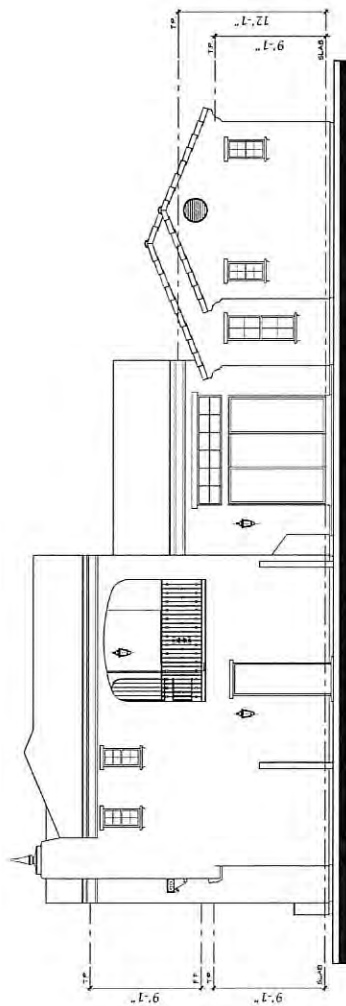


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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Plan 1

Elevations

Spanish

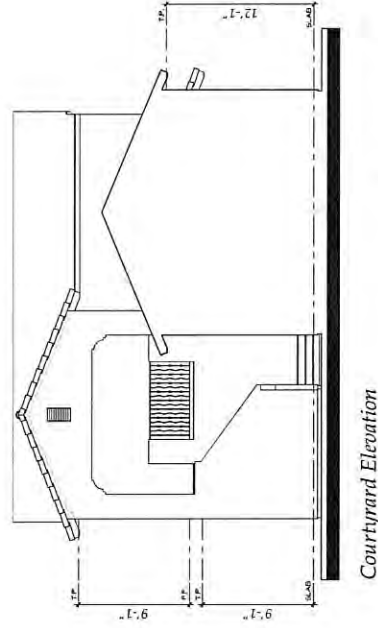
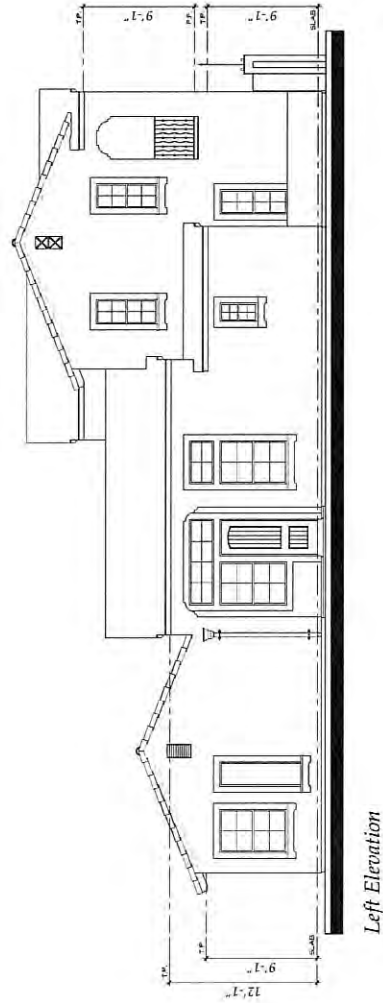
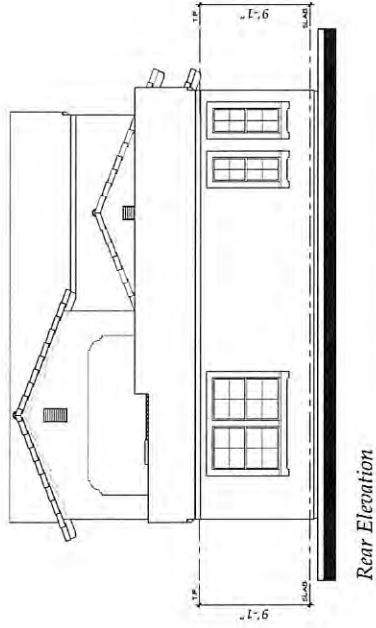
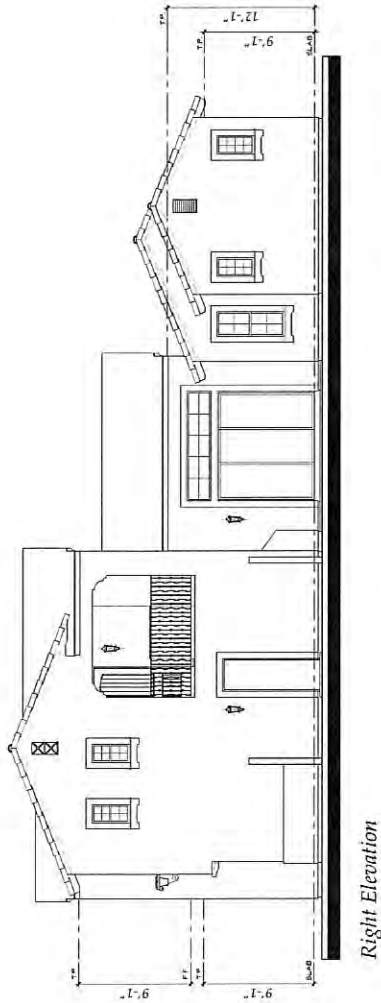
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Plan 1 Elevations Early California

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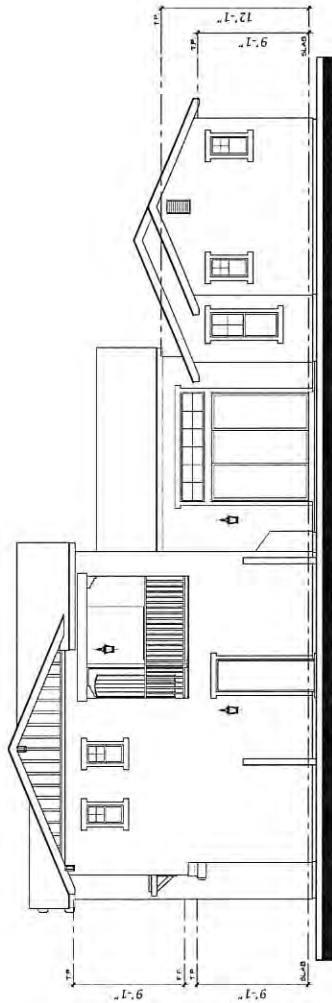


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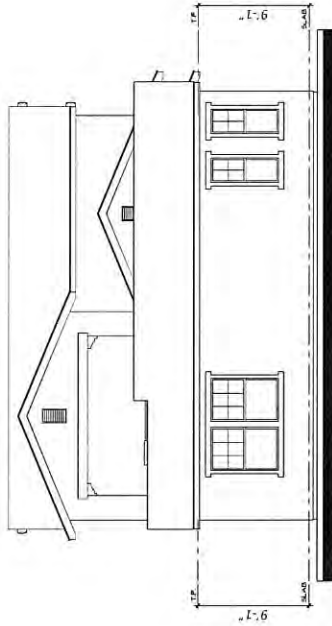
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7-3735 #15-22

Repplier Park Vistas
Banning California

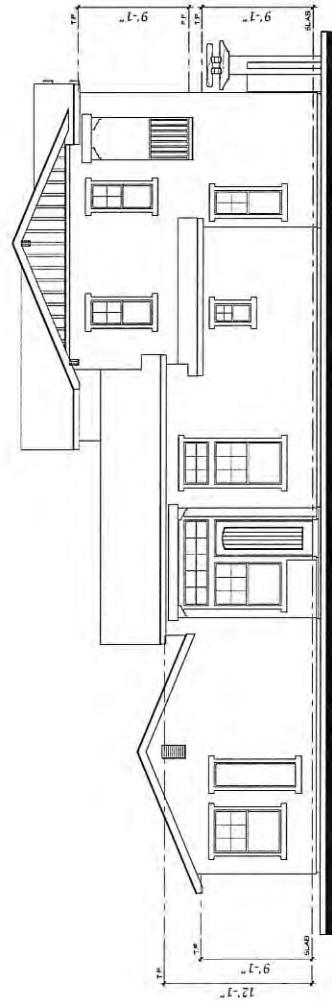
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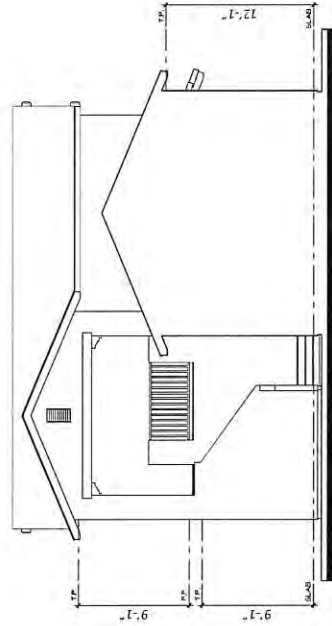
Right Elevation



Rear Elevation



Left Elevation



Courtyard Elevation

Plan 1 Elevations Ranch

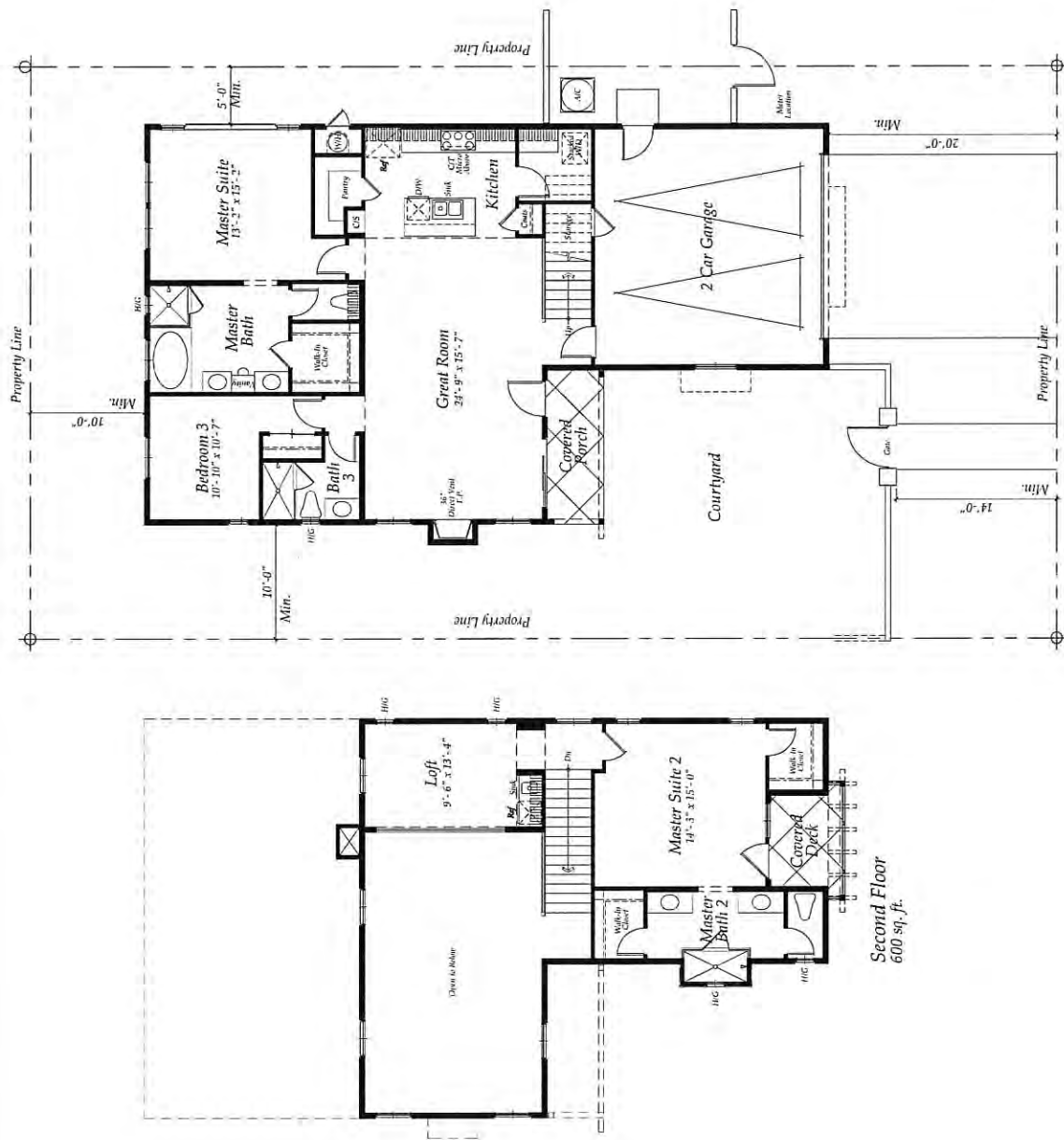
Scale: 1/4" = 1'-0"



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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Plan 2
1,955 sq. ft.
Early California

Scale: 1/4" = 1'-0"



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architecture - planning

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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Spanish



Early Californian



Ranch

Repplier Park Vistas Banning California

RMG Residential 2010 LLC

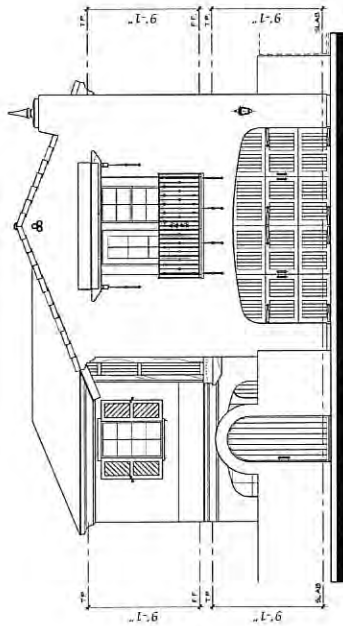
Plan 2 *Renderings*

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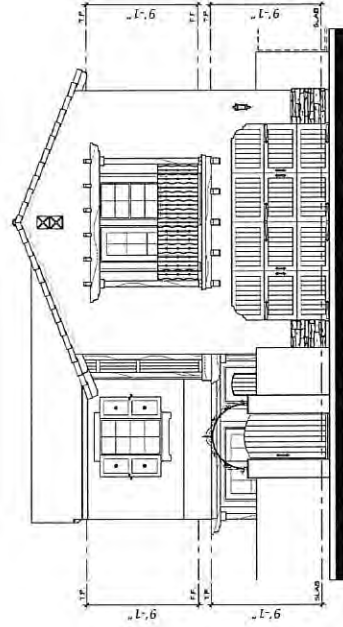


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architecture - planning

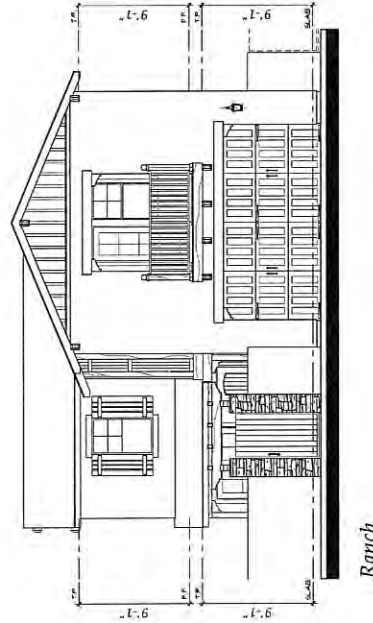
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san juan capistrano, ca 92675 fax 949/ 487-2321
7-8735 #15-08



Spanish



Early California



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Patch
4. Stucco Patch
5. Concrete "S" Tile
6. Concrete Flat Tile
7. Wood Fascia/Barge
8. False Clay Tile Vent
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Railing
13. Wood Railing
14. Decorative Metal
15. Decorative Light Fixture
16. Wood Patch
17. Metal Patch
18. Metal Roll-up Garage Door
19. Entry Door per Builder
20. Stucco Corbel
21. Wood Corbel
22. Exposed Wood Beam
23. Wood Outlooker
24. Built-up Wood Column
25. Wood Siding
26. Firred Stucco Base
27. Stucco Wing Wall
28. Eyebrow Roof
29. Wood Siding
30. Wood Outlooker

Plan 2 Front Elevations

Scale: 1/4" = 1'-0"

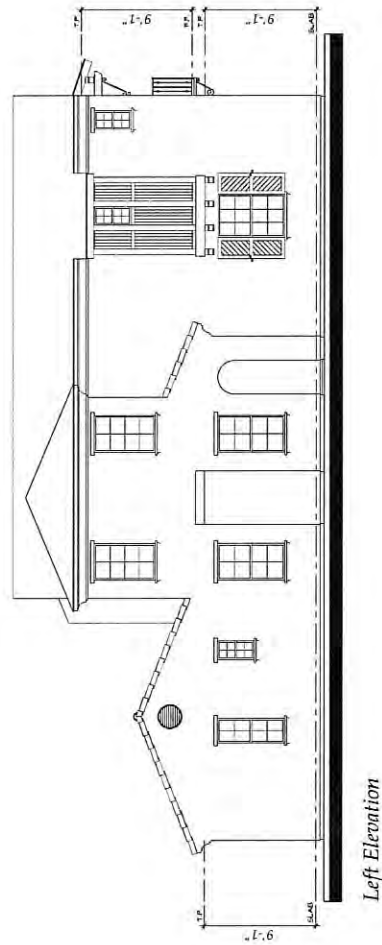
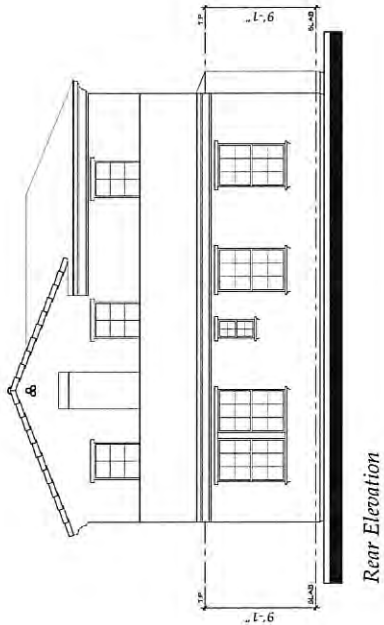
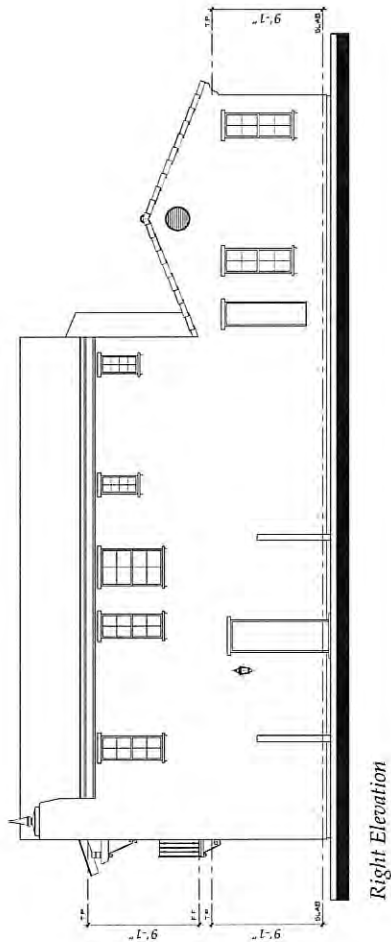


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Repplier Park Vistas
Banning California

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Plan 2 Elevations Spanish

Scale: 1/4" = 1'-0"

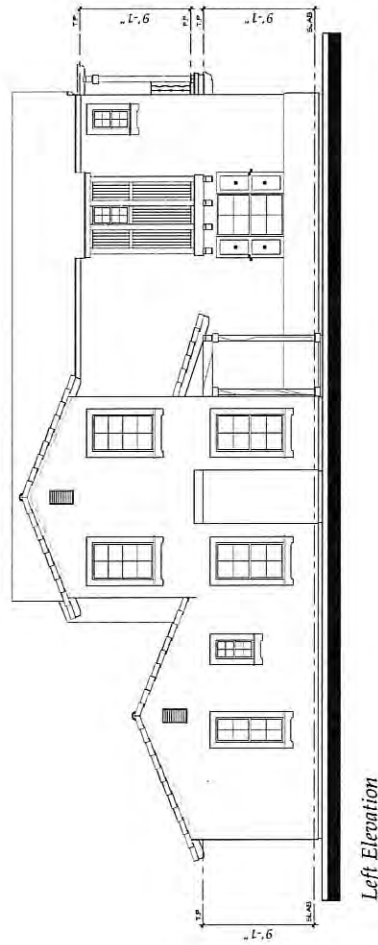
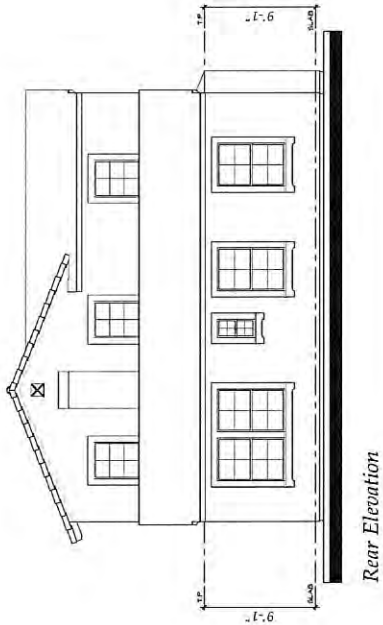
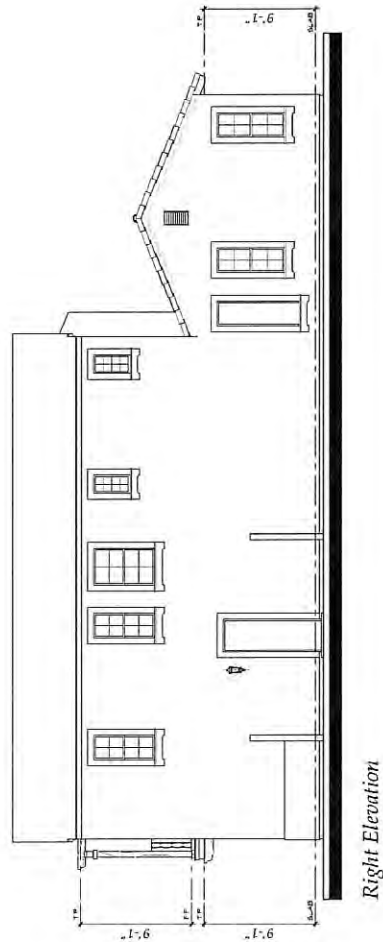


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Repplier Park Vistas
Banning California

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Plan 2 Elevations Early California

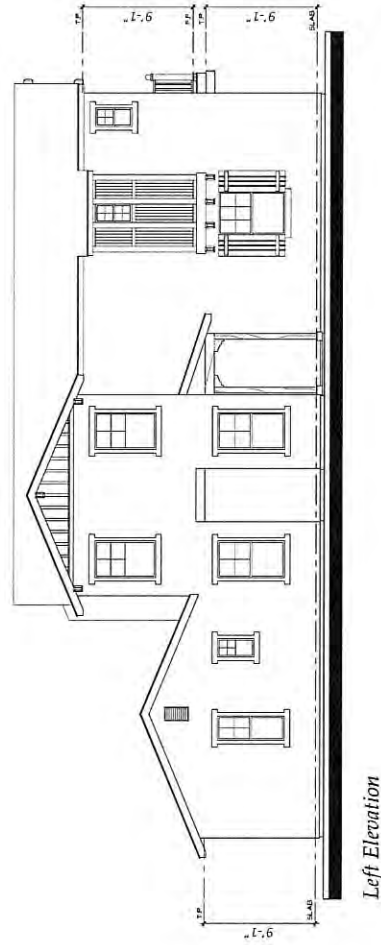
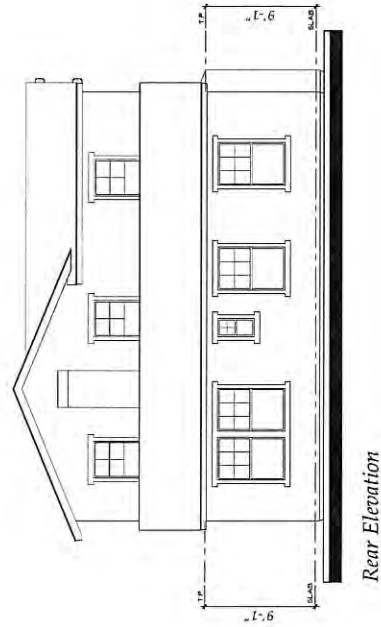
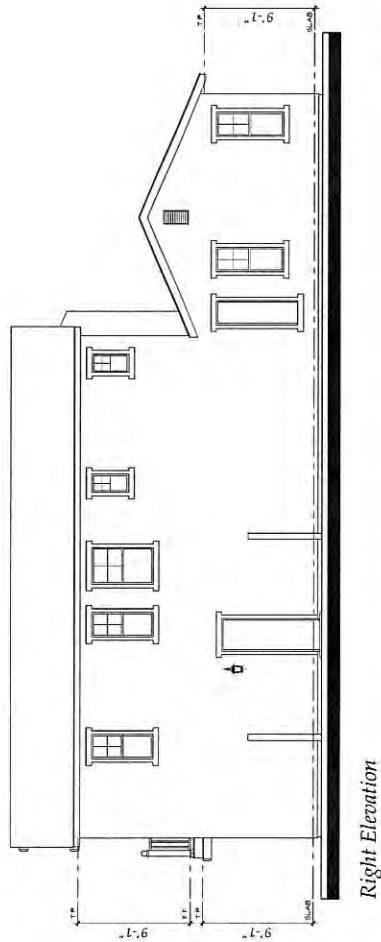
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Repplier Park Vistas
Banning California

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Plan 2 Elevations Ranch

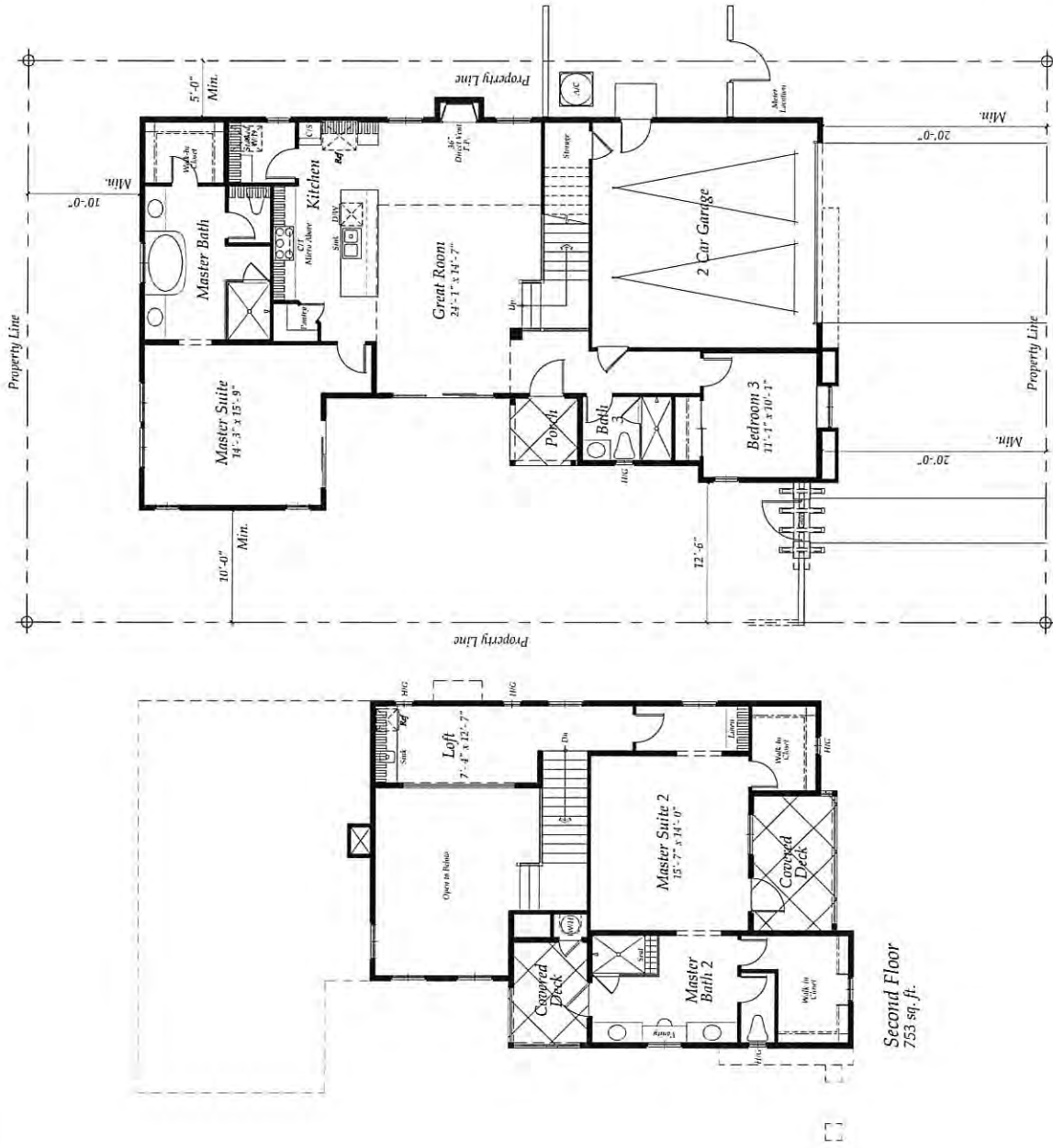
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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Plan 3
2,185 sq. ft.
California Ranch

Scale: 1/4" = 1'-0"



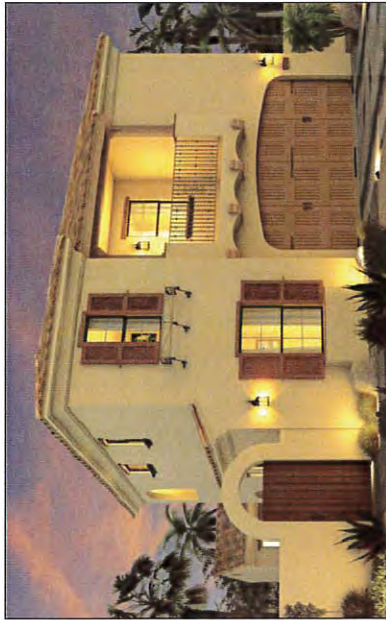
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 san Juan capistrano, ca 92675
 949/ 487-2320
 fax 949/ 487-2321
 7-17-15 #15-24

First Floor
 1,432 sq. ft.

Repplier Park Vistas
 Banning California

Second Floor
 753 sq. ft.

RMG Residential 2010 LLC



Spanish



Early Californian



Ranch

Plan 3 Renderings

Scale: 1/4" = 1'-0"

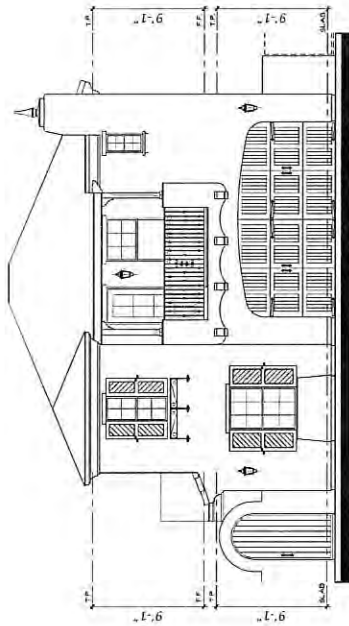


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architecture - planning

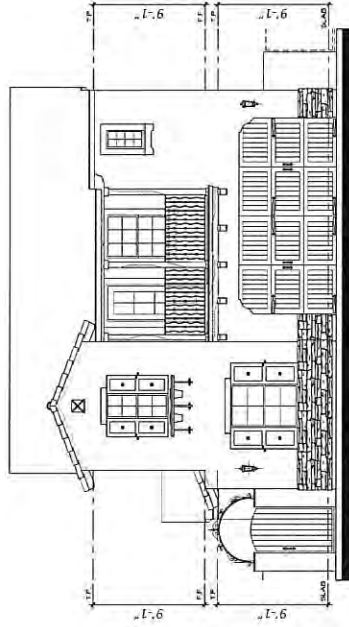
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San Juan Capistrano, CA 92675 fax 949/487-2321
7-87135 #15-08

Repplier Park Vistas
Banning California

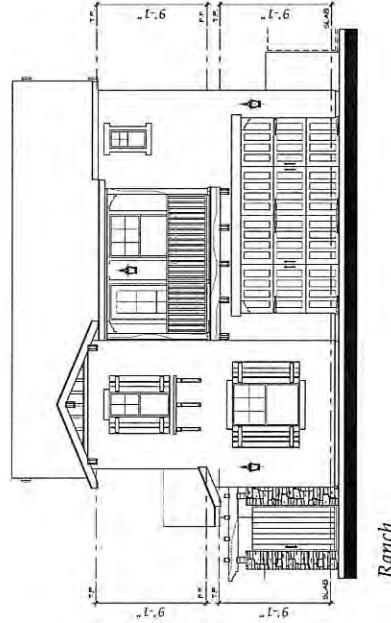
RMG Residential 2010 LLC



Spanish



Early California



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Polishoff
4. Stucco of Faint Trim
5. Concrete "S" Tile
6. Concrete Flat Tile
7. Wood Fascia/Barge
8. False Clay Tile Vent
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Roofing
13. Wood Siding
14. Decorative Metal
15. Decorative Light Fixture
16. Wood Polishoff
17. Metal Polishoff
18. Metal Roll-up Garage Door
19. Entry Door per Builder
20. Stucco Corbel
21. Wood Corbel
22. Exposed Wood Beam
23. Wood Outfitter
24. Built-up Wood Column
25. Wood Siding
26. Furred Stucco Base
27. Stucco Wing Wall
28. Eyebrow Roof
29. Wood Siding
30. Wood Outfitter

Plan 3 Front Elevations

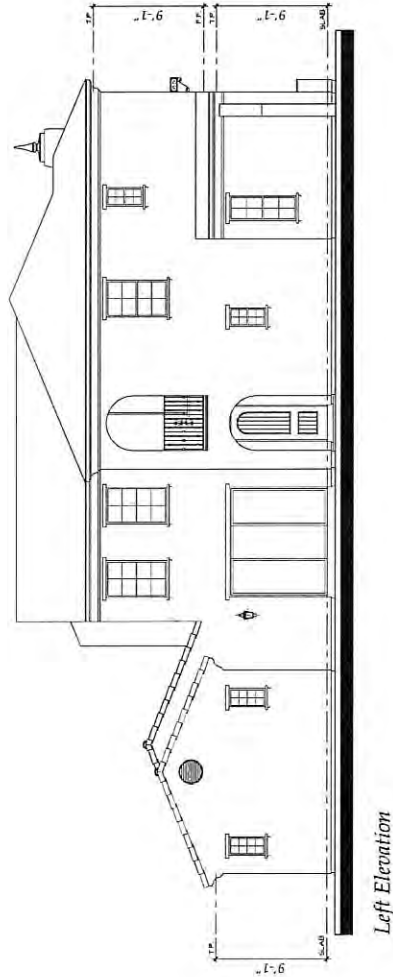
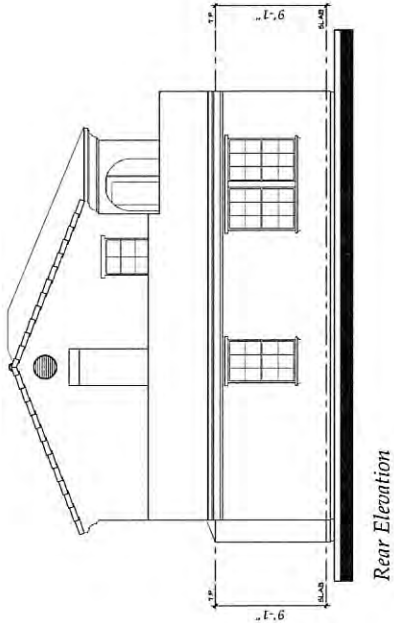
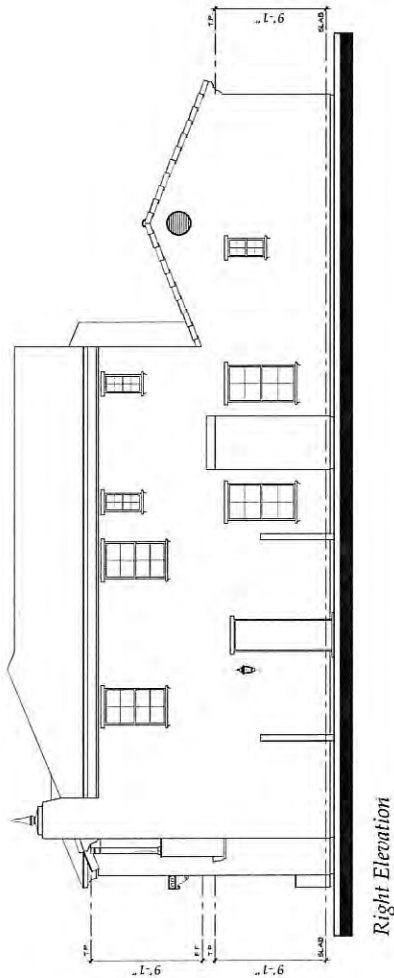
Scale: 1/4" = 1'-0"



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san juan capistrano, ca 92675
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7-17-15 #15-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Plan 3 Elevations Spanish

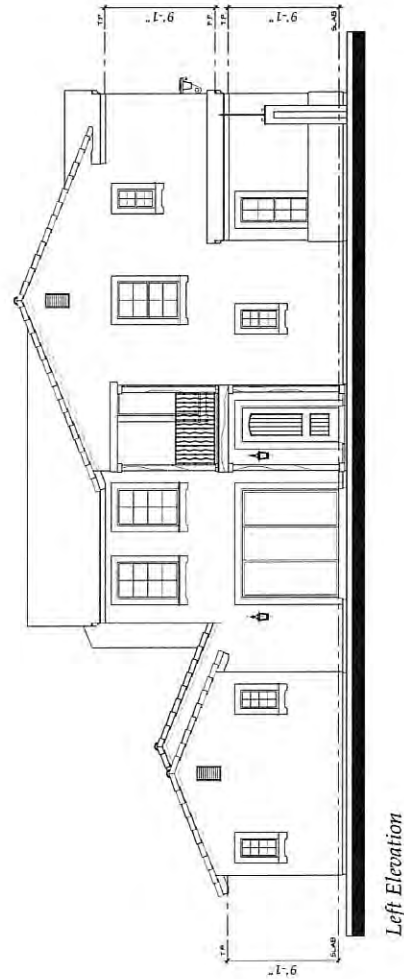
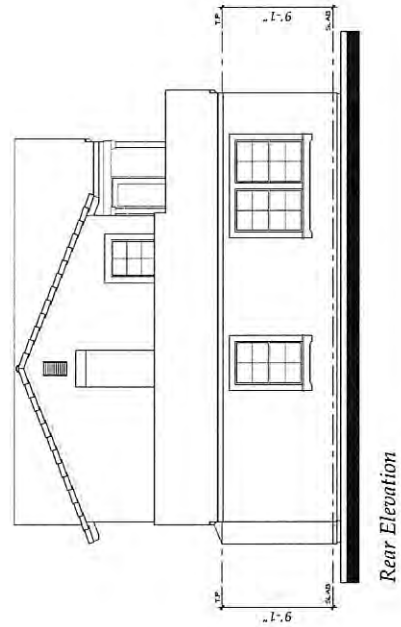
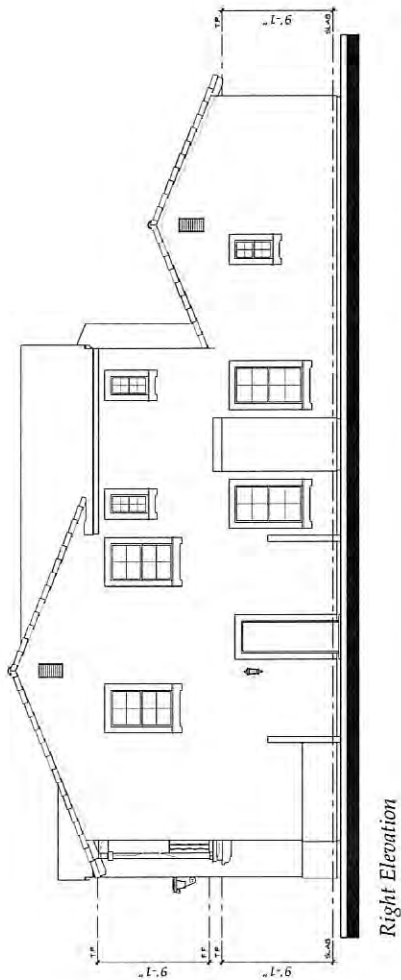
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 7-17-15 #15-24

Repplier Park Vistas
 Banning California

RMG Residential 2010 LLC



Plan 3 Elevations Early California

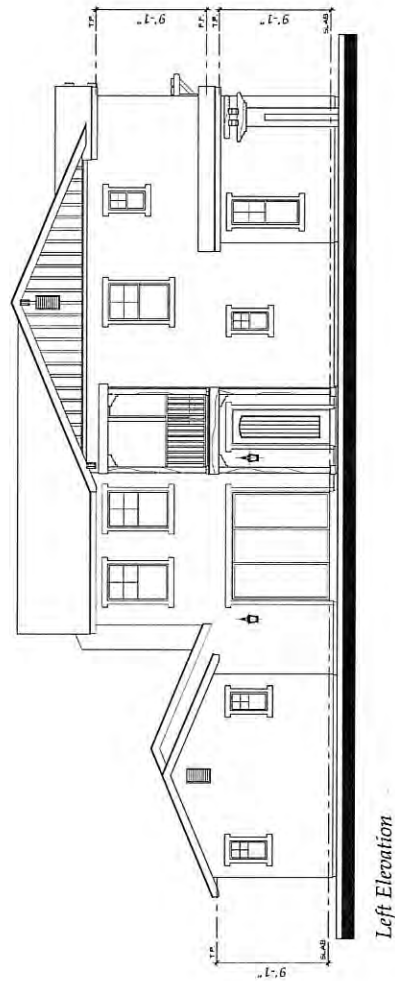
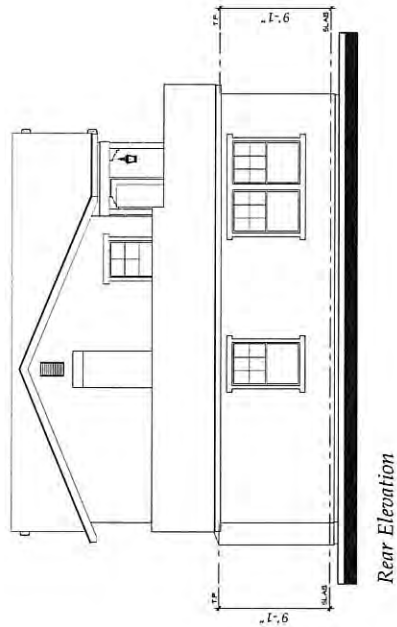
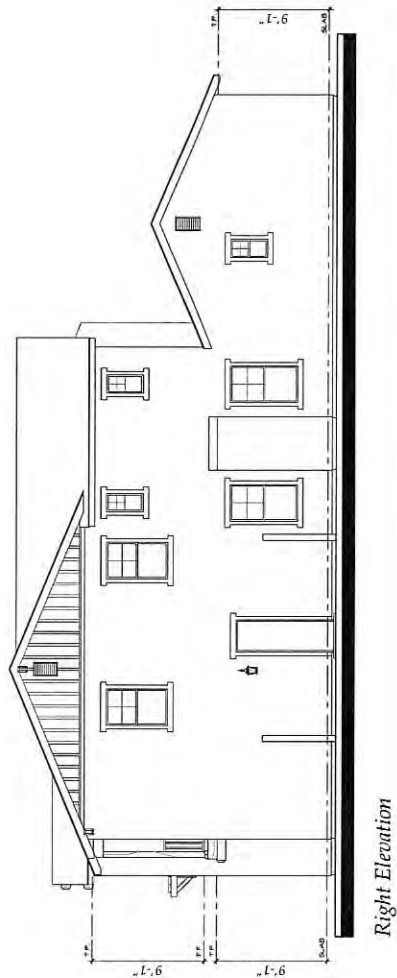
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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC

Plan 3
Elevations
Ranch

Scale: 1/4" = 1'-0"



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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



City of Banning

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COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT #: Tentative Tract Map 36710, Design Review 15-7004 and Planned Unit
Development Permit 17-9507

SUBJECT: Conditions of Approval (City Council Resolution 2017-91)

APPLICANT: Beau Cooper, United Engineering Group

LOCATION: APN: 534-183-014, 534-200-004, 534-200-008, 534-200-047

EXHIBIT C

*** All fair share agreements, covenant agreements and agreements subject to recordation will be subject to review and approval by the City Attorney and will include appropriate enforcement provisions by the City and be properly securitized.**

Community Development Department:

General Requirements

1. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

2. The issuance of these Conditions of Approval do not negate the requirements of the Engineering/Public Works Department or submittal, review, and approval of: Street improvement plans, signing and striping plans, grading plans, storm drain improvement plans, street lighting plans, water, sewer, and electrical improvement plans, or other plans as deemed necessary by the City Engineer.
3. Approval of Tentative Tract 36710, Design Review 15-7004 and Planned Unit Development Permit shall be for a period of two (2) years from the date of City Council approval. All Conditions of Approval must be met on or before the expiration date, or the applicant must request an extension of time at least thirty (30) days prior to the expiration date; otherwise, the approval shall expire and become null and void.
4. A copy of the signed resolution of approval or Community Development Director's letter of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans, building and construction plans, and landscape and irrigation plans submitted for review and approval as required by the reviewing department.
5. The design of all lots shall meet the development requirements contained in the City's Zoning Ordinance for the Low Density Residential Zoning District to include; density (up to 5 du/ac), lot depth (90 feet), lot coverage (40%), street side yard setback (15 feet), front yard setback (20 feet), landscaping (front and side yards), parking (2-car garage), building height (35 feet) and fence/wall height (6 feet). The Planned Unit Development Permit requirements include; minimum lot size (5,000 square foot), side yard setback (5 foot and 10 foot), rear yard setback (10 feet) and lot width (50 foot).
6. A six foot tall decorative block wall shall be constructed around the perimeter of the subdivision, between houses and along all street facing side yards. View fencing, such as wrought iron, shall be constructed along the rear yards of all houses adjacent to trail areas.
7. Applicant shall pay all development fees adopted by the City in effect at the time of issuance of any building permits, which shall include but not be limited to: TUMF, MSHCP, police and fire safety developer fees, water and sewer fees, park land dedication fees, and electric meter installation fees etc. Project proponent shall provide written evidence to the City that school mitigation fees have been paid or other arrangements acceptable to the Banning Unified School District have been met.
8. A copy of the final grading plan, approved by Engineering, shall be submitted to the Planning Department for review and approval of the landscaping and erosion control plans when graded cut slopes exceed five (5) feet in height and fill slopes exceed three (3) feet in height.
9. The developer shall contact the U.S. postal Service to determine the appropriate type and location of mailboxes.

10. A trailer, used as an office by the property owner or his designee, may be permitted on the site during construction for a period not to exceed six (6) months. Prior to issuance of a building permit for any residential unit, said trailer shall be subject to a Land Use Permit reviewed and approved by the Planning Department.
11. Prior to the issuance of any Building Permits, the project proponent shall submit to the City's Planning Department for review and approval: three (3) copies of a drought-tolerant landscape plan and irrigation plans prepared by a licensed landscape architect. Said plan shall also depict the proposed placement and materials for a 6-foot high decorative block wall with decorative cap to be established along the perimeter. The drought-tolerant landscape plan shall include the following:
 - A. The location, type, size and quantity of vegetation to be installed, and a date by which the landscaping shall be completed.
 - B. Required drought-tolerant slope planting: Slope planting shall be required for the surface of all cut slopes of three (3) feet or greater in height and fill slopes more than two (2) feet in height. Said slopes shall be protected against damage from erosion by providing jute netting and planting with, ground cover plants or grass, except that grass will not exceed 25% of the total planting area on the slope face.
 - (1) All slopes exceeding three (3) feet in vertical height shall also be planted with shrubs, spaced at distances not to exceed five (5) feet on center; or, trees spaced at distances not to exceed ten (10) feet on center; or a combination of shrubs and trees.
 - (2) Slopes exceeding five (5) feet in vertical height shall be planted with a combination of drought-tolerant trees, shrubs and groundcover.
 - (3) Drought-tolerant slope planting as required by B(1) and (2), above, shall consist of the following sizes and quantities:
 - a. Trees: 30% — 24- inch box; 35% — 15-gallon; 25% - five gallon; 10% - one gallon.
 - b. Shrubs: 60% — five gallon; 40%—one gallon.
 - c. Groundcover: 100% coverage from flats planted 18-inch on-center.
 - (4) The approved landscape plan shall be installed prior to the issuance of a Certificate of Occupancy for each single-family residence to be constructed within the subdivision.

12. Prior to the issuance of a Certificate of Occupancy for each single-family residence constructed within TTM 36710, the applicant shall submit to the City for review and approval three (3) copies of a detailed landscape and irrigation plan (comprised of xeriscape plant material) indicating type, species and location of the following minimum number of drought tolerant, multi-branched trees on each lot adjacent to the street right-of-way (all trees shall be planted with root barriers):
 - Cul-de-sac lots –1 tree; minimum 24” box
 - Interior lot— 2 trees; one 24” box, one 15—gallon
 - Corner lot — 3 trees; two 24” box and one 15—gallon.
 - The Plan shall be forwarded to a Landscape Architect for review and the applicant shall pay all fees associated with the review process. The approved landscape plan shall be implemented / installed prior to the issuance of a Certificate of Occupancy for each single-family residence constructed within TTM 36710. (Submit landscape and irrigation plans as soon as possible to allow sufficient time for a Landscape Architect to review same).
 - The landscaping for the street parkways, public lots, and other public areas shall be installed prior to occupancy of the first unit.
13. A six-(6) foot high chain link fence must be maintained around the perimeter of the site during all phases of construction.
14. Developer shall meet all requirements of responsible agencies, including but not limited to: Southern California Gas Company, Southern California Edison Company, and West Riverside County Airport Land Use Commission (ALUC).
15. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
16. The Project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 403 requires that fugitive dust be controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below:
 - Apply nontoxic chemical soil stabilizers according to manufactures’ specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
 - Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)

- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 m (2 ft.) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.
- Pave construction access roads at least 30 m (100 ft.) onto the site from the main road.
- Reduce traffic speeds on all unpaved roads to 15 mph or less.

The applicable Cal/Recycle Sustainable (Green) Building Program Measures are:

- Recycle/reuse at least 50 percent of the construction material that are rapidly renewable or resource-efficient, and recycled and manufactured in an environmentally friendly way for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website:
www.calrecycle.ca.gov

17. In the event that previously undocumented archaeological resources are identified during earthmoving activities, further construction work in the area should be diverted or halted until the nature and significance of the find can be assessed.
18. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Mitigation

19. The development shall comply with all measures contained in the project's Mitigation Monitoring Program.

Public Works:

A. General Requirements

20. A Public Works Permit shall be required prior to commencement of any work within the public right-of-way. The contractor working within the public right-of-way shall submit proof of a Class "A" State Contractor's License, City of Banning Business License, and Liability Insurance. Any existing public improvements, or public improvements not

accepted by the City that are damaged during construction shall be removed and replaced as determined by the City Engineer or his/her representative.

21. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:

- Fire Marshal (access)
- Public Works Department (grading permits, street improvement permits)
- Riverside County Flood Control & Water Conservation District (storm drain)
- California Regional Water Quality Control Board Colorado River Basin (RWQCB)
- South Coast Air Quality Management District (SCAQMD)

The applicant is responsible for meeting all requirements of permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting improvements plans to the City.

22. The following improvement plans shall be prepared by a Civil Engineer licensed by the State of California and submitted to the Engineering Division for review and approval. A separate set of plans shall be prepared for each line item listed below. Unless otherwise authorized in writing by the City Engineer, the plans shall utilize the minimum scale specified and shall be drawn on 24" x 36" Mylar film. Plans may be prepared at a larger scale if additional detail or plan clarity is desired (Note: the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors):

- | | |
|---|---------------------|
| a. Rough Grading Plans | 1" = 40' horizontal |
| (All Conditions of Approval shall be reproduced on last sheet of set) | |
| b. Haul Route Plans | 1" = 40' horizontal |
| c. Clearing Plans | 1" = 50' horizontal |
| (Include construction fencing plan) | |
| d. Erosion Control & SWPPP, WQMP | 1" = 40' Horizontal |
| (Note: a, b, c & d shall be reviewed and approved concurrently) | |
| e. Storm Drain Plans | 1" = 40' Horizontal |
| f. Street Improvement Plans | 1" = 40' Horizontal |
| | 1" = 4' Vertical |
| g. Signing & Striping Plans | 1" = 40' Horizontal |
| h. Precise Grading Plans | 1" = 40' Horizontal |
| i. Landscaping Plans | 1" = 20 Horizontal |

- | | |
|----------------------------|---|
| j. Water Improvement Plans | 1" = 40' Horizontal
1" = 4' Vertical |
| k. Sewer Improvement Plans | 1" = 40' Horizontal
1" = 4' Vertical |

Other engineered improvement plans prepared for City approval that are not listed herein shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All off-site plan and profile, street improvement plans and signing & striping plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or at a distance sufficient to show any required design transitions.

A small index map shall be included on the title sheet of each set of plans, showing the overall view of the entire work area.

23. Upon completion of construction, the Developer shall furnish the City with reproducible record drawings on Mylar film of all improvement plans that were approved by the City Engineer. Each sheet shall be clearly marked "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying the accuracy and completeness of the drawings. The applicant shall have all AutoCAD files submitted to the City, revised to reflect the "As-Built" conditions.

B. Rights of Way/Street Improvements

24. Prior to issuance of any permit(s), the applicant shall offer to dedicate to the City of Banning for public purposes the right-of-way for Wilson Street fronting as a urban arterial highway; Half-width right-of-way of 55 feet; Curb to centerline width of 43 feet.
25. Prior to issuance of any permit(s), the applicant shall offer to dedicate to the City of Banning for public purposes the right-of-way for Hoffer Street and Florida Street, fronting as local streets; Half-width right-of-way of 30 feet; Curb to centerline width of 20 feet.
26. Submit a copy of the title report, closure calculations, and any separate instruments or necessary right-of-way documents to the Engineering Division for review and approval of the City Engineer prior to all improvement plans.
27. The City and Developer are to enter into a Development Agreement (DA) to guarantee the construction of the public improvements as listed in the Conditions of Approval and as shown on the approved plans. The applicant shall work with the City Attorney's Office to execute the DA and pay all related legal processing fees.
28. All street improvement designs shall provide pavement and lane transitions per City of Banning and Caltrans standards for transition to existing street sections.
29. Construct half-width street improvements fronting Wilson Street, Florida Street and Hoffer Street including street lighting, curb and gutter, drive approaches, sidewalk, parkway, asphalt concrete paving, traffic signs and striping, and any transitions. Street lights shall

be installed offset of the existing street lights. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method.

30. Construct full-width street improvements fronting all local streets (cul-de-sac) including street lighting, curb and gutter, drive approaches, sidewalk, parkway, asphalt concrete paving, traffic signs and striping, and any transitions. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method.
31. Any public improvements damaged during the course of construction shall be replaced to the satisfaction of the City Engineer, or his/her designee.
32. The applicant shall plant and perpetually maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways constructed in connection with the project. This includes providing irrigation and the clearing of debris and weed removal.
33. All required public improvements for the project shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy.

C. Grading and Drainage

34. Submit a Drainage Study with hydrologic and hydraulic analysis for developed and undeveloped (existing) conditions to the Engineering Division for review and approval. The study and analysis shall be prepared by a civil engineer licensed by the State of California. Drainage design shall be in accordance with Banning Master Drainage Plan adopted by Riverside County Flood Control and Water Conservation District (RCFCD), RCFCD Hydrology Manual, and standard plans and specifications. The 10-year storm flow shall be contained within the street curbs, and the 100-year storm shall be contained within the street right-of-way; when this criteria is exceeded, additional drainage facilities shall be designed and constructed.
35. At a minimum, all development will make provisions to store runoff from rainfall events up to and including the one-hundred year three-hour duration event. Post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.
36. If the site is located in a Flood Area as identified in Flood Insurance Rate Map dated August 28, 2008 the developer is responsible for providing a certification by a registered professional engineer or architect demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
37. The project grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained for the release of concentrated or diverted storm flows. The project shall accept and convey storm flows from the adjacent property to the north, east and west.
38. The applicant shall comply with Chapter 13.24 "Stormwater Management Systems" of the Banning Municipal Code (BMC) and Title 18 "Grading, Erosion and Sediment Control"

of the California Building Code related to excavation and grading; and, the State Water Resources Control Board's orders, rules and regulations.

For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the applicant shall be required to submit a Storm Water Pollution Protection Plan (SWPPP) and file a Notice of Intent (NOI) with the Regional Water Quality Control Board.

The applicant's SWPPP shall be reviewed and approved by the City Engineer prior to any permit issuance.

The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs"):

- Temporary Soil Stabilization (erosion control).
- Temporary Sediment Control.
- Wind Erosion Control.
- Tracking Control.
- Non-Storm Water Management.
- Waste Management and Materials Pollution Control.

All erosion and sediment control BMPs proposed by the applicant shall be designed using the CASQA BMP handbook and approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.

The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.

39. Prior to issuance of any grading or building permit, a Project-Specific Water Quality Management Plan (WQMP) shall be reviewed and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.
40. Grading and excavations in the public right-of-way shall be supplemented with a soils and geology report prepared by a professional engineer or geologist licensed by the State of California.
41. Prior to the issuance of any building permit(s), a precise grading plan shall be submitted to the City Engineer for review and approval. A grading permit shall be obtained prior to commencement of any grading activity.

42. The following notation shall be placed on the grading plan: "No more than three days prior to removing trees, shrubs or tall herbaceous vegetation during the breeding season for migratory birds (February 15 to August 31) a qualified biologist shall conduct a nesting bird survey."
43. Prior to the issuance of a building permit, the applicant shall provide a lot pad certification stamped and signed by a qualified civil engineer or land surveyor. Pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil.

D. Traffic/Airport Safety Zone

44. Prior to the issuance of a grading permit or building permit, the applicant shall submit and obtain approval in writing from the Fire Marshall for the plans for all public or private access drives or streets. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. When a dead-end access exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turnaround must be provided and approved by the Fire Marshall. Applicable covenant, conditions or restrictions or other approved documents shall contain provisions which prohibit obstructions such as speed bumps/humps, control gates or other modifications within said easement or access road unless prior approval of the Fire Marshall is granted.
45. Driveway grades shall not exceed eight percent unless approved by the City Engineer.
46. Access drives to the public right-of-way shall be restricted to those approved by the City Engineer as shown on the approved plans.
47. Prior to the issuance of any certificate of occupancy, all fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street/access driveway as approved by the Fire Marshall, and must be maintained in good condition by the property owner until the street is accepted for maintenance.
48. Prior to the issuance of a grading permit or building permit, the applicant shall conduct a Traffic Impact Analysis at the intersections of San Gorgonio Avenue/Wilson Street; Alessandro Street/Wilson Street; Florida Street/Wilson Street; and Hargrave Street/Wilson Street and submit the report to the Engineering Division for review and approval. All mitigation identified in the Traffic Impact Analysis shall be implemented by the applicant to the satisfaction of the City Engineer.
49. The site is located within an airport safety zone as designated in the Riverside County Airport Land Use Compatibility Plan. Prior to approval of any building permit, the project shall be submitted to the Riverside Airport Land Use Commission for a consistency determination and the Applicant shall provide written evidence that the project meets all conditions set forth by said Commission.

E. Water

50. Design and construct an 8" D.I.P. water line on public streets and connect to the existing water system. Provided a looped system. Submit Water Improvement Plans to Public Works Department, Engineering Division for review and approval. If the water line is not located on a public street, an easement over the water line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.
51. A backflow device must be installed at each irrigation water connection. The backflow device must be in compliance with the State Department of Health Regulations.
52. Fire Services will require a Double Detector Check or RPP Device.
53. Pay all applicable water connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

F. Sewer

54. Design and construct sewer line on public streets and connect to the existing sewer system. Submit Sewer Improvement Plans to Public Works Department, Engineering Division for review and approval. If the sewer line is not located on a public street, an easement over the sewer line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.
55. All sewer lines to be constructed within the Public right-of-way shall be extra strength Vitrified Clay Pipe. All sewer laterals shall be a minimum of 4" and all sewer mains shall be a minimum of 8". Final sizes shall be approved by the City Engineer.
56. A sewer check valve shall be provided for each building with a finish pad elevation lower than the rim elevation of the immediate up-stream sewer manhole.
57. Pay all applicable sewer connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

G. Trash/Recycling

58. Construction debris shall be disposed of at a certified recycling site. It is recommended that the developer contact the City's franchised solid waste hauler, Waste Management of the Inland Valley at 1-800-423-9986, for disposal of construction debris.

H. Final Map

59. Security for the construction of public improvements in accordance with Government Code Section 66499 shall be as follows:
 - Faithful Performance Bond - 100% of estimated cost
 - Labor and Material Bond - 100% of estimated cost
 - Monumentation Bond - \$10,000.00

Securities for the public improvements shall be on file with the City Clerk prior to scheduling the final map for approval by City Council. Unit prices for bonding estimates shall be those specified or approved by the City Engineer.

60. Submit a copy of the title report, closure calculations, and any separate instruments or necessary easement or right-of-way documents to the Engineering Division for review and approval of the City Engineer prior to final map approval.
61. A map of the proposed subdivision drawn at 1"=200' scale showing the outline of the streets including street names shall be submitted to the City to update the city atlas map.
62. An original Mylar of the final map (after recordation) shall be provided to the City for the record files.
63. A record of all street centerline monument ties shall be submitted to the Engineering Division upon completion of improvements or prior to release of Monumentation Bond.

I. Fees

64. Plan check fees for professional report review (geotechnical, drainage, etc.), and all improvement plans review, shall be paid at the time of submittal of said documents for review and approval in accordance with the fee schedule in effect at the time of submittal.
65. Public Works Inspection fees shall be paid prior to issuance of any permits in accordance with the fee schedule in effect at time of time of scheduling.
66. Water and sewer connection fees including frontage fees and water meter installation charges shall be paid at the time of building permit issuance in accordance with the fee schedule in effect at that time.
67. A plan storage fee shall be paid for any engineering plans that may be required prior to issuance of certificate of occupancy in accordance with the fee schedule in effect at the time the fee is paid.

County Fire Department:

The Fire Department requires the listed fire protection measures be provided in accordance with the City of Banning Municipal Code and/or the Riverside County Fire Department Fire Protection Standards. Final conditions will be addressed when complete building plans are reviewed:

68. Effective January 1, 2011 all one/two family dwellings and townhouses will require an automatic residential fire sprinkler system designed and installed in accordance with section HCD R 313.3 or NFPA 13 D.
69. For residential areas, approved standard fire hydrants shall be located within 400 feet of all exterior portions of the structure. Minimum fire flow shall be 500 GPM for 1-hour duration at 20 PSI.

70. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
71. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
72. Blue dot retro-reflectors pavement markers shall be provided on private streets, public streets and driveways to indicate the location of the fire hydrant.
73. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standards. Access lanes will not have an up, or downgrade of more than 15%. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface as to provide all weather driving capabilities.
74. Any turn-around requires a minimum 38-foot turning radius. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
75. The minimum dimension for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
76. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane printing and/or signs.

Building Department:

77. The site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Banning.
78. Separate submittals and permits are required for all accessory structures such as but not limited to, trash enclosures, patios, block walls and storage buildings.

Electric Utility Department:

79. The electric utility will require adequate easements needed to service the project. The easement area behind the sidewalk may be needed for Wilson Street and Florida Street for vaults, conduits, street lights and pad mounted transformers.
80. Easements may also be required for Streets A, B, & C for vaults, conduits, meter pedestals and pad mounted transformers and additional easements will be required to serve lots 9 and 46 from Street A and Street B.
81. The street lights on Streets A, B, & C will be privately owned and not maintained by the City and will be required to be metered.

Planning Commission Added Conditions

82. Prior to building permit issuance, the developer shall create a Home Owners Association (HOA) with Covenants, Conditions and Restrictions (CC&R's) that make the HOA responsible for maintenance of all private amenities such as; streets, curbs, gutters, sidewalks, street lights, open space areas, fences, block walls, landscaping, irrigation, and any other items not maintained by the City of Banning.
83. The Home Owners Association shall include in their Covenants, Conditions and Restrictions (CC&R's) that no more than 50 percent of the homes in the subdivision may be rented.
84. All perimeter walls and fences shall be coated with a non-graffiti coating and all walls shall be landscaped in such a way to prevent graffiti.
85. All pathways behind houses shall have locking gates and all open space areas shall have security lighting.
86. The intersection of Florida Street and Wilson Street shall become a four way stop at a time the City Engineer determines the need exists.

END OF CONDITIONS

Mitigation Measures		Timing	Verification		Date
			Department	Signature	
Aesthetics					
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)					
PPP 3.1-1	Banning Zoning Code: As required by the City of Banning Zoning Regulations, Table 17.08.030, residential building heights shall not exceed thirty-five (35) feet in height.				
PPP 3.1-2	The Project site is within Zone D of the Banning Municipal Airport Compatibility Map. Consequently, object heights are limited to 35 feet.				
PDF 3.1-1	The project site will be a Planned Unit Development (PUD) and incorporate specific land use and Right-of-Way (ROW) design features unique to the Project.				
PDF 3.1 -2	Any Public Street Lighting shall not exceed 35 feet in height.				
Air Quality					
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)					
PPP 3.3-1	The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person				

Mitigation Measure	Timing	Department	Signature	Date
shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.				
PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.				
MM AIR-1 To be compliant with CALEEMod modeling, the equipment planned to be used on a peak day during site preparation and grading operations will disturb no more than 5 acres in a day.	During Grading	Engineering		
Biological Resources				
Plans, Policies, or Programs (PPP)				
Project Design Features (PDF)				
Mitigation Measures (MM)				
PPP 3.4-1 The Project is required to pay Fish and				

Mitigation Measure	Timing	Department	Signature	Date
Wildlife fees to California Department of Fish and Wildlife.				
Cultural Resources				
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)				
PPP 3.5-1 The project is required to comply with the applicable provisions of California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq., and provisions of AB 52 concerning consideration of Tribal Cultural Values in determination of project impacts and mitigation.				
Geology and Soils				
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)				
PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.				
PPP 3.6-2 Prior to grading permit issuance, the Project Proponent shall prepare a <i>Stormwater Pollution Prevention Plan</i> . Project contractors shall be required to				

Mitigation Measure	Timing	Department	Signature	Date
<p>ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Banning staff and the state water resources control board staff.</p>				
<p>MM- GEO -1 Developer shall adhere to the recommendations cited in the EnGEN Corp Geotechnical Engineering Study with regard to the project's development per Section 8.0.</p>	During Grading	Engineering		
<p>Greenhouse Gas Emissions Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)</p>				
<p>PPP 3.7-1 Prior to issuance of the first residential building permit, the Project Applicant shall submit energy usage calculations in the form of a Title 24 Compliance Report to the City of Banning Building & Safety Department showing that the Project will be constructed in compliance with the most recently adopted edition of the applicable California Building Code Title 24 requirements.</p>	During Plan Check process	Building and Safety		
<p>Hazards and Hazardous Materials Plans, Policies, or Programs (PPP) Project Design Features (PDF)</p>				

Mitigation Measure		Timing	Department	Signature	Date
Mitigation Measures (MM)					
PPP 3.8-1	The Project is subject all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.				
PDF 3.8-1	The Applicant is proposing a Planned Unit Development (PUD) to permit a housing density of 4.5 dwelling units per acre.				
Hydrology and Water Quality					
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)					
PPP 3.9-1	Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Resources Control Board. Evidence that an National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.				
PPP 3.9-2	Prior to grading permit issuance, the				

Mitigation Measure	Timing	Department	Signature	Date
<p>Project Proponent shall prepare a Storm water Pollution Prevention Plan. Project contractors shall be required to ensure compliance with the Storm water Pollution Prevention Plan and permit periodic inspection of the construction site by City of Jurupa Valley staff or its designee to confirm compliance.</p>				
<p>PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.</p>				
<p>PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.</p>				
<p>PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.</p>				

Mitigation Measure		Timing	Department	Signature	Date
Noise					
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)					
PPP 3.12-1 In order to ensure compliance with the Banning Municipal Code Chapter 8.44 Noise Regulations, prior to the issuance of a grading permit, the developer is required to submit a construction-related noise mitigation plan to the City for review and approval. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this project. In addition, the plan shall require that the following notes are included on grading plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.					
a) All construction activities shall comply with Chapter 8.44 (Noise Regulations) of the City of Banning Municipal Code.					
b) Construction contractors shall equip all construction equipment, fixed or mobile,					

Mitigation Measure	Timing	Department	Signature	Date
<p>with properly operating and maintained mufflers, consistent with manufacturers' standards.</p> <p>c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.</p> <p>d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors.</p> <p>PPP 3.12-2 The City shall require building setbacks, the installation of wall and window insulation, soundwalls, earthen berms, and/or other mitigation measures in areas exceeding the City's noise standards for private development projects as they occur.</p>				
<p>MM- NOISE- 1 Highly noise-sensitive outdoor non-residential uses are prohibited.</p>	<p>During construction and operation Prior to sales of property</p>	<p>Developer, Owner Owner</p>		
<p>MM- NOISE- 2 The following notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice. NOTICE OF AIRPORT IN VICINITY This property is presently located in the</p>				

Mitigation Measure	Timing	Department	Signature	Date
<p>vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13) (A)</p>				
<p>Public Services Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)</p>				
<p>PPP 3.14-1 The Project shall comply with applicable City's Development Impact Fees which requires payment of a development mitigation fee to assist in providing funds to offset the incremental increase in the demand for public services, parks and open space that would be created by the Project. Prior to the issuance of building permits. The Project Applicant shall pay fees in accordance with the City of Banning Municipal Code Requirements.</p>				

Mitigation Measure	Timing	Department	Signature	Date
PPP 3.14-2 Prior to the issuance of building permits, the Project Applicant shall pay required development impact fees to the Banning Unified School District following protocol for impact fee collection.				
Transportation/Traffic Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)				
PPP 3.16-1 Prior to the issuance of any building permits, the Project Proponent shall make pay the City's Traffic Control Facility Fee per household unit constructed.				
Tribal Cultural Resources Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)				
PPP 3.17-1 If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of the origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage				

Mitigation Measure	Timing	Department	Signature	Date
Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.				
PPP 3.17-2 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Section 18.18.120 D, discoveries made of archaeological or paleontological interest shall stop operations until a qualified archeologist or paleontologist has assessed the significance of the find.				
MM-TRIBAL-1The project proponent shall notify and invite, Morongo Band of Mission Indians Tribal Resource Monitor(s) be present during all required ground disturbing activities pertaining to the project.				
Utilities and Service Systems				
Plans, Policies, or Programs (PPP) Project Design Features (PDF) Mitigation Measures (MM)				
PPP 3.18-1 As per Title 16 of the City of Banning Municipal Code Subdivision section, prior to recordation of a Final Map,				

Mitigation Measure	Timing	Department	Signature	Date
improvement plans shall be submitted to the City Engineer that provide for sewage disposal by connection to an existing collection system capable of accepting the waste load. The collection system shall meet the City of Banning Utility Department standards and requirements.				
PPP 3.18-2 Prior to recordation of a Final Map, required improvement plans shall be submitted to the satisfaction of the City Engineer that provide for the installation of a domestic water supply and distribution system that meets the requirements per the City of Banning Public Services and Utility requirements.				
PPP 3.18-3 Prior to the issuance of a grading permit, the Project proponent shall be required to provide written verification to the City of Banning Public Works Department that that adequate capacity exists at the City of Banning Water Control Plant to serve the Project. All water and sewer connection fees shall be paid prior to the issuance of a building permit.				
PPP 3.18-4 The California Waste Management Act (AB 939) requires municipalities to reduce the amount of waste it sends to landfills by 50%. The Project shall participate in				

Mitigation Measure	Timing	Department	Signature	Date
established Citywide recycling programs in response to AB 92. Individuals may also participate through privately run recycling operators.				

ATTACHMENT 2

Planning Commission Resolution

RESOLUTION NO. 2017-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF PLANNED UNIT DEVELOPMENT PERMIT 17-9507, TENTATIVE TRACT MAP 36710, DESIGN REVIEW 15-7004 AND A MITIGATED NEGATIVE DECLARATION, LOCATED ON PROPERTY NORTH OF EAST WILSON STREET AND WEST OF NORTH FLORIDA STREET (APN'S 534-183-014, 534-200-004, 534-200-008 AND 534-200-047)

WHEREAS, the applicant, Beau Cooper with United Engineering Group has submitted an application for a Planned Unit Development Permit 17-9507, Tentative Tract Map 36710 and Design Review 15-7004 for consideration by the Planning Commission to recommend to the City Council the proposed project to subdivide four lots totaling 10.6 acres for purposes of creating 46 single-family residential lots and 5 lettered lots.

WHEREAS, the Municipal Code allows the subdivision of approximately 10.6 acres within the Low Density Residential Zone into 46 lots with a minimum lot size of 5,000 square feet with the approval of a Planned Unit Development; and

WHEREAS, the Community Development Department has evaluated the project's potential effects on the environment as required under the California Environmental Quality Act ("CEQA") and prepared a Mitigated Negative Declaration ("MND") in compliance with CEQA Statute Section 21064.5 which incorporates conditions and mitigation measures that reduce the potential impacts of the project below significance; and

WHEREAS, on August 25, 2017 the City gave public notice as required under Government Code Section 66451.3 by advertising in the Record Gazette Newspaper, and mailing notices to all property owners within 300 feet of the project site of the holding of a public hearing for the Planning Commission's review and recommendation, at which time the project would be considered; and

WHEREAS, the Mitigated Negative Declaration's Notice of Intent/Notice of Availability regarding Tentative Tract Map 36710, Planned Unit Development Permit 17-9507 and Design Review 15-7004, was advertised in the Record Gazette newspaper on August 11, 2017. Additionally, the notice was mailed to all property owners within 300 feet of the Project; and

WHEREAS, on September 6, 2017, the Planning Commission held the duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the Planning Commission

considered the Mitigated Negative Declaration, Planned Unit Development Permit 17-9507, Design Review 15-7004 and Tentative Tract Map 36710.

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

SECTION 1. ENVIRONMENTAL FINDINGS:

The following environmental findings are made and supported by substantial evidence on the record before the Planning Commission, including and incorporating all evidence in the staff report and attendant attachments thereto:

California Environmental Quality Act (CEQA)

Approval of Tentative Tract Map 36710 is in compliance with the requirements of CEQA, in that on September 6, 2017, at a duly noticed public hearing, the Planning Commission approved and adopted a Mitigated Negative Declaration and Mitigation Monitoring Report and Program reflecting its independent judgment and analysis and documenting that there was no substantial evidence, in light of the whole record, from which it could be fairly argued that the Project may have a significant effect on the environment. The documents comprising the City's environmental review for the Project are on file and available for public review at Banning City Hall, 99 E. Ramsey Street, Banning, California 92220.

Multiple Species Habitat Conservation Plan (MSHCP).

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided.

SECTION 2. REQUIRED FINDINGS FOR TENTATIVE TRACT MAP 36710

An application for a Tentative Tract Map requires that it meet specific findings in accordance with Title 16 of the Banning Municipal Code, on Subdivisions, and Government Code Sections 66473.1, 66473.5 and Section 66474. A tentative map must adequately meet the adopted provisions of the Title 16 Subdivision chapter based upon the following findings:

Finding A: The proposed map is consistent with the General Plan.

Findings of Fact: The General Plan land use designation for the site is classified as Low Density Residential which allows housing densities from 0 to 5 dwelling units per acre. The proposed Map will result in the development of 46 single family residential dwelling units at a density of 4.3 units per acre. This density level is within the range permitted under the General Plan land use designation for this site. One of the primary policies of the Land Use Element of the General Plan is that projects adjacent to existing neighborhoods shall be carefully reviewed to assure that neighborhood character is

protected. The proposed Tentative Tract Map serves to achieve this objective in that the subdivision design is consistent with existing neighborhood housing stock. Considering all of these aspects, the proposed Map furthers the objectives and policies of the General Plan and is compatible with the general land uses districts within the general vicinity of the Project.

Finding B: The design or improvement of the proposed subdivision is consistent with the City's General Plan.

Findings of Fact: The proposed subdivision has been designed to meet City standards which provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities have been designed and are conditioned to be constructed in conformance with City standards which is consistent with the City's General Plan.

Finding C: The site is physically suitable for the type of development.

Findings of Fact: The 10.6 acre site is relatively flat with a change in elevation from 2,550 to 2,650 feet above mean sea level. The proposed project is adjacent to existing residential development and has availability of all services including, streets, water, sewer and electricity. Therefore, the site is physically suitable for this type of development.

Finding D: The site is physically suitable for the density of development.

Findings of Fact: The site is located within the Low Density Residential Zone which allows for 0-5 dwelling units per acre. The project proposes 4.3 dwelling units per acre which is less than the maximum allowed. The project is proposing a Planned Unit Development Permit which allows for minimum lot sizes of 5,000 square feet and the project includes 30 percent of the site for open space areas that include parks, recreation and common areas. The subdivision, as proposed, is suitable for the density of development.

Finding E: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Findings of Fact: The site is currently vacant and does not contain any significant vegetation or habitat for wildlife. Per the Multiple Habitat Conservation Plan (MSHCP), there is no evidence that any endangered, threatened or listed species of plant or animal, or its

habitat, is located on the site. There is no evidence that vernal pool complex, similar bodies of water, or conditions suitable for forming such bodies of water exist on the site. The Project incorporates conditions intended to comply with the recommendations of the MSHCP. In addition, this Project has been conditioned to comply with the environmental policies and regulations of the City of Banning and those of all local and regional governmental agencies having jurisdiction over the site.

Finding F: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Findings of Fact: The design of the subdivision is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance, the construction of all units on the site has been conditioned to comply with all applicable City of Banning ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to Stormwater runoff management and controls. In addition, the design and construction of all improvements for the subdivision has been conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare.

Finding G: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Findings of Fact: There are easements for Banning Provided Utilities and a Southern California Edison easement that traverses the property from south to north which is part of the open space area provided for in the design of the Tentative Tract Map. No other easements of record or easements established by judgement of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any other such easements.

REQUIRED FINDINGS FOR DESIGN REVIEW 15-7004

Finding A: The proposed project is consistent with the general plan.

Findings of Fact: The property's land use designation is Low Density Residential (LDR) which allows for up to five dwelling units per acre. The

project proposes 4.3 dwelling units per acre. The minimum lot size in the LDR zone is 7,000 unless a Planned Unit Permit (PUD) is applied for. In the case of this project, TTM 36710, a Planned Unit Development Permit has been applied for and is part of this approval. With the PUD, the applicant proposed minimum lot sizes of 5,000 square feet. As a condition of a PUD, the project must provide for Open Space areas totaling 30 percent of the project site. The project provides 30 percent Open Space areas used for parks, recreation and common areas. The tentative tract and design review with a PUD permit is consistent with the general plan.

Finding B: The proposed project is consistent with the Zoning Ordinance, including the development standards and guidelines for the district in which it is located.

Findings of Fact: The project is consistent with the Zoning Ordinance and is conditioned to meet or exceed all development standards and guidelines for the zone and type of development.

Finding C: The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards.

Findings of Fact: The project is an infill type of development of 10.6 acres for 46 single-family residential lots. The design and layout has been prepared as a Planned Unit Development which provides for circulation (streets), pedestrian walkways (sidewalks) and trails, parks and common areas. These sidewalks, trails, and streets will connect with existing sidewalks and streets which will complement the neighborhood. Hazards will be reduced by completing all uncompleted streets and sidewalks in the area of the project.

Finding D: The design of the proposed project is compatible with the character of the surrounding neighborhood.

Findings of Fact: The design and character of the project will complement the existing design and character of the neighborhood as new homes, streets, sidewalks, trails, parks, open space and common areas are proposed. New houses will be similar in size and design of existing houses in the area.

SECTION 3. PLANNING COMMISSION ACTION:

The Planning Commission hereby takes the following action:

Adoption of Planning Commission Resolution 2017-15:


1. Recommending to the City Council adoption of Mitigated Negative Declaration and Mitigation Monitoring Report and Program and directs the Community Development Director to prepare and file with the Clerk for the County of Riverside a Notice of Determination as provided under Public Resources Code Section 21152, and CEQA Guidelines Section 15075; and
2. Recommending to the City Council approval of Tentative Tract Map 36710, Planned Unit Development Permit 17-9507, and Design Review 15-7004, subject to the Conditions of Approval attached hereto and incorporated herein by reference as Exhibit A, and in accordance with the approved Tentative Tract Map attached hereto and incorporated by reference as Exhibit B and the architectural plans attached hereto and incorporated by reference as Exhibit C.

PASSED, APPROVED AND ADOPTED this 6th day of September, 2017.




Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:



Gregg C. Kettles
Interim Assistant City Attorney

ATTEST:



Sandra Calderon, Recording Secretary
City of Banning, California

CERTIFICATION:


I, Sandra Calderon, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution 2017-15, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 6th day of September, 2017, by the following vote, to wit:

AYES: Krick, Price, Shaw

NOES: Schuler, Ellis

ABSENT: None

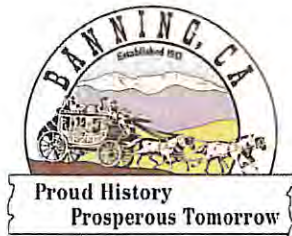
ABSTAIN: None



Sandra Calderon, Recording Secretary
City of Banning, California



EXHIBIT A
Resolution 2017-15
Conditions of Approval



City of Banning

99 E. Ramsey Street • P.O. Box 998 • Banning, CA 92220-0998 • (951) 922-3125 • Fax (951) 922-3128

COMMUNITY DEVELOPMENT
DEPARTMENT

EXHIBIT A

PROJECT #: Tentative Tract Map 36710, Design Review 15-7004 and Planned Unit Development Permit 17-9507

SUBJECT: Conditions of Approval (Planning Commission Resolution 2017-15)

APPLICANT: Beau Cooper, United Engineering Group

LOCATION: APN: 534-183-014, 534-200-004, 534-200-008, 534-200-047

*** All fair share agreements, covenant agreements and agreements subject to recordation will be subject to review and approval by the City Attorney and will include appropriate enforcement provisions by the City and be properly securitized.**

Community Development Department:

General Requirements

1. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

2. The issuance of these Conditions of Approval do not negate the requirements of the Engineering/Public Works Department or submittal, review, and approval of: Street improvement plans, signing and striping plans, grading plans, storm drain improvement plans, street lighting plans, water, sewer, and electrical improvement plans, or other plans as deemed necessary by the City Engineer.
3. Approval of Tentative Tract 36710, Design Review 15-7004 and Planned Unit Development Permit shall be for a period of two (2) years from the date of City Council approval. All Conditions of Approval must be met on or before the expiration date, or the applicant must request an extension of time at least thirty (30) days prior to the expiration date; otherwise, the approval shall expire and become null and void.
4. A copy of the signed resolution of approval or Community Development Director's letter of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans, building and construction plans, and landscape and irrigation plans submitted for review and approval as required by the reviewing department.
5. The design of all lots shall meet the development requirements contained in the City's Zoning Ordinance for the Low Density Residential Zoning District to include; density (up to 5 du/ac), lot depth (90 feet), lot coverage (40%), street side yard setback (15 feet), front yard setback (20 feet), landscaping (front and side yards), parking (2-car garage), building height (35 feet) and fence/wall height (6 feet). The Planned Unit Development Permit requirements include; minimum lot size (5,000 square foot), side yard setback (5 foot and 10 foot), rear yard setback (10 feet) and lot width (50 foot).
6. A six foot tall decorative block wall shall be constructed around the perimeter of the subdivision, between houses and along all street facing side yards. View fencing, such as wrought iron, shall be constructed along the rear yards of all houses adjacent to trail areas.
7. Applicant shall pay all development fees adopted by the City in effect at the time of issuance of any building permits, which shall include but not be limited to: TUMF, MSHCP, police and fire safety developer fees, water and sewer fees, park land dedication fees, and electric meter installation fees etc. Project proponent shall provide written evidence to the City that school mitigation fees have been paid or other arrangements acceptable to the Banning Unified School District have been met.
8. A copy of the final grading plan, approved by Engineering, shall be submitted to the Planning Department for review and approval of the landscaping and erosion control plans when graded cut slopes exceed five (5) feet in height and fill slopes exceed three (3) feet in height.
9. The developer shall contact the U.S. postal Service to determine the appropriate type and location of mailboxes.

10. A trailer, used as an office by the property owner or his designee, may be permitted on the site during construction for a period not to exceed six (6) months. Prior to issuance of a building permit for any residential unit, said trailer shall be subject to a Land Use Permit reviewed and approved by the Planning Department.
11. Prior to the issuance of any Building Permits, the project proponent shall submit to the City's Planning Department for review and approval: three (3) copies of a drought-tolerant landscape plan and irrigation plans prepared by a licensed landscape architect. Said plan shall also depict the proposed placement and materials for a 6-foot high decorative block wall with decorative cap to be established along the perimeter. The drought-tolerant landscape plan shall include the following:
 - A. The location, type, size and quantity of vegetation to be installed, and a date by which the landscaping shall be completed.
 - B. Required drought-tolerant slope planting: Slope planting shall be required for the surface of all cut slopes of three (3) feet or greater in height and fill slopes more than two (2) feet in height. Said slopes shall be protected against damage from erosion by providing jute netting and planting with, ground cover plants or grass, except that grass will not exceed 25% of the total planting area on the slope face.
 - (1) All slopes exceeding three (3) feet in vertical height shall also be planted with shrubs, spaced at distances not to exceed five (5) feet on center; or, trees spaced at distances not to exceed ten (10) feet on center; or a combination of shrubs and trees.
 - (2) Slopes exceeding five (5) feet in vertical height shall be planted with a combination of drought-tolerant trees, shrubs and groundcover.
 - (3) Drought-tolerant slope planting as required by B(1) and (2), above, shall consist of the following sizes and quantities:
 - a. Trees: 30% — 24- inch box; 35% — 15-gallon; 25% - five gallon; 10% - one gallon.
 - b. Shrubs: 60% — five gallon; 40%—one gallon.
 - c. Groundcover: 100% coverage from flats planted 18-inch on-center.
 - (4) The approved landscape plan shall be installed prior to the issuance of a Certificate of Occupancy for each single-family residence to be constructed within the subdivision.

12. Prior to the issuance of a Certificate of Occupancy for each single-family residence constructed within TTM 36710, the applicant shall submit to the City for review and approval three (3) copies of a detailed landscape and irrigation plan (comprised of xeriscape plant material) indicating type, species and location of the following minimum number of drought tolerant, multi—branched trees on each lot adjacent to the street right—of—way (all trees shall be planted with root barriers):
 - Cul-de-sac lots —1 tree; minimum 24” box
 - Interior lot— 2 trees; one 24” box, one 15—gallon
 - Corner lot — 3 trees; two 24” box and one 15—gallon.
 - The Plan shall be forwarded to a Landscape Architect for review and the applicant shall pay all fees associated with the review process. The approved landscape plan shall be implemented / installed prior to the issuance of a Certificate of Occupancy for each single-family residence constructed within TTM 36939. (Submit landscape and irrigation plans as soon as possible to allow sufficient time for a Landscape Architect to review same).
 - The landscaping for the street parkways, public lots, and other public areas shall be installed prior to occupancy of the first unit.
13. A six-(6) foot high chain link fence must be maintained around the perimeter of the site during all phases of construction.
14. Developer shall meet all requirements of responsible agencies, including but not limited to: Southern California Gas Company, Southern California Edison Company, and West Riverside County Airport Land Use Commission (ALUC).
15. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
16. The Project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 403 requires that fugitive dust be controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below:
 - Apply nontoxic chemical soil stabilizers according to manufactures’ specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
 - Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)

- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 m (2 ft.) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.
- Pave construction access roads at least 30 m (100 ft.) onto the site from the main road.
- Reduce traffic speeds on all unpaved roads to 15 mph or less.

The applicable Cal/Recycle Sustainable (Green) Building Program Measures are:

- Recycle/reuse at least 50 percent of the construction material that are rapidly renewable or resource-efficient, and recycled and manufactured in an environmentally friendly way for at least 10 percent of the project, as defined on the California Department of Resources Recycling and Recovery (CalRecycle) website: www.calrecycle.ca.gov
17. In the event that previously undocumented archaeological resources are identified during earthmoving activities, further construction work in the area should be diverted or halted until the nature and significance of the find can be assessed.
18. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Mitigation

19. The development shall comply with all measures contained in the project's Mitigation Monitoring Report and Program.

Public Works:

A. General Requirements

20. A Public Works Permit shall be required prior to commencement of any work within the public right-of-way. The contractor working within the public right-of-way shall submit proof of a Class "A" State Contractor's License, City of Banning Business License, and Liability Insurance. Any existing public improvements, or public improvements not

accepted by the City that are damaged during construction shall be removed and replaced as determined by the City Engineer or his/her representative.

21. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:

- Fire Marshal (access)
- Public Works Department (grading permits, street improvement permits)
- Riverside County Flood Control & Water Conservation District (storm drain)
- California Regional Water Quality Control Board Colorado River Basin (RWQCB)
- South Coast Air Quality Management District (SCAQMD)

The applicant is responsible for meeting all requirements of permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting improvements plans to the City.

22. The following improvement plans shall be prepared by a Civil Engineer licensed by the State of California and submitted to the Engineering Division for review and approval. A separate set of plans shall be prepared for each line item listed below. Unless otherwise authorized in writing by the City Engineer, the plans shall utilize the minimum scale specified and shall be drawn on 24" x 36" Mylar film. Plans may be prepared at a larger scale if additional detail or plan clarity is desired (Note: the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors):

- | | |
|---|---------------------|
| a. Rough Grading Plans | 1" = 40' horizontal |
| (All Conditions of Approval shall be reproduced on last sheet of set) | |
| b. Haul Route Plans | 1" = 40' horizontal |
| c. Clearing Plans | 1" = 50' horizontal |
| (Include construction fencing plan) | |
| d. Erosion Control & SWPPP, WQMP | 1" = 40' Horizontal |
| (Note: a, b, c & d shall be reviewed and approved concurrently) | |
| e. Storm Drain Plans | 1" = 40' Horizontal |
| f. Street Improvement Plans | 1" = 40' Horizontal |
| | 1" = 4' Vertical |
| g. Signing & Striping Plans | 1" = 40' Horizontal |
| h. Precise Grading Plans | 1" = 40' Horizontal |

- | | |
|----------------------------|---------------------|
| i. Landscaping Plans | 1" = 20 Horizontal |
| j. Water Improvement Plans | 1" = 40' Horizontal |
| | 1" = 4' Vertical |
| k. Sewer Improvement Plans | 1" = 40' Horizontal |
| | 1" = 4' Vertical |

Other engineered improvement plans prepared for City approval that are not listed herein shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All off-site plan and profile, street improvement plans and signing & striping plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or at a distance sufficient to show any required design transitions.

A small index map shall be included on the title sheet of each set of plans, showing the overall view of the entire work area.

23. Upon completion of construction, the Developer shall furnish the City with reproducible record drawings on Mylar film of all improvement plans that were approved by the City Engineer. Each sheet shall be clearly marked "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying the accuracy and completeness of the drawings. The applicant shall have all AutoCAD files submitted to the City, revised to reflect the "As-Built" conditions.

B. Rights of Way/Street Improvements

24. Prior to issuance of any permit(s), the applicant shall offer to dedicate to the City of Banning for public purposes the right-of-way for Wilson Street fronting as a urban arterial highway; Half-width right-of-way of 55 feet; Curb to centerline width of 43 feet.
25. Prior to issuance of any permit(s), the applicant shall offer to dedicate to the City of Banning for public purposes the right-of-way for Hoffer Street and Florida Street, fronting as local streets; Half-width right-of-way of 30 feet; Curb to centerline width of 20 feet.
26. Submit a copy of the title report, closure calculations, and any separate instruments or necessary right-of-way documents to the Engineering Division for review and approval of the City Engineer prior to all improvement plans.
27. The City and Developer are to enter into a Development Agreement (DA) to guarantee the construction of the public improvements as listed in the Conditions of Approval and as shown on the approved plans. The applicant shall work with the City Attorney's Office to execute the DA and pay all related legal processing fees.
28. All street improvement designs shall provide pavement and lane transitions per City of Banning and Caltrans standards for transition to existing street sections.
29. Construct half-width street improvements fronting Wilson Street, Florida Street and Hoffer Street including street lighting, curb and gutter, drive approaches, sidewalk,

parkway, asphalt concrete paving, traffic signs and striping, and any transitions. Street lights shall be installed offset of the existing street lights. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method.

30. Construct full-width street improvements fronting all local streets (cul-de-sac) including street lighting, curb and gutter, drive approaches, sidewalk, parkway, asphalt concrete paving, traffic signs and striping, and any transitions. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method.
31. Any public improvements damaged during the course of construction shall be replaced to the satisfaction of the City Engineer, or his/her designee.
32. The applicant shall plant and perpetually maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways constructed in connection with the project. This includes providing irrigation and the clearing of debris and weed removal.
33. All required public improvements for the project shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy.

C. Grading and Drainage

34. Submit a Drainage Study with hydrologic and hydraulic analysis for developed and undeveloped (existing) conditions to the Engineering Division for review and approval. The study and analysis shall be prepared by a civil engineer licensed by the State of California. Drainage design shall be in accordance with Banning Master Drainage Plan adopted by Riverside County Flood Control and Water Conservation District (RCFCD), RCFCD Hydrology Manual, and standard plans and specifications. The 10-year storm flow shall be contained within the street curbs, and the 100-year storm shall be contained within the street right-of-way; when this criteria is exceeded, additional drainage facilities shall be designed and constructed.
35. At a minimum, all development will make provisions to store runoff from rainfall events up to and including the one-hundred year three-hour duration event. Post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.
36. If the site is located in a Flood Area as identified in Flood Insurance Rate Map dated August 28, 2008 the developer is responsible for providing a certification by a registered professional engineer or architect demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
37. The project grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained for the release of concentrated or diverted storm flows. The project shall accept and convey storm flows from the adjacent property to the north, east and west.

38. The applicant shall comply with Chapter 13.24 "Stormwater Management Systems" of the Banning Municipal Code (BMC) and Title 18 "Grading, Erosion and Sediment Control" of the California Building Code related to excavation and grading; and, the State Water Resources Control Board's orders, rules and regulations.

For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the applicant shall be required to submit a Storm Water Pollution Protection Plan (SWPPP) and file a Notice of Intent (NOI) with the Regional Water Quality Control Board.

The applicant's SWPPP shall be reviewed and approved by the City Engineer prior to any permit issuance.

The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs"):

- Temporary Soil Stabilization (erosion control).
- Temporary Sediment Control.
- Wind Erosion Control.
- Tracking Control.
- Non-Storm Water Management.
- Waste Management and Materials Pollution Control.

All erosion and sediment control BMPs proposed by the applicant shall be designed using the CASQA BMP handbook and approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.

The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.

39. Prior to issuance of any grading or building permit, a Project-Specific Water Quality Management Plan (WQMP) shall be reviewed and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.
40. Grading and excavations in the public right-of-way shall be supplemented with a soils and geology report prepared by a professional engineer or geologist licensed by the State of California.

41. Prior to the issuance of any building permit(s), a precise grading plan shall be submitted to the City Engineer for review and approval. A grading permit shall be obtained prior to commencement of any grading activity.
42. The following notation shall be placed on the grading plan: "No more than three days prior to removing trees, shrubs or tall herbaceous vegetation during the breeding season for migratory birds (February 15 to August 31) a qualified biologist shall conduct a nesting bird survey."
43. Prior to the issuance of a building permit, the applicant shall provide a lot pad certification stamped and signed by a qualified civil engineer or land surveyor. Pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil.

D. Traffic/Airport Safety Zone

44. Prior to the issuance of a grading permit or building permit, the applicant shall submit and obtain approval in writing from the Fire Marshall for the plans for all public or private access drives or streets. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. When a dead-end access exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turnaround must be provided and approved by the Fire Marshall. Applicable covenant, conditions or restrictions or other approved documents shall contain provisions which prohibit obstructions such as speed bumps/humps, control gates or other modifications within said easement or access road unless prior approval of the Fire Marshall is granted.
45. Driveway grades shall not exceed eight percent unless approved by the City Engineer.
46. Access drives to the public right-of-way shall be restricted to those approved by the City Engineer as shown on the approved plans.
47. Prior to the issuance of any certificate of occupancy, all fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street/access driveway as approved by the Fire Marshall, and must be maintained in good condition by the property owner until the street is accepted for maintenance.
48. Prior to the issuance of a grading permit or building permit, the applicant shall conduct a Traffic Impact Analysis at the intersections of San Geronio Avenue/Wilson Street; Alessandro Street/Wilson Street; Florida Street/Wilson Street; and Hargrave Street/Wilson Street and submit the report to the Engineering Division for review and approval. All mitigation identified in the Traffic Impact Analysis shall be implemented by the applicant to the satisfaction of the City Engineer.
49. The site is located within an airport safety zone as designated in the Riverside County Airport Land Use Compatibility Plan. Prior to approval of any building permit, the project shall be submitted to the Riverside Airport Land Use Commission for a

consistency determination and the Applicant shall provide written evidence that the project meets all conditions set forth by said Commission.

E. Water

50. Design and construct an 8" D.I.P. water line on public streets and connect to the existing water system. Provided a looped system. Submit Water Improvement Plans to Public Works Department, Engineering Division for review and approval. If the water line is not located on a public street, an easement over the water line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.
51. A backflow device must be installed at each irrigation water connection. The backflow device must be in compliance with the State Department of Health Regulations.
52. Fire Services will require a Double Detector Check or RPP Device.
53. Pay all applicable water connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

F. Sewer

54. Design and construct sewer line on public streets and connect to the existing sewer system. Submit Sewer Improvement Plans to Public Works Department, Engineering Division for review and approval. If the sewer line is not located on a public street, an easement over the sewer line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.
55. All sewer lines to be constructed within the Public right-of-way shall be extra strength Vitrified Clay Pipe. All sewer laterals shall be a minimum of 4" and all sewer mains shall be a minimum of 8". Final sizes shall be approved by the City Engineer.
56. A sewer check valve shall be provided for each building with a finish pad elevation lower than the rim elevation of the immediate up-stream sewer manhole.
57. Pay all applicable sewer connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

G. Trash/Recycling

58. Construction debris shall be disposed of at a certified recycling site. It is recommended that the developer contact the City's franchised solid waste hauler, Waste Management of the Inland Valley at 1-800-423-9986, for disposal of construction debris.

H. Final Map

59. Security for the construction of public improvements in accordance with Government Code Section 66499 shall be as follows:
 - Faithful Performance Bond - 100% of estimated cost

- Labor and Material Bond - 100% of estimated cost
- Monumentation Bond - \$10,000.00

Securities for the public improvements shall be on file with the City Clerk prior to scheduling the final map for approval by City Council. Unit prices for bonding estimates shall be those specified or approved by the City Engineer.

60. Submit a copy of the title report, closure calculations, and any separate instruments or necessary easement or right-of-way documents to the Engineering Division for review and approval of the City Engineer prior to final map approval.
61. A map of the proposed subdivision drawn at 1"=200' scale showing the outline of the streets including street names shall be submitted to the City to update the city atlas map.
62. An original Mylar of the final map (after recordation) shall be provided to the City for the record files.
63. A record of all street centerline monument ties shall be submitted to the Engineering Division upon completion of improvements or prior to release of Monumentation Bond.

I. Fees

64. Plan check fees for professional report review (geotechnical, drainage, etc.), and all improvement plans review, shall be paid at the time of submittal of said documents for review and approval in accordance with the fee schedule in effect at the time of submittal.
65. Public Works Inspection fees shall be paid prior to issuance of any permits in accordance with the fee schedule in effect at time of time of scheduling.
66. Water and sewer connection fees including frontage fees and water meter installation charges shall be paid at the time of building permit issuance in accordance with the fee schedule in effect at that time.
67. A plan storage fee shall be paid for any engineering plans that may be required prior to issuance of certificate of occupancy in accordance with the fee schedule in effect at the time the fee is paid.

County Fire Department:

The Fire Department requires the listed fire protection measures be provided in accordance with the City of Banning Municipal Code and/or the Riverside County Fire Department Fire Protection Standards. Final conditions will be addressed when complete building plans are reviewed:

68. Effective January 1, 2011 all one/two family dwellings and townhouses will require an automatic residential fire sprinkler system designed and installed in accordance with section HCD R 313.3 or NFPA 13 D.

69. For residential areas, approved standard fire hydrants shall be located within 400 feet of all exterior portions of the structure. Minimum fire flow shall be 500 GPM for 1-hour duration at 20 PSI.
70. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
71. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
72. Blue dot retro-reflectors pavement markers shall be provided on private streets, public streets and driveways to indicate the location of the fire hydrant.
73. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standards. Access lanes will not have an up, or downgrade of more than 15%. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface as to provide all weather driving capabilities.
74. Any turn-around requires a minimum 38-foot turning radius. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
75. The minimum dimension for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
76. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane printing and/or signs.

Building Department:

77. The site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Banning.
78. Separate submittals and permits are required for all accessory structures such as but not limited to, trash enclosures, patios, block walls and storage buildings.

Electric Utility Department:

79. The electric utility will require adequate easements needed to service the project. The easement area behind the sidewalk may be needed for Wilson Street and Florida Street for vaults, conduits, street lights and pad mounted transformers.
80. Easements may also be required for Streets A, B, & C for vaults, conduits, meter pedestals and pad mounted transformers and additional easements will be required to serve lots 9 and 46 from Street A and Street B.
81. The street lights on Streets A, B, & C will be privately owned and not maintained by the City and will be required to be metered.

PLANNING COMMISSION CONDITIONS

82. Prior to building permit issuance, the developer shall create a Home Owners Association (HOA) with Covenants, Conditions and Restrictions (CC&R's) that make the HOA responsible for maintenance of all private amenities such as; streets, curbs, gutters, sidewalks, street lights, open space areas, fences, block walls, landscaping, irrigation, and any other items not maintained by the City of Banning.
83. The Home Owners Association shall include in their Covenants, Conditions and Restrictions (CC&R's) that no more than 50 percent of the homes in the subdivision may be rented.
84. All perimeter walls and fences shall be coated with a non-graffiti coating and all walls shall be landscaped in such a way to prevent graffiti.
85. All pathways behind houses shall have locking gates and all open spaces areas shall have security lighting.
86. The intersection of Florida Street and Wilson Street shall become a four way stop at a time the City Engineer determines the need exists.

END OF CONDITIONS

EXHIBIT B
Resolution 2017-15
Tentative Tract Map 36710

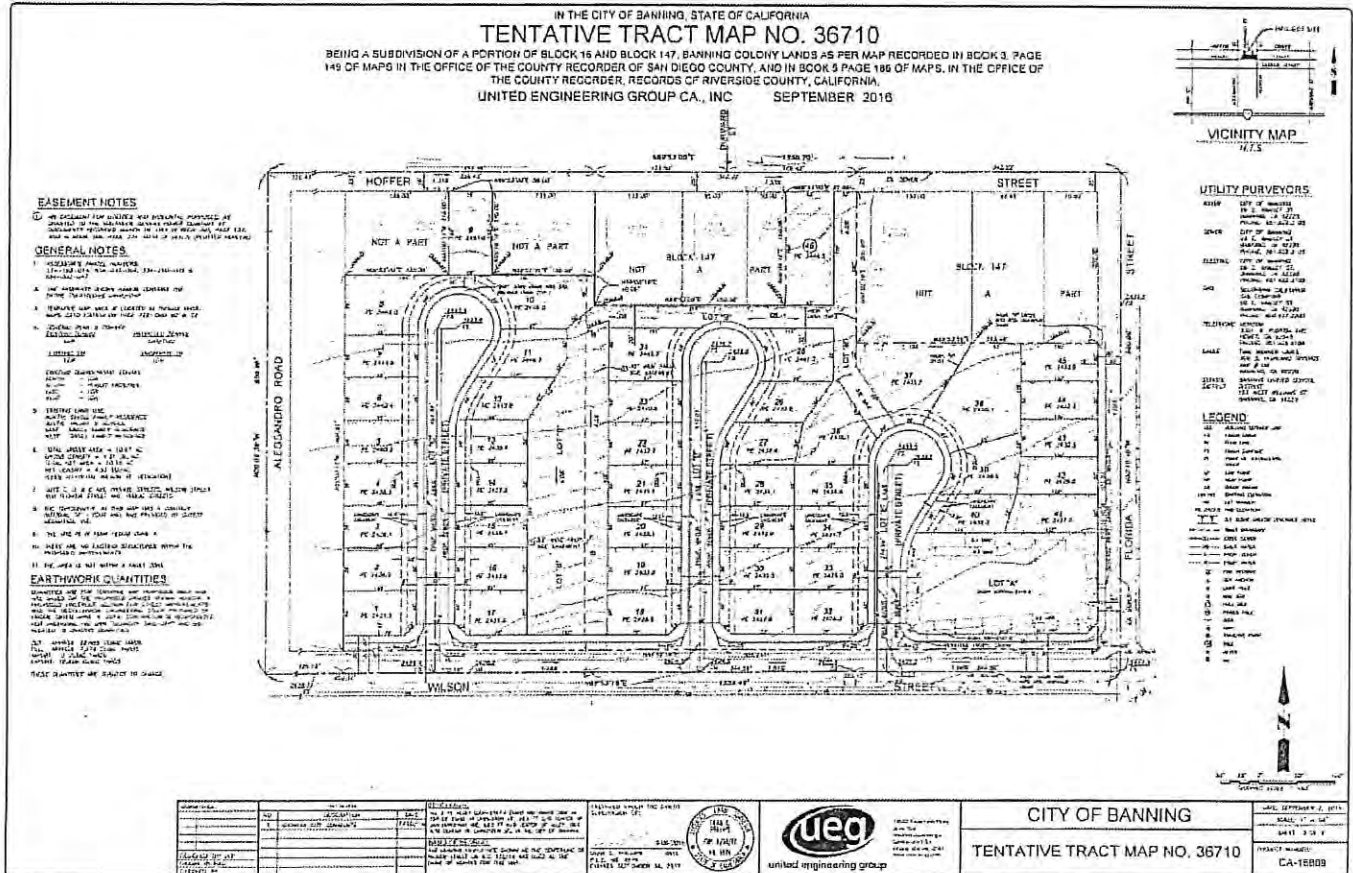
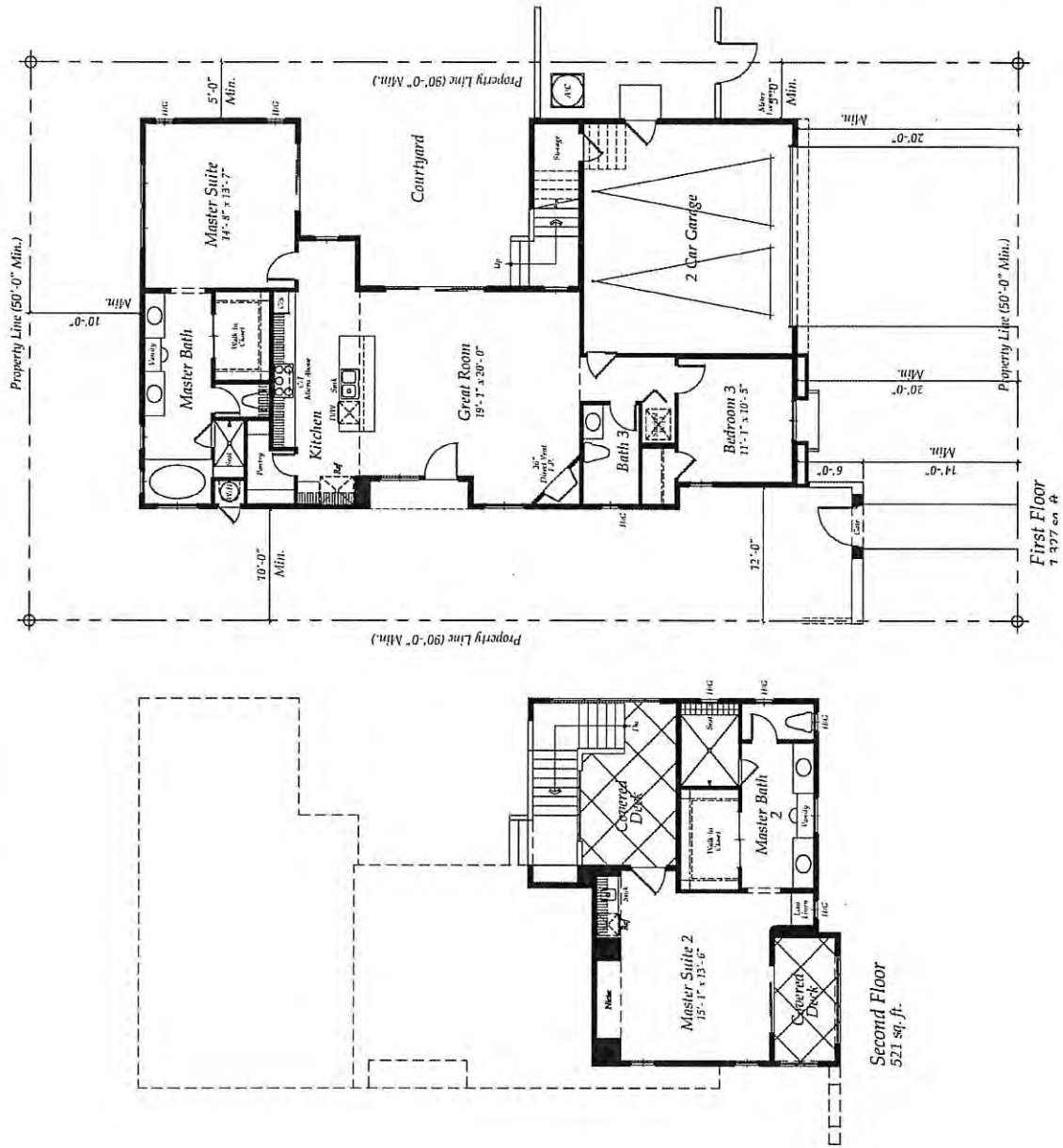


EXHIBIT C

Resolution 2017-15
Architectural Plans



50' x 90' Lots
Plan 1
 1,848 sq. ft.
 Spanish

Scale: 3/4" = 1'-0"



PEKAREK-CRANDELL, Inc.
 architecture - planning
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 san Juan capistrano, ca 92675
 949/487-2320 fax 949/487-2321
 2-17-15 #15-24

Repplier Park Vistas
 Banning California

RMG Residential 2010 LLC



Spanish



Early Californian



Ranch

Plan 1 Renderings

Scale: 1/4" = 1'-0"

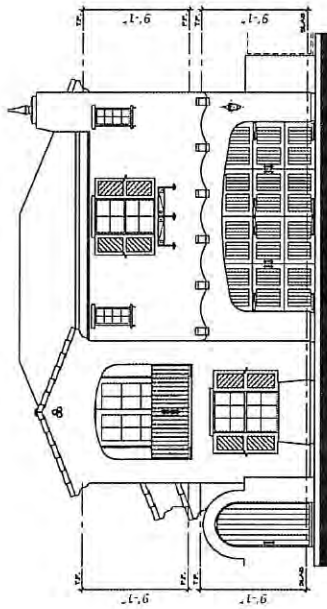


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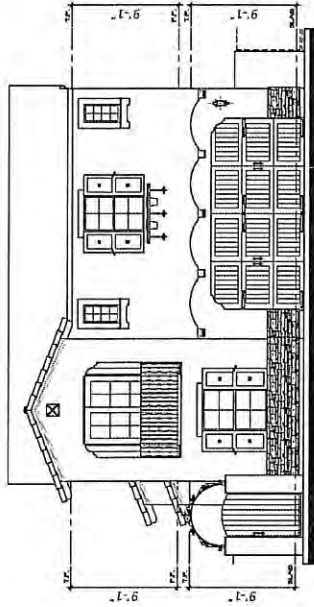
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7-3755 #13-03

Repplier Park Vistas
Banning California

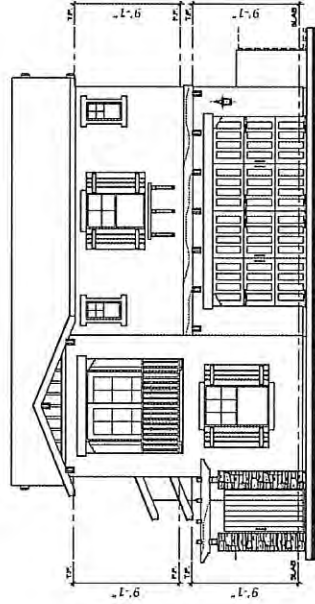
RMG Residential 2010 LLC



Spanish



Early Californian



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Finish
4. Stucco Finish
5. Concrete 5" Thick
6. Concrete Flat Tile
7. Wood Fascia/Barge
8. Fake Clay Tile Vent
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Roofing
13. Wood Siding
14. Decorative Metal
15. Decorative Light Fixture
16. Wood Pabbelf
17. Metal Pabbelf
18. Metal Roll-up Garage Door
19. Metal Roll-up Garage Door
20. Stucco Cornice
21. Wood Cornice
22. Exposed Wood Beam
23. Wood Outliner
24. Built-up Wood Column
25. Wood Siding
26. Furred Stucco Base
27. Stucco Wing Wall
28. Eyebrow Roof
29. Wood Siding
30. Wood Outliner

50' x 90' Lots

Plan 1

Front Elevations

Scale: 1/4" = 1'-0"

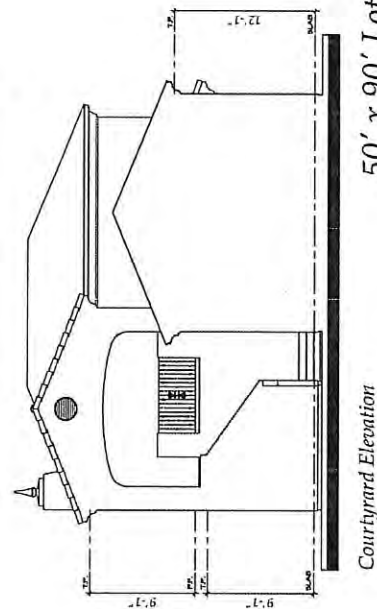
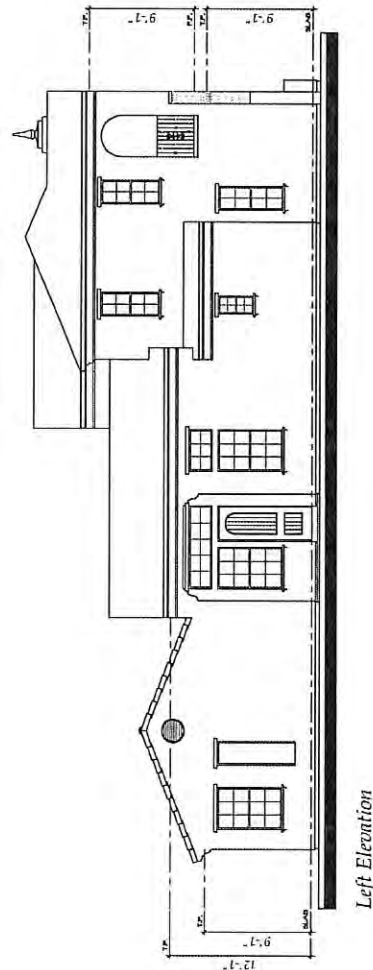
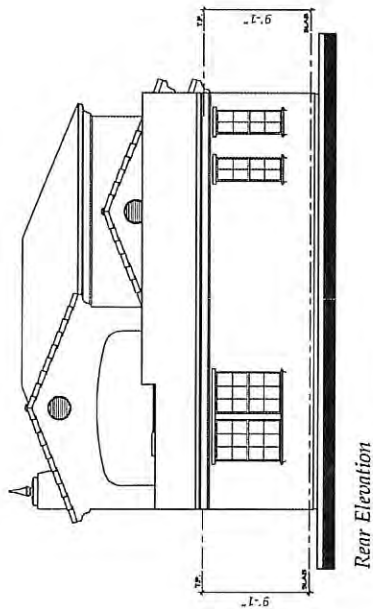
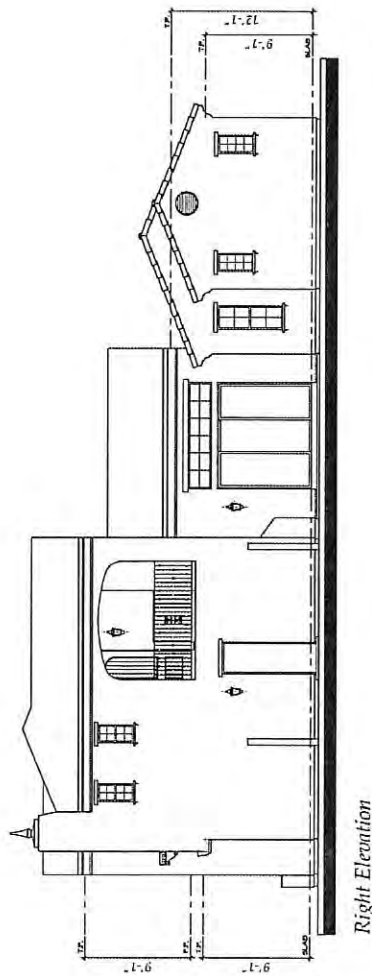


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#15-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots

Plan 1

Elevations

Spanish

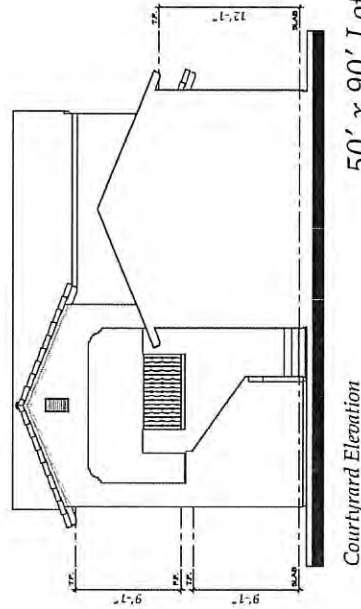
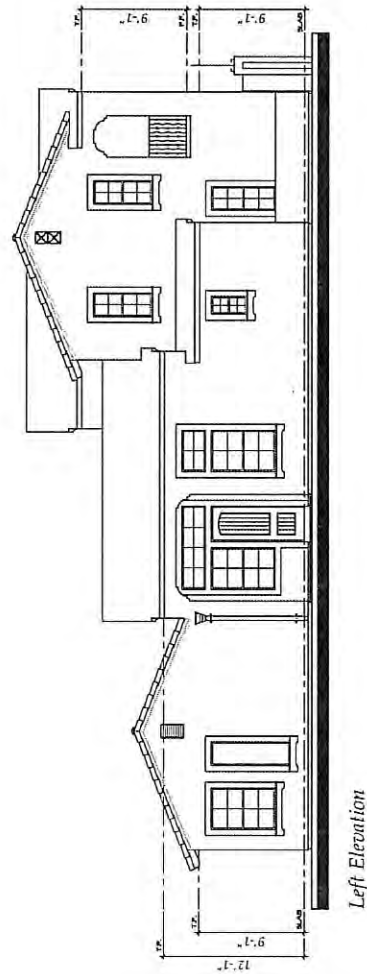
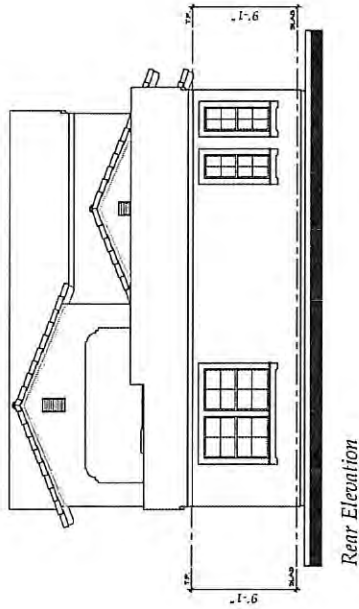
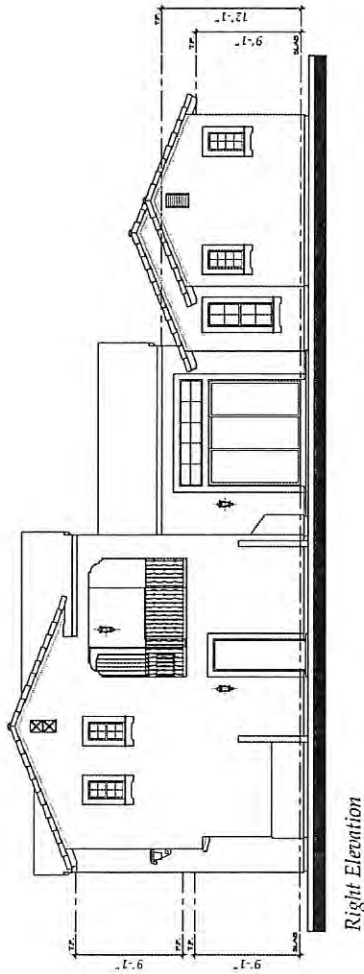
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7-17-15 #15-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots
Plan 1
 Elevations
 Early California

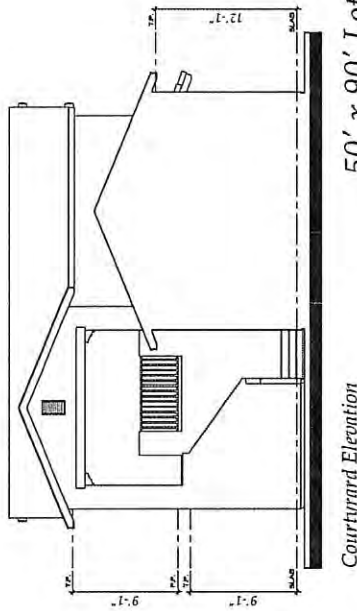
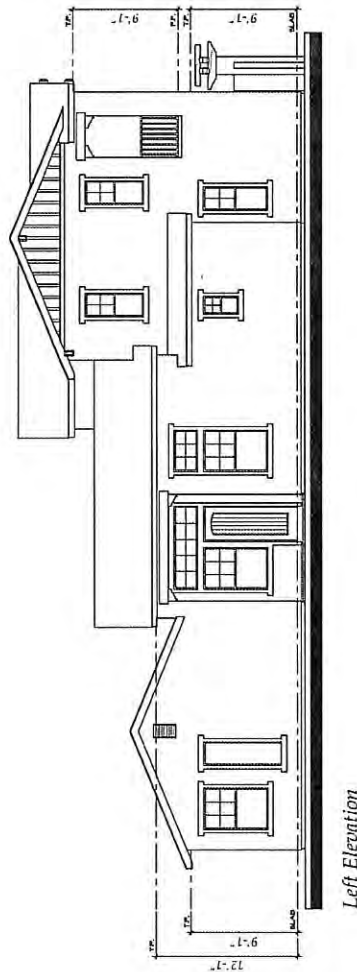
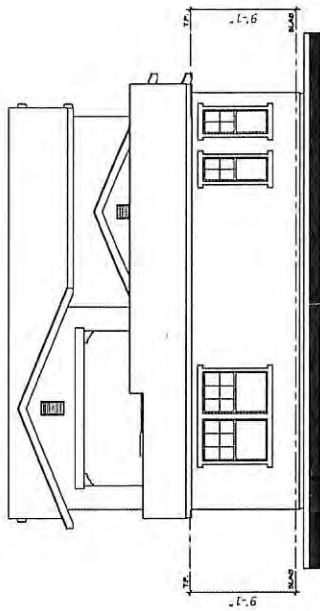
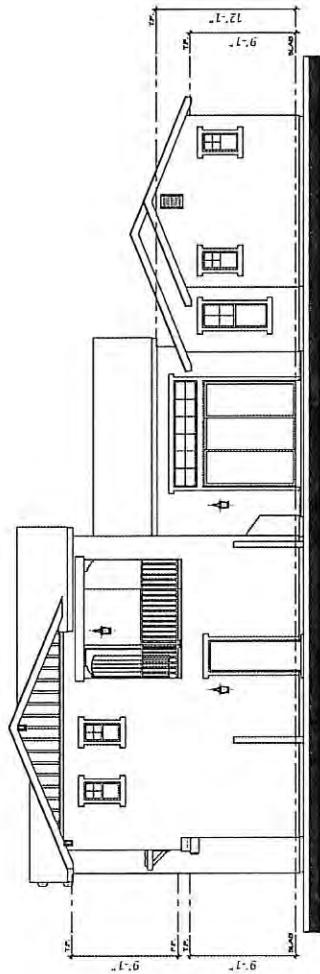
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 architecture - planning
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 San Juan Capistrano, CA 92675
 949 487-2320
 949 487-2325
 7-8735 #15-33

Repplier Park Vistas
 Banning California

RMG Residential 2010 LLC



50' x 90' Lots
Plan 1
Elevations
Ranch

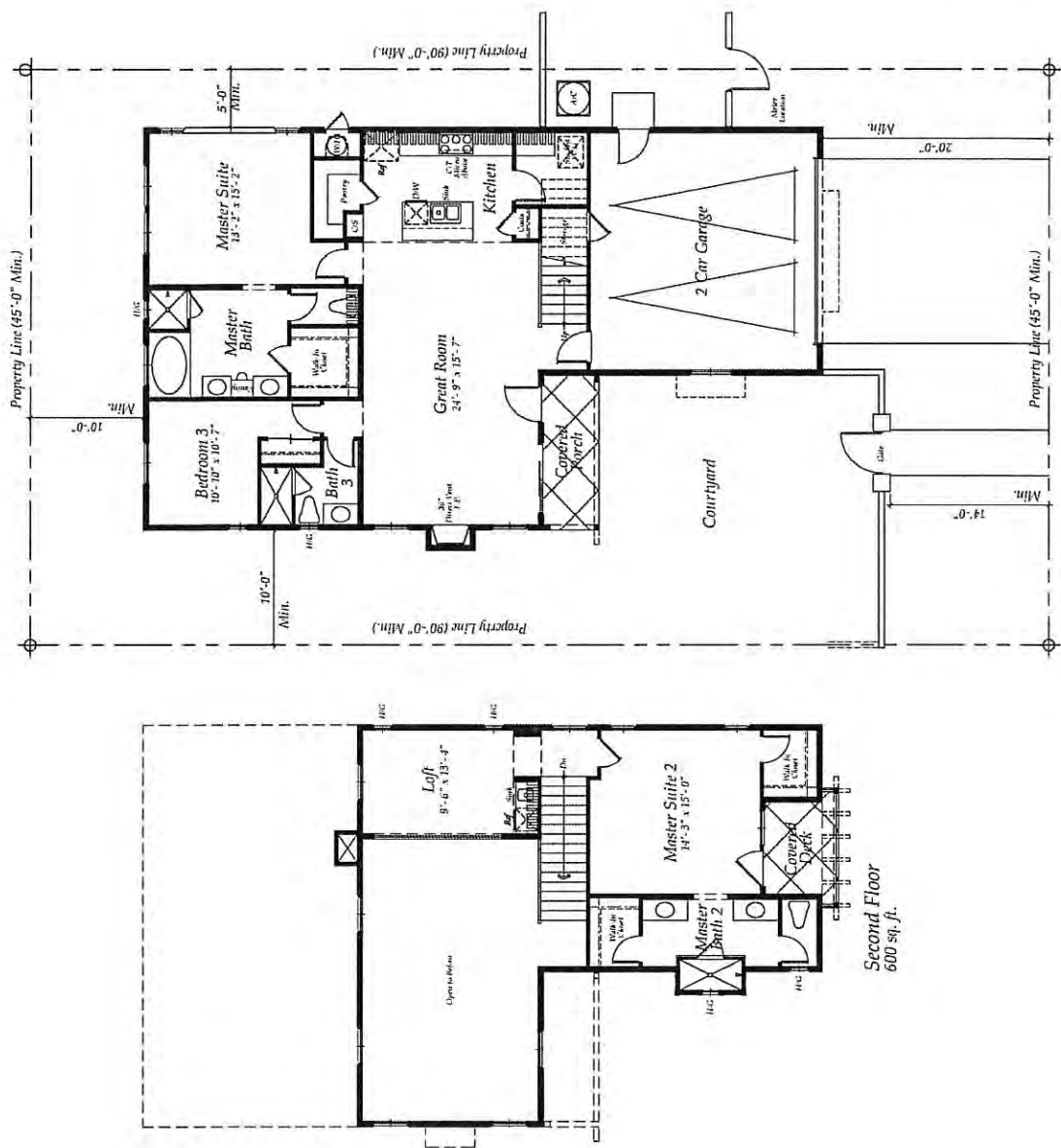
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san Juan capistrano, ca 92675 fax 950/487-2921
7-8715 #15-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots
 Plan 2
 1,955 sq. ft.
 Early California

Scale: 1/4" = 1'-0"

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Repplier Park Vistas
 Banning California

RMG Residential 2010 LLC



Spanish



Early Californian



Ranch

Plan 2 Renderings

Scale: 1/4" = 1'-0"

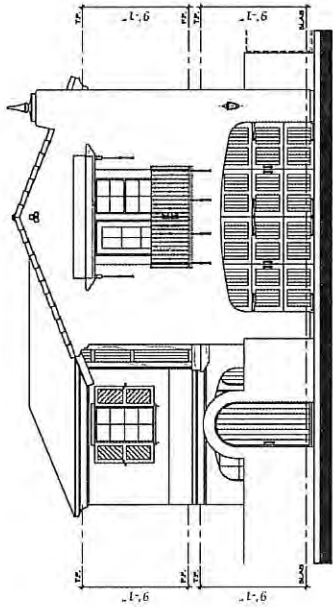


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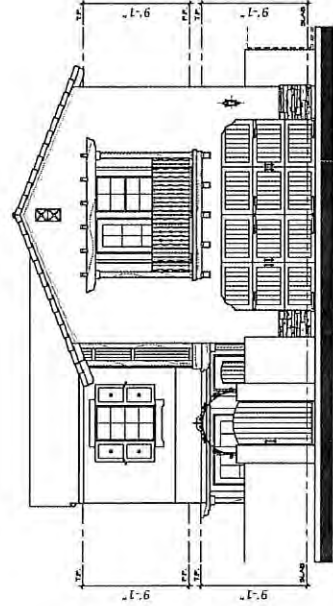
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Repplier Park Vistas
Banning California

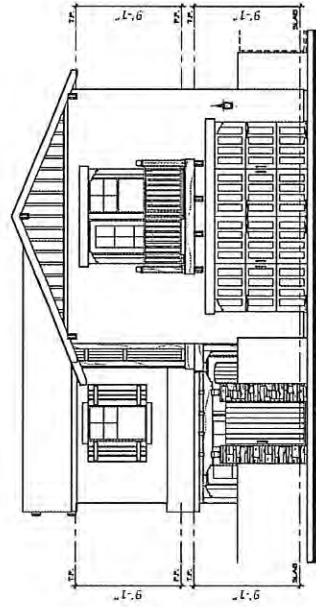
RMG Residential 2010 LLC



Spanish



Early California



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Finish
4. Stucco of Foam Trim
5. Concrete Floor
6. Concrete Floor Tile
7. Wood Fascia/Barge
8. Edge Clay Tile Veneer
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Railings
13. Wood Railings
14. Decorative Metal
15. Decorative Light Fixture
16. Wood Picket Fence
17. Metal Picket Fence
18. Metal Roll-up Garage Door
19. Entry Door per Builder
20. Stucco Siding
21. Wood Siding
22. Exposed Wood Beam
23. Wood Outrigger
24. Built-up Wood Column
25. Wood Siding
26. Furred Stucco Base
27. Stucco Wing Wall
28. Eyebrow Roof
29. Wood Siding
30. Wood Outrigger

50' x 90' Lots

Plan 2

Front Elevations

Scale: 1/4" = 1'-0"

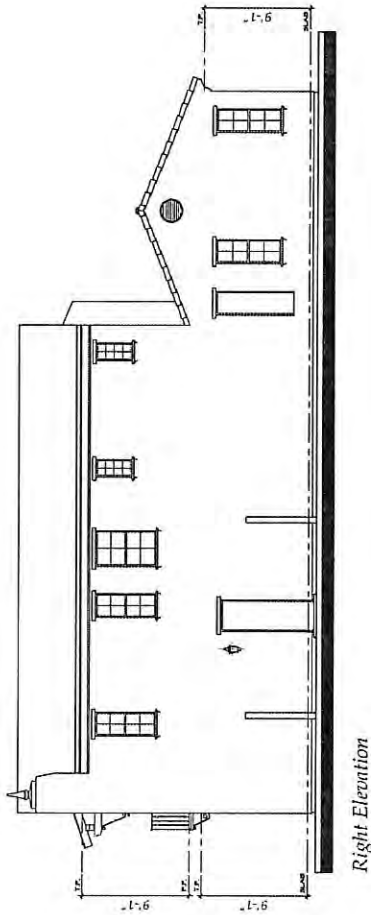


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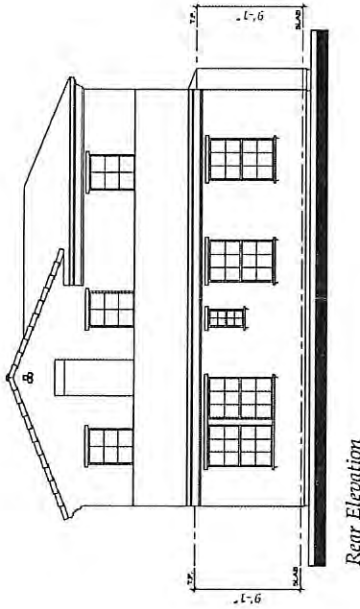
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Fax: 949/487-2321
7-17-13 #15-21

Repplier Park Vistas
Banning California

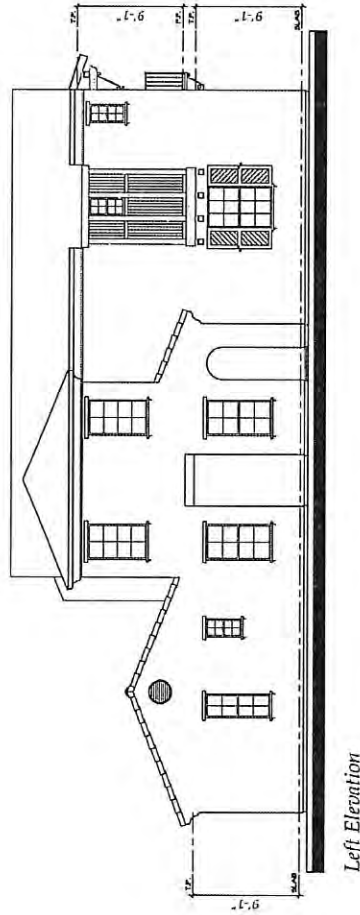
RMG Residential 2010 LLC



Right Elevation



Rear Elevation



Left Elevation

50' x 90' Lots
Plan 2
Elevations
Spanish

Scale: 1/4" = 1'-0"

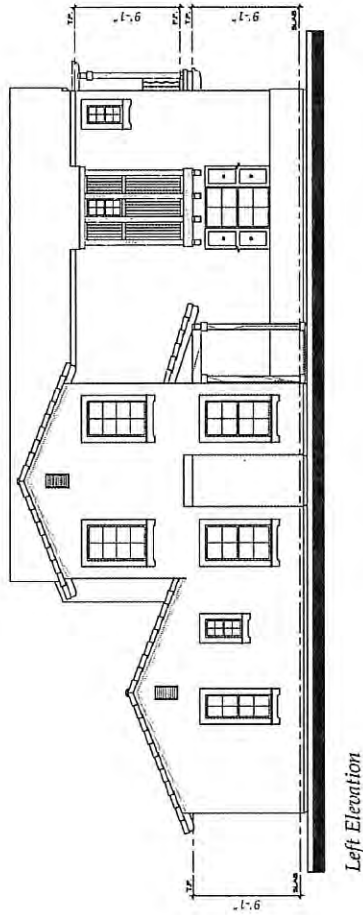
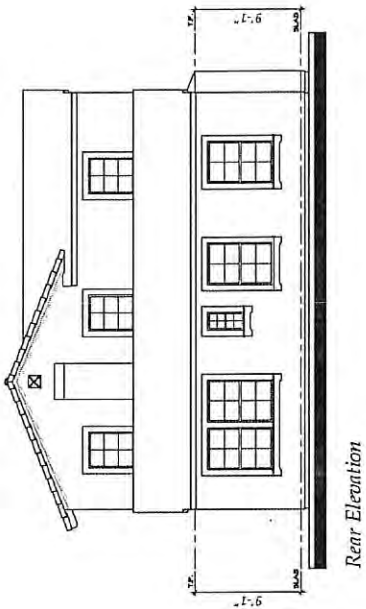
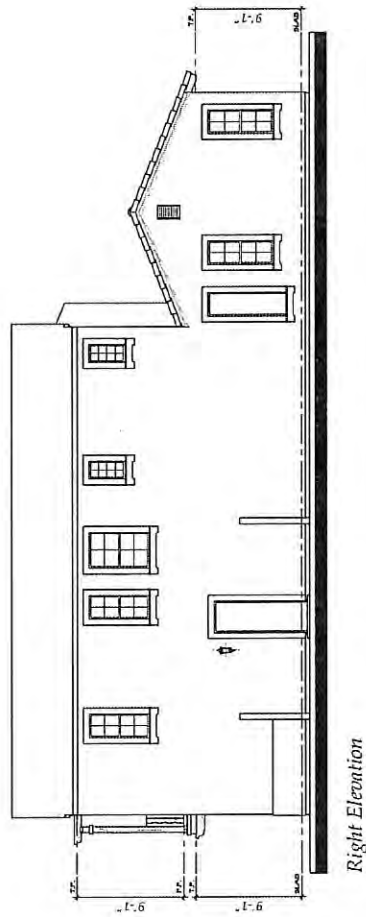


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7-17-15 #15-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots
 Plan 2
 Elevations
 Early California

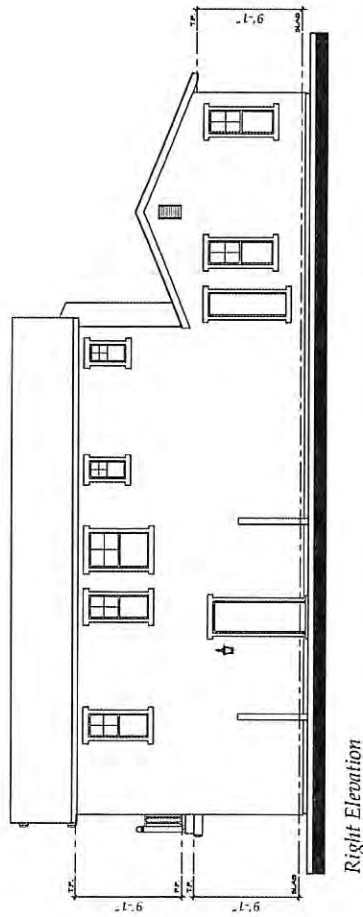
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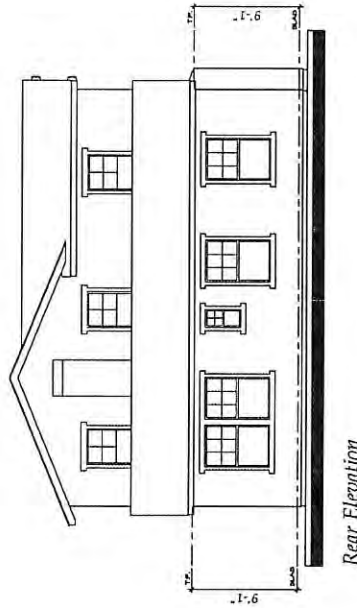
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 san juan capistrano, ca 92675 fax 949/487-2321
 7-17-15 #15-24

Repplier Park Vistas
 Banning California

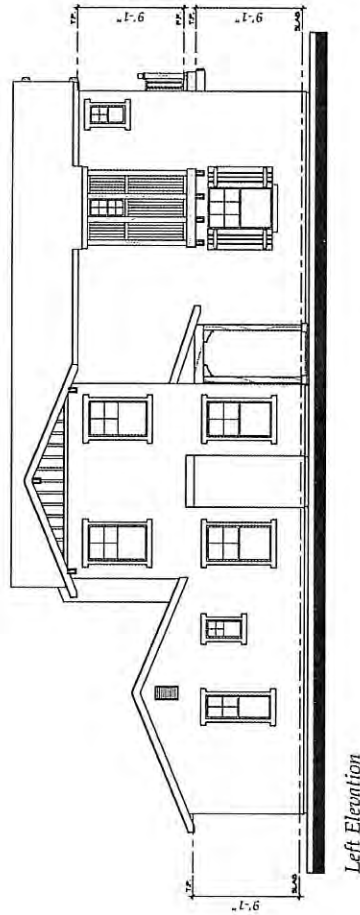
RMG Residential 2010 LLC



Right Elevation



Rear Elevation



Left Elevation

50' x 90' Lots
Plan 2
Elevations
Ranch

Scale: 1/4" = 1'-0"

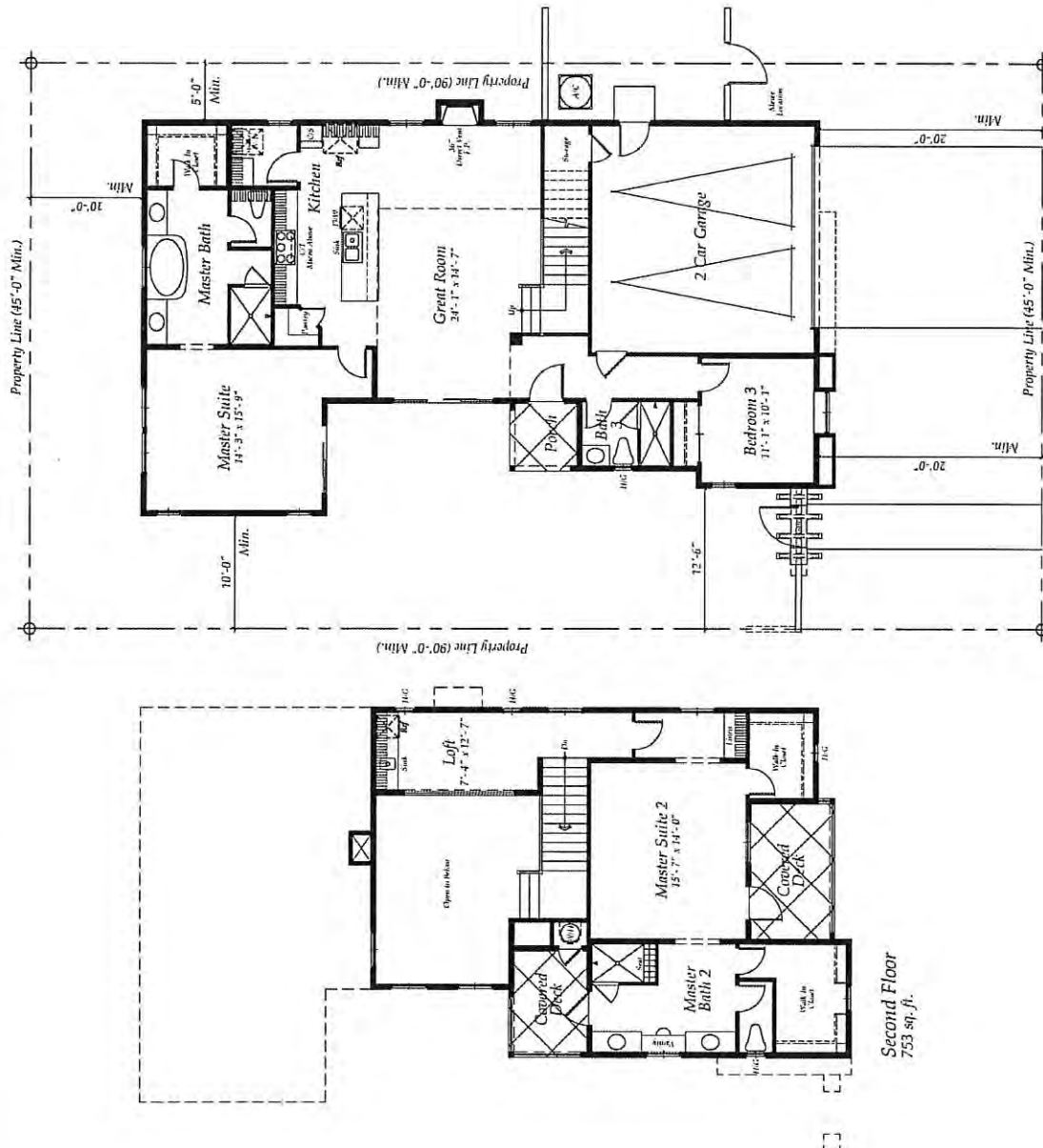


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7-17-15

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots
Plan 3
 2,185 sq. ft.
 California Ranch

Scale: 1/4" = 1'-0"

First Floor
 1,432 sq. ft.

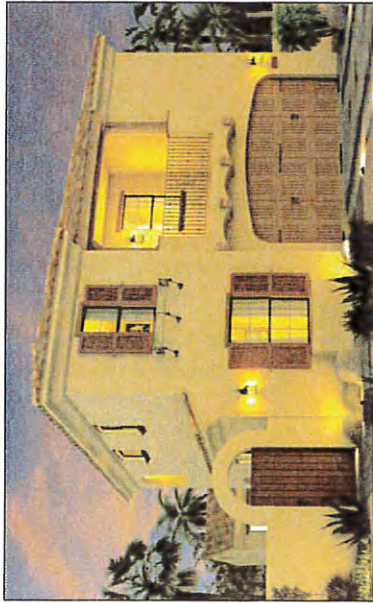
Second Floor
 753 sq. ft.

Repplier Park Vistas
 Banning California

RMG Residential 2010 LLC



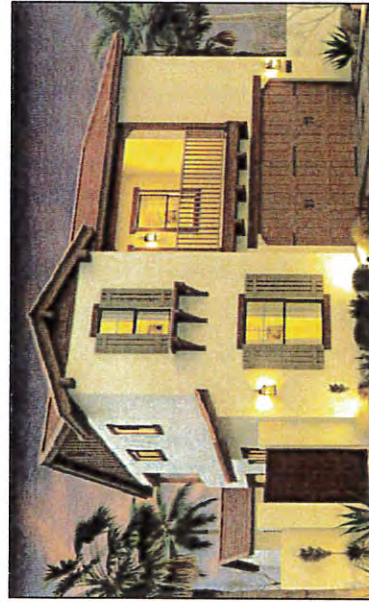
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 san juan capistrano, ca 92675
 949/487-2320
 fax 949/487-2321
 7-17-15
 #15-24



Spanish



Early Californian



Ranch

Plan 3 Renderings

Scale: 1/4" = 1'-0"

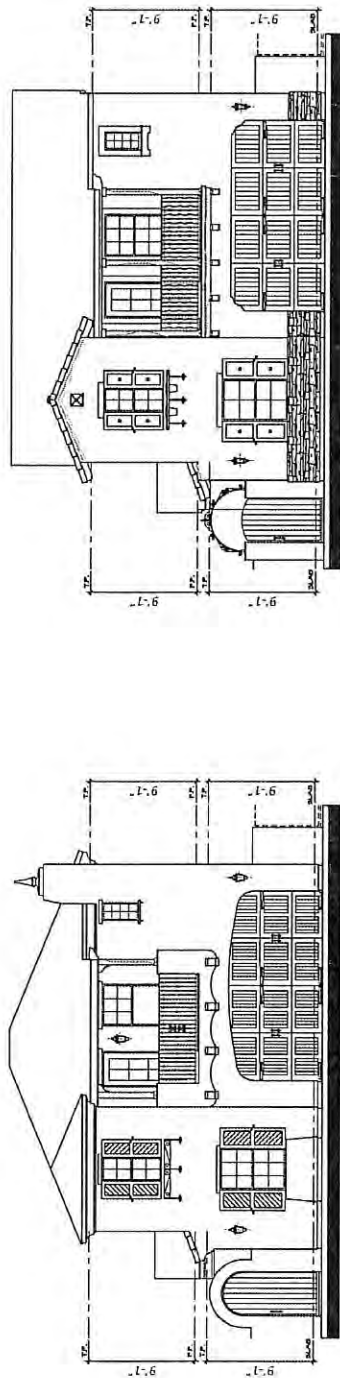


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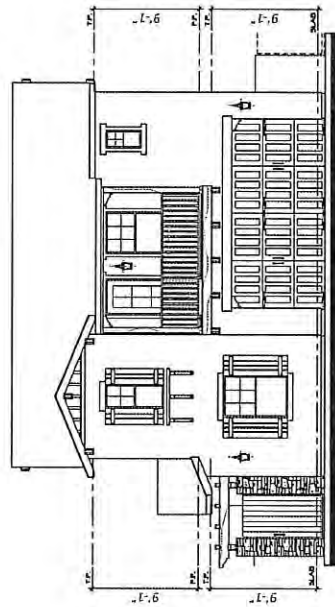
Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



Spanish

Early California



Ranch

Exterior Materials

1. Stucco
2. Stucco Recess
3. Stucco Pushell
4. Stucco of Foam Trim
5. Concrete Siding
6. Wood Siding
7. Wood Fascia/Barge
8. Edge Chip Tile Veneer
9. Decorative Wood Shutters
10. Stone Veneer
11. Brick Veneer
12. Metal Railing
13. Wood Railing
14. Decorative Metal
15. Decorative Light Fixture
16. Wood Pushell
17. Metal Pushell
18. Metal Roll-up Garage Door
19. Entry Door per Builder
20. Stucco Capital
21. Stucco Capital
22. Exposed Wood Beam
23. Wood Outlooker
24. Built-up Wood Column
25. Wood Siding
26. Furred Stucco Base
27. Stucco Wing Wall
28. Eyebrow Roof
29. Wood Siding
30. Wood Outlooker

50' x 90' Lots

Plan 3

Front Elevations

Scale: 1/4" = 1'-0"

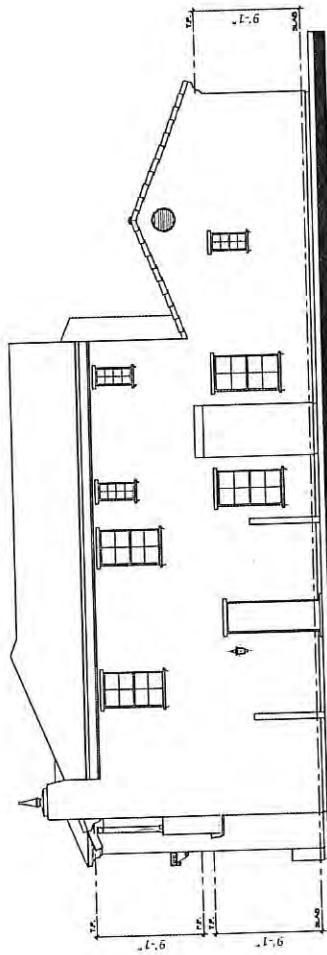


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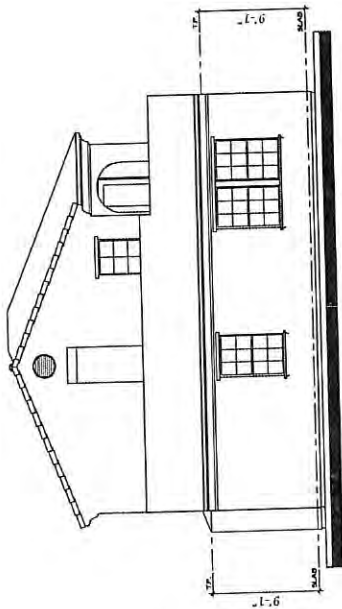
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Banning California

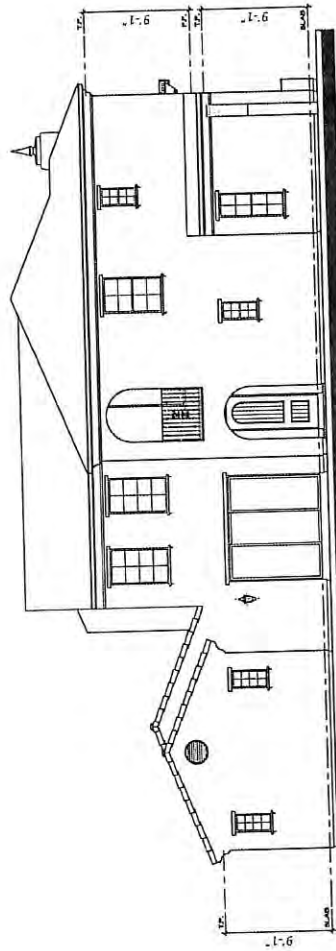
RMG Residential 2010 LLC



Right Elevation



Rear Elevation



Left Elevation

50' x 90' Lots
Plan 3
Elevations
Spanish

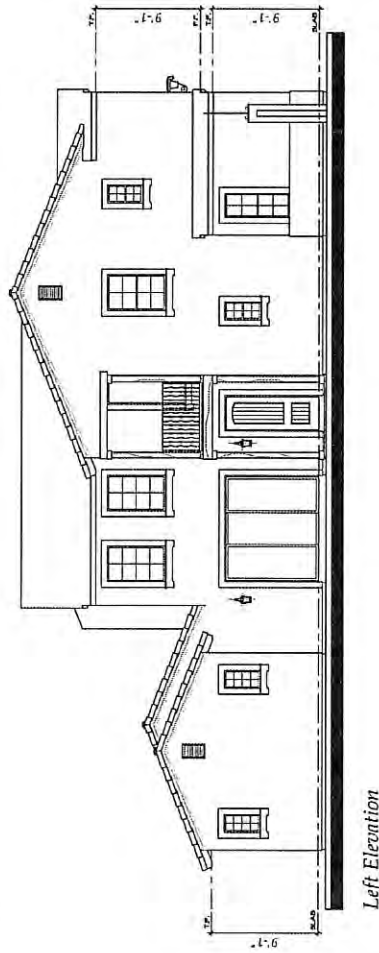
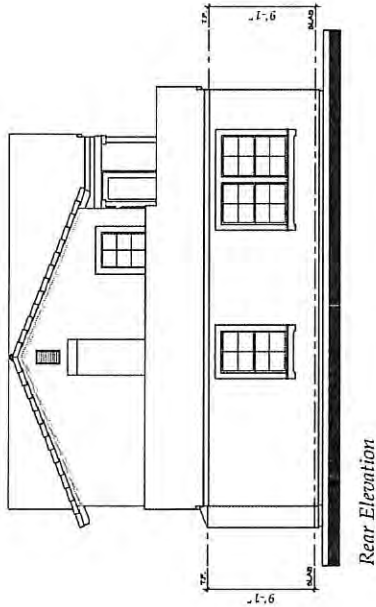
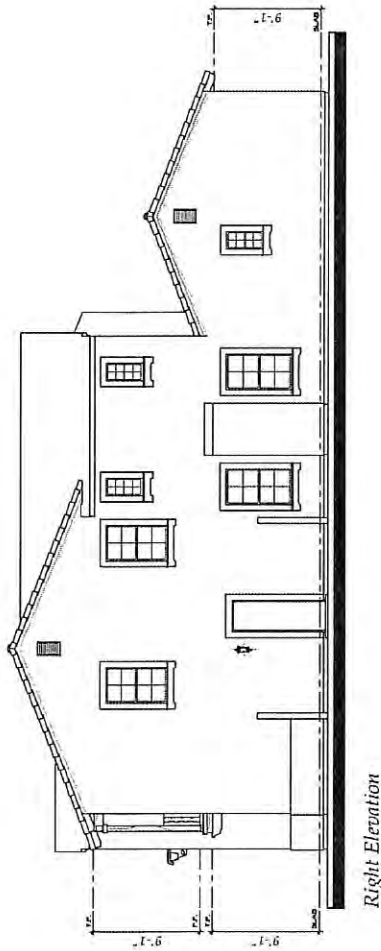
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Repplier Park Vistas
Banning California

RMG Residential 2010 LLC



50' x 90' Lots
 Plan 3
 Elevations
 Early California

Scale: 1/4" = 1'-0"

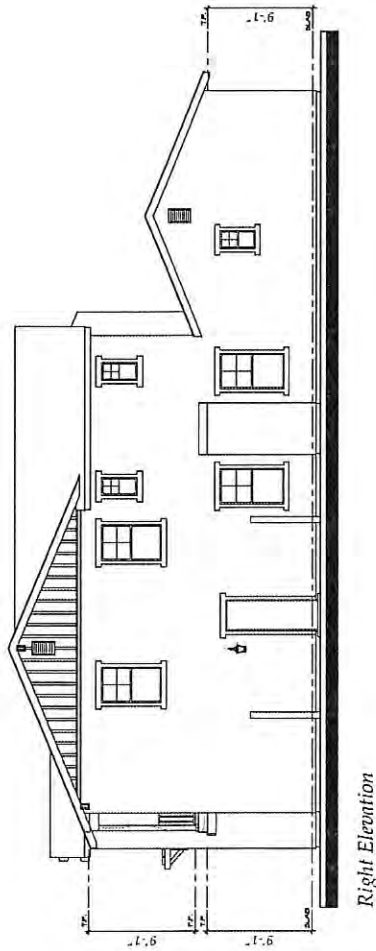


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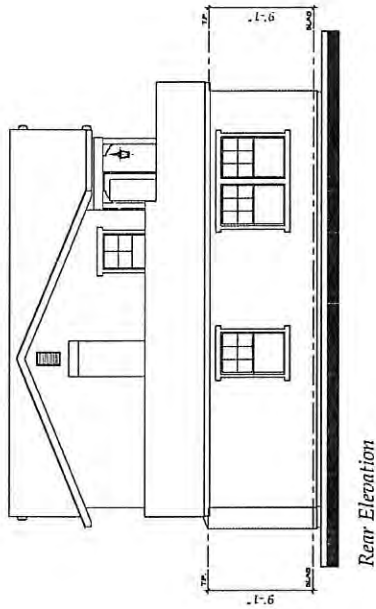
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 Tel: 949/487-2320
 Fax: 949/487-2321
 7-17-15 #15-24

Repplier Park Vistas
 Banning California

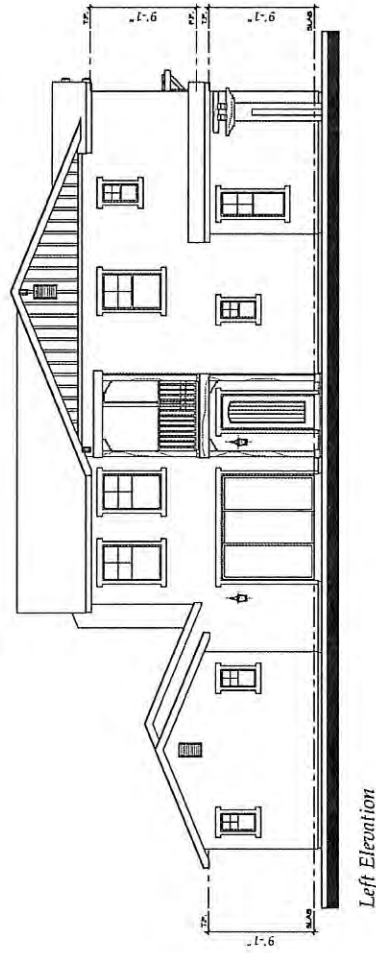
RMG Residential 2010 LLC



Right Elevation



Rear Elevation



Left Elevation

50' x 90' Lots
Plan 3
Elevations
Ranch

Scale: 1/4" = 1'-0"



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fax 949/487-2321
415-24

Repplier Park Vistas
Banning California

RMG Residential 2010 LLC

ATTACHMENT 3

Initial Study / Mitigated Negative Declaration

Initial Study Checklist/ Mitigated Negative Declaration

City of Banning:

Tentative Tract Map 36710

for

Property located at the northwest corner of east Wilson Street and north Florida Street



City Banning

99 East Ramsey Street

Banning, CA 92220

Contact: Patty Nevins, Community Development Director

(951) 922-3152

pnevins@ci.banning.ca.us

Applicant:

Randall Andrus

RMG RESIDENTIAL 2010, LLLP

8800 North Gainey Center Drive, Suite 255

Scottsdale, Arizona 85258

Contact: Randall Andrus

(480) 609-1200 Ext. 13

randall@ronmcrae.com

Public Review

August 11, 2017

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APPLICATION# PROJECT DR 15-7004

A. Tentative Tract Map (TTM 36710)

TTM 36710 proposes to subdivide a 10.6 acre vacant property for purposes of creating forty-six (46) single-family residential lots on property zoned Low Density Residential.

B. Planned Unit Development Permit

Proposing a Planned Unit Development (PUD) for purposes of providing a housing density of 4.3 dwelling units per acre with minimum lot size of 5,000 square feet to conform to the Banning Municipal Airport Zone D lot size requirements.

C. Design Review (15-7004)

A proposal to subdivide a 10.6 acre parcel into 46 single-family residential lots with five lettered lots; one for a detention basin one for open space and three for streets and cul-de-sacs.

1.0. INTRODUCTION

1.1 Purpose of an Initial Study Checklist

The California Environmental Quality Act (CEQA) requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

The purpose of an Initial Study Checklist is to provide a preliminary analysis of a proposed action to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report should be prepared for a project. An Initial Study Checklist also enables an applicant or the City of Banning to modify a project, mitigating adverse impacts in lieu of preparing an Environmental Impact Report, thereby potentially enabling the project to qualify for a Negative Declaration or a Mitigated Negative Declaration.

The Initial Study Checklist provides a factual basis for a Negative Declaration, Mitigated Negative Declaration, or serves to focus an Environmental Impact Report on the significant effects of a project.

1.2 Purpose of a Negative Declaration

A Negative Declaration is a written statement by the City of Banning that the Initial Study Checklist identified potentially significant environmental effects of the project but the project is revised and conditions of approval incorporated that eliminate impacts to less than significant levels.

1.3 Initial Study Checklist/ Negative Declaration Document

This document in its entirety is an Initial Study Checklist/Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

1.4 Public Review and Processing of the Initial Study Checklist/ Negative Declaration

In the case of the proposed Project, the Initial Study Checklist determined that a Mitigated Negative Declaration is the appropriate form of CEQA compliance document, which does not require a Notice of Preparation. The Initial Study Checklist commenced the twenty (20) day circulation on, August 11, 2017.

This Initial Study Checklist/ Negative Declaration and a *Notice of Intent* to adopt the Negative Declaration was distributed to the following entities for a 20-day public review period:

- 1) Organizations and individuals who have previously requested such notice in writing to the City of Banning;
- 2) Responsible and trustee agencies (public agencies that have a level of discretionary approval over some component of the proposed Project); and

3) The Riverside County Clerk.

The *Notice of Intent* also will be noticed to the general public in the *Record Gazette*, which is a primary newspaper of circulation in the areas affected by the Project.

The *Notice of Intent* identifies the location(s) where the Initial Study Checklist/Negative Declaration and its associated technical reports are available for public review. During the 20-day public review period, comments on the adequacy of the Initial Study Checklist/Negative Declaration document may be submitted to the City of Banning Community Development Department, Planning Division.

Following the 20-day public review period, the City of Banning Planning Division will review any comment letters received during the review period to determine whether any substantive comments were provided that may warrant revisions or recirculation of the Initial Study Checklist/Negative Declaration document. If recirculation is not required (as defined by CEQA Guidelines §15073.5(b)), written and/or oral responses will be provided to the City of Banning Planning Commission for review as part of their deliberations concerning the Project.

For this Project, the Banning Planning Commission's role is advisory and will recommend that the Banning City Council approve, conditionally approve, or deny the Project. Accordingly, a public hearing will be held before the Banning City Council to consider the proposed Project, any comments received and make a determination on the adequacy of this Initial Study Checklist/Negative Declaration.

At the conclusion of the public hearing process, the City Council will take action to approve, conditionally approve, or deny the proposed Project. If approved, the City Council will adopt findings relative to the Project's environmental effects as disclosed in the Initial Study Checklist/Negative Declaration and a *Notice of Determination* will be filed with the Riverside County Clerk.

1.5 Initial Study Checklist/ Negative Declaration Findings and Conclusions

Section 3.0 of this document contains the Environmental Checklist/Initial Study that was prepared for the proposed Project pursuant to CEQA and City of Banning requirements.

The Initial Study Checklist determined that implementation of the proposed Project would result in **no impacts** to the environment under the following issue areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emission
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Noise

- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems, and,
- Mandatory Findings of Significant

The Initial Study Checklist determined that the proposed Project will not result in creating **significant environmental effects**. The Project incorporates conditions such that the project will either avoid or mitigate effects to a point where clearly no significant environmental impacts on the environment would occur:

The Initial Study Checklist determined that, with the incorporation of conditions of approval and mitigation cited in the initial study, there is no substantial evidence, in light of the whole record before the Lead Agency (City of Banning), that the Project as revised may have a significant effect on the environment. Therefore, based on the findings of the Initial Study Checklist, the City of Banning determined that a Mitigated Negative Declaration is the appropriate CEQA determination for the Project pursuant to CEQA Guidelines § 15070(b).

2.0 PROJECT BACKGROUND

2.1 Project Location

The City of Banning covers approximately 23.2 square miles within the County of Riverside. The City is bordered by the City of Beaumont to the west, Morongo Band of Mission Indians to the east and County of Riverside to the north and south. Specifically, the property is located on vacant land north of East Wilson Street and south of Hoffer Street, between Alessandro Street on the west and Florida Street to the east, as depicted on the U.S. Geological Survey (USGS) 7.5 Minute, Cabazon quadrangle map (USGS 1996). Refer to Figure 1, *Location Map/Aerial Photo*.

The Project site includes the following Assessor Parcel Numbers:

APN#

- 534-183-014
- 534-200-004
- 534-200-008
- 534-200-047

2.2 Existing Site Conditions/Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as “the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Intent/Notice of Availability is published, or at the time the environmental analysis is commenced...” (CEQA Guidelines §15125[a]).

The Project site consists of approximately 10.67 gross acres consisting of four parcels as noted in Figure 1. The Tentative Tract Map will consolidate the four parcels to create 46 residential lots and five lettered lots. The existing site is an undeveloped infill parcel primarily covered with dry, tall grasses with scattered low bushes that slopes generally from the northwest to the southeast, with an elevation of 2,452’ at the northeast and an elevation of 2,422’ at the southeast. No structures exist onsite as shown in the photos and no protected plant or animal species reside on the property. A line of utility poles is present, running north-south in the western half of the site.

The site is roughly rectangular in shape and is bound by residential development to the north and west. Primary access to the site will be from three cul-de-sacs off of Wilson Street which service 84 percent of the subdivision. The exceptions include Lots 9 and 46 which front Hoffer Street and lots 41-45 which front Florida Street. Based on historical records such as aerial photographs, and topographic maps, the subject property appeared as undeveloped property from at least 1953 through 2009. Table 1 below provides a summary of the site’s historical use as researched by EEI Geotechnical & Environmental Solutions.

Figure 1

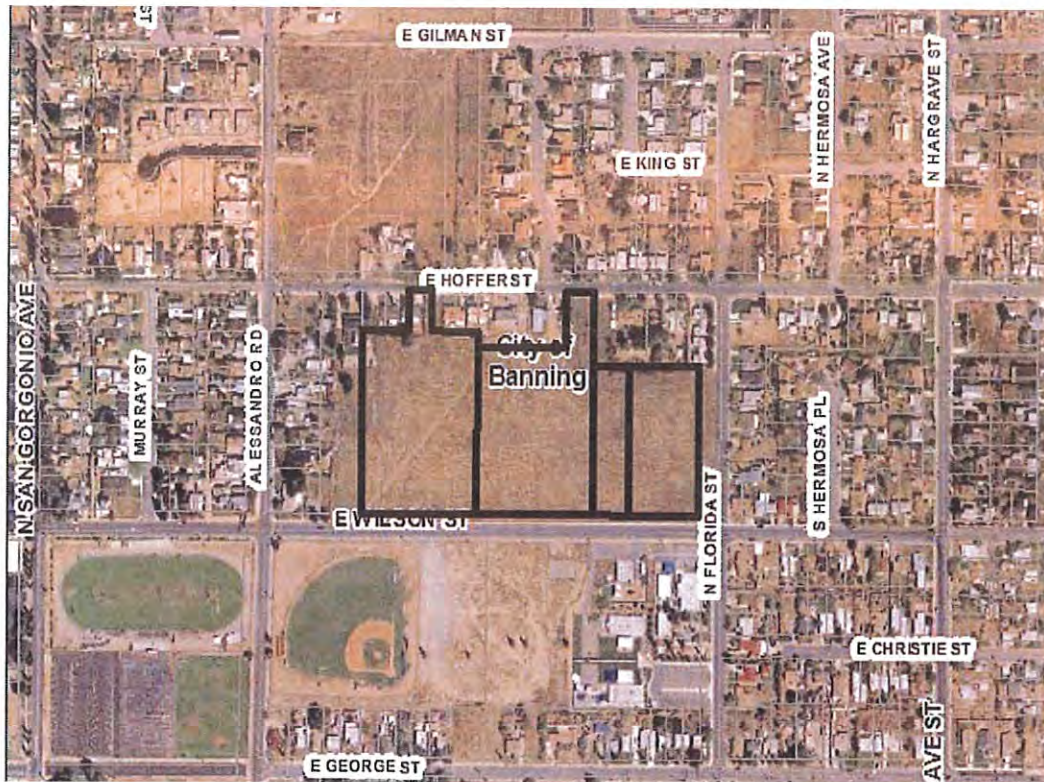


Table 1: Site's History
Summary of Historical Use

Year	Source and Scale	Comments
1953	Aerial Photograph	Subject property appeared as an open field with no structural development. Adjacent property along the northern property border and to the east, west and in the surrounding area appeared with residential development. Property to the south was undeveloped.
1967	Aerial Photograph	Subject site remained undeveloped. Additional residential development appeared on the adjacent property to the north, east, and west.
1976	Aerial Photograph	No apparent changes appeared on the site or adjacent property since the 1967 photo.
1988	Topographic Map	No changes noted on the subject site since 1976.
1996	Topographic Map	No changes noted on the subject site since the 1988 map.
2002	Aerial Photo	No changes noted on the subject property or adjacent property since 1994.
2009	Aerial Photo	Subject property appears in its current configuration as undeveloped land. Surrounding area appeared as a mix of residential and commercial property.

Southern California Gas Company is available to provide gas to the site. Water, sewer and electric utilities are available through the City of Banning. A gas line is present near the southeast corner of the parcel, and a Southern California Natural Gas transmission line runs parallel to the southern

property line along East Wilson (EEI, Phase I, pg. 12). Table 2 notes the existing land uses located adjacent to the site.

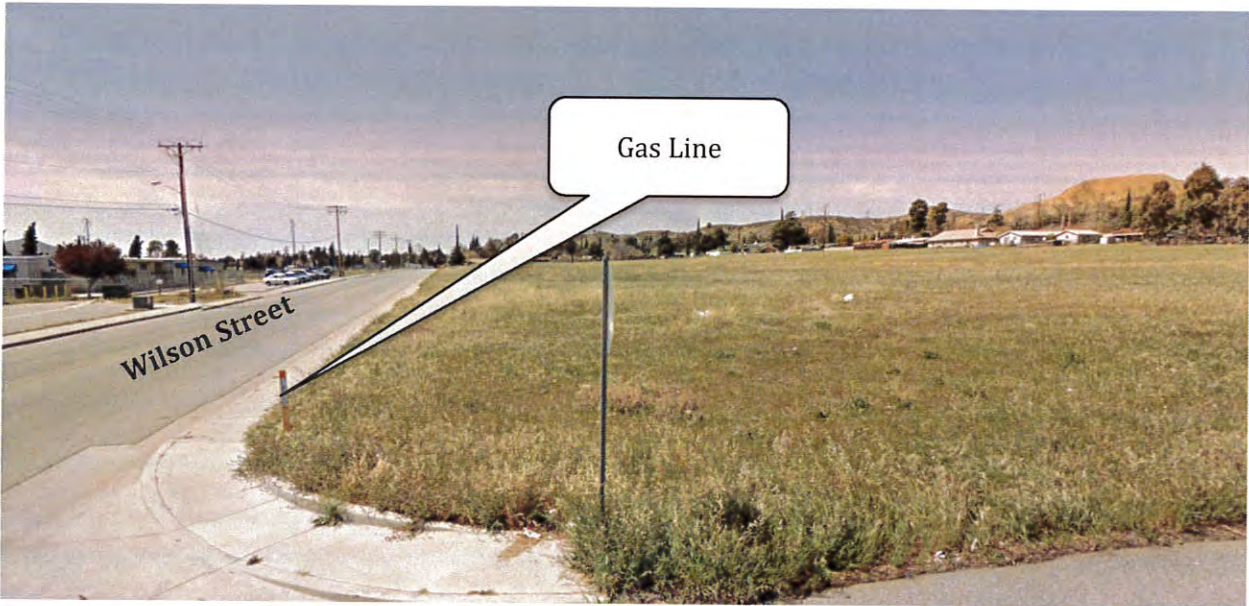


Table 2. Existing Land Uses

Location	Existing Use
Site	Vacant
North	Single-Family Residential
South	School
East	Single-Family Residential
West	Single Family Residential
<i>Source: Banning General Plan/Zoning Overlay</i>	

2.3 Existing General Plan Land Use and Zoning Designations

Development activities that occur in the City of Banning are regulated by the City of Banning General Plan, adopted January 31, 2006, and the Zoning Code, referenced as Title 17 of the City of Banning Municipal Code. The General Plan is divided into a number of zoning districts that provide additional guidance for development and more specific land use designations under each category. Each property has a land use designation and a more descriptive Area Plan designation.

The designation for the Project site is Low Density Residential (LDR). The Applicant proposes a Planned Unit Development (PUD) to provide for site, road and specific development accommodations that cannot be implemented as part of the regular zoning standards. The project has gained approval from the Riverside Airport Land Use Commission that determined the project is in compliance with Compatibility Zone D. The project proposes a net density of 4.31 du/net acre.

A summary of the existing General Plan land use and zoning designations for the Project site and surrounding properties is provided in Table 3.

Table 3. Existing General Plan and Zoning Designations

Location	General Plan Designation	Zoning Designation
Site	Low-Density Residential	(0-5 du/ac)
North	Low Density Residential	(0-5 du/ac)
South	Public Facilities	Pre-School
East	Low-Density Residential	(0-5 du/ac)
West	Low Density Residential (0-5 DU/Acre)	(0-5 du/ac)
<i>Source: City of Banning General Plan Land Use Map, City of Banning-Existing Zoning Map</i>		

2.4 Project Description

The Project Applicant, Randall Andrus, submitted the following applications to the City of Banning which comprise the proposed Project: Tentative Tract Map (TTM 36710), Planned Unit Development Permit and Design Review. The City of Banning refers to the application as Project DR 15-7004.

The Project's application materials are on file with the City of Banning Planning Department, 99 East Ramsey Street, Banning, CA 92220 and are hereby incorporated by reference.

A. Tentative Tract Map (TTM 36710), Planned Unit Development Permit (PUD) and Design Review (DR 15-7004).

The project applicant is seeking approval of TTM 36710, PUD and DR 15-7004, which proposes to subdivide a vacant 10.6 acre site into 46 single-family residential lots with a minimum lot size of 5,000 square feet. The project was found to be consistent with the 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016 and to conform to the Riverside Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA) regarding density, height, air space and open space restrictions. The project is driven largely in part by the Riverside County Airport Land Use Commission's requirement of maintaining a density at (or near) 5 du/acre in Zone D of the Banning Municipal Airport. The site currently consists of four individual vacant parcels containing the following lot areas as noted in Table 4 below.

Table 4: Lot Area Characteristics

APN	Lot Area
534-183-014	4.01
534-200-004	3.77
534-200-008	0.92
534-200-047	1.85

The total gross area of the four parcels is 10.67 acres. They propose, five (5) lettered lots; Lot A will be a basin; Lot B will serve as open space; Lots C, D, and E are proposed as private streets. Residential lot sizes will range from 5,000 square feet to 12,817 square feet in size. Access to the site is off Wilson Street and will be by means of three neighborhood streets ending as cul-de-sacs, with the exception of Lots 41-45 which flank Florida Street and Lots 9 and 46 which flank Hoffer Street.

The above land uses and other on-site improvements are further described as follows:

Single-Family Residential

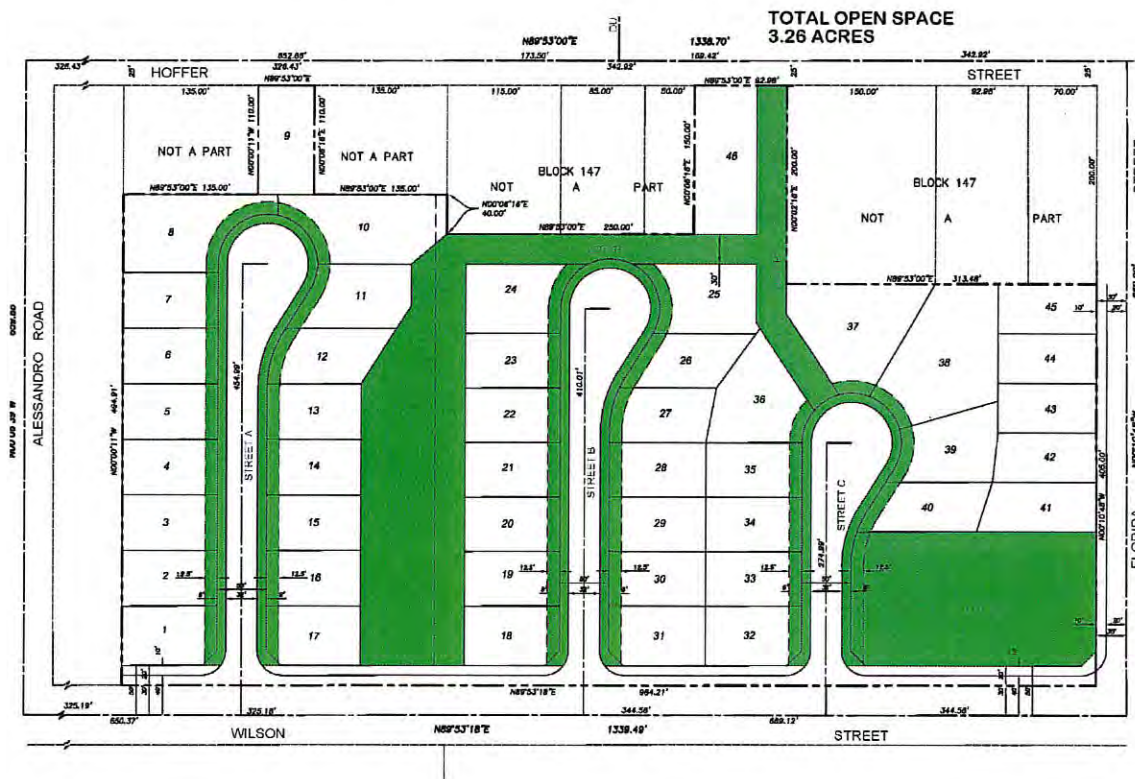
The Project site will be a Planned Unit Development (PUD). Residential lot sizes range from 5,000 square feet to 12,817 square feet for certain cul-de-sac lots. However, the majority of the lot sizes are within the 5,000 square foot range. The Project proposes a net density of 4.53 dwelling units per acre. The project will include over 30 percent of open space amenities, including a small trail system and park and picnic areas. The open space/park area will also serve as an emergency landing zone as required for projects in Zone D of the Riverside County Airport Land Use plan for Banning Municipal Airport. Consequently, the open space park area will not contain any structures higher than four (4) feet.

Water Quality Basin

Lot "A" will function as a water quality basin. The basin will serve to retain developed condition runoff and mitigate developed condition flows as required by City Ordinance. The basin is engineered to accept approximately 64,469 cubic feet (1.48 acre feet) of water runoff. City of Banning Ordinance #1415&6 requires that "all development will make provisions to store runoff from rainfall events up to and including the 100 years, three-hour duration event onsite via storage or infiltration basins for new development and redevelopment."

The basin, referenced as Lot A will be located at the northwest intersection of Florida and Wilson Street. Although the basin is intended for water quality and percolation purposes, the site will also function as a dog park. The basin shall be designed in accordance with the City of Banning Engineering requirements. As noted in Figure 2, Lot "B" will function as open space pedestrian pathway in accordance with the PUD set aside provisions for private open space.

Figure 2
Lot A & Lot B Open Space and Basin Areas



On-Site Street Improvements

Primary access to the Project site is by means of three neighborhood cul-de-sac streets connected off Wilson Street. Lots 9 and 46 will obtain access from Hoffer Street, Lots 41 through 45 will obtain access from Florida Street. Both Hoffer and Florida Streets are existing improved two (2) lane sixty (60) foot wide roadways within the Public right-of-way. Curb, gutter, and sidewalk have been partially installed. All street improvements along Wilson Street will be subject to the City of Banning Engineering and Public Works requirements.

The three internal neighborhood streets servicing the tract with curb and gutter within 50 foot wide private two lane travel lanes are indicated on the TTM as Street A, Street B and Street C. None of the streets interconnect, but each street connects to Wilson Street. Cul-de-sac's shall be designed in accordance with radius requirements set by the County Fire Code.

On-Site Utility and Drainage Improvements

Water, sewer and electrical service will be provided by the City of Banning Public Works Department and Electrical Division. Sewer and water systems shall be designed in accordance with the City of Banning Engineering and Public Works requirements.

Existing water lines are contained within Hoffer Street, Wilson Street and Florida Street running adjacent to the project site. Existing sewer lines are contained within Hoffer and Florida Street also adjacent to the project site. With the projects cul-de-sac design, the majority of the lots will connect to the proposed sewer line in Wilson Street, with the exception of Lot 9 and Lot 46 which will connect to the existing sewer line in Hoffer Street and Lots 41 - 45 which will connect to the existing sewer line in Florida Street.

B. Planned Unit Development Permit

The existing site will be a Planned Unit Development (PUD) allowing for a housing net density of 4.53 dwelling units per acre.

D. Construction Schedule

Houses will be constructed based on market demand and absorption. Construction is expected to commence sometime in 2018 and is expected to occur in one phase. The Project Applicant expects the following time durations for the construction process, which would be somewhat sequential but overlap in some cases:

- | | |
|--|-----------|
| • Site Preparation | 20 Days |
| • Grading | 40 - days |
| • 1 st Phase of Home Construction | 60- days |
| • Architectural Coating | 38 - days |
| • Paving | 55 - days |

Earthwork and Grading

The earthwork and grading details are based on proposed Tentative Tract Map 36710. The Project proposes 13,600 cubic yards (c.y.) of cut and 13,600 cubic yards of fill (TTM Earthwork Quantities).

The site drains northwest to southeast with a varying terrain at an average slope of 4 percent (Drainage Report, United Engineering Group, Sept, 6, 2016).

E. Operational Characteristics

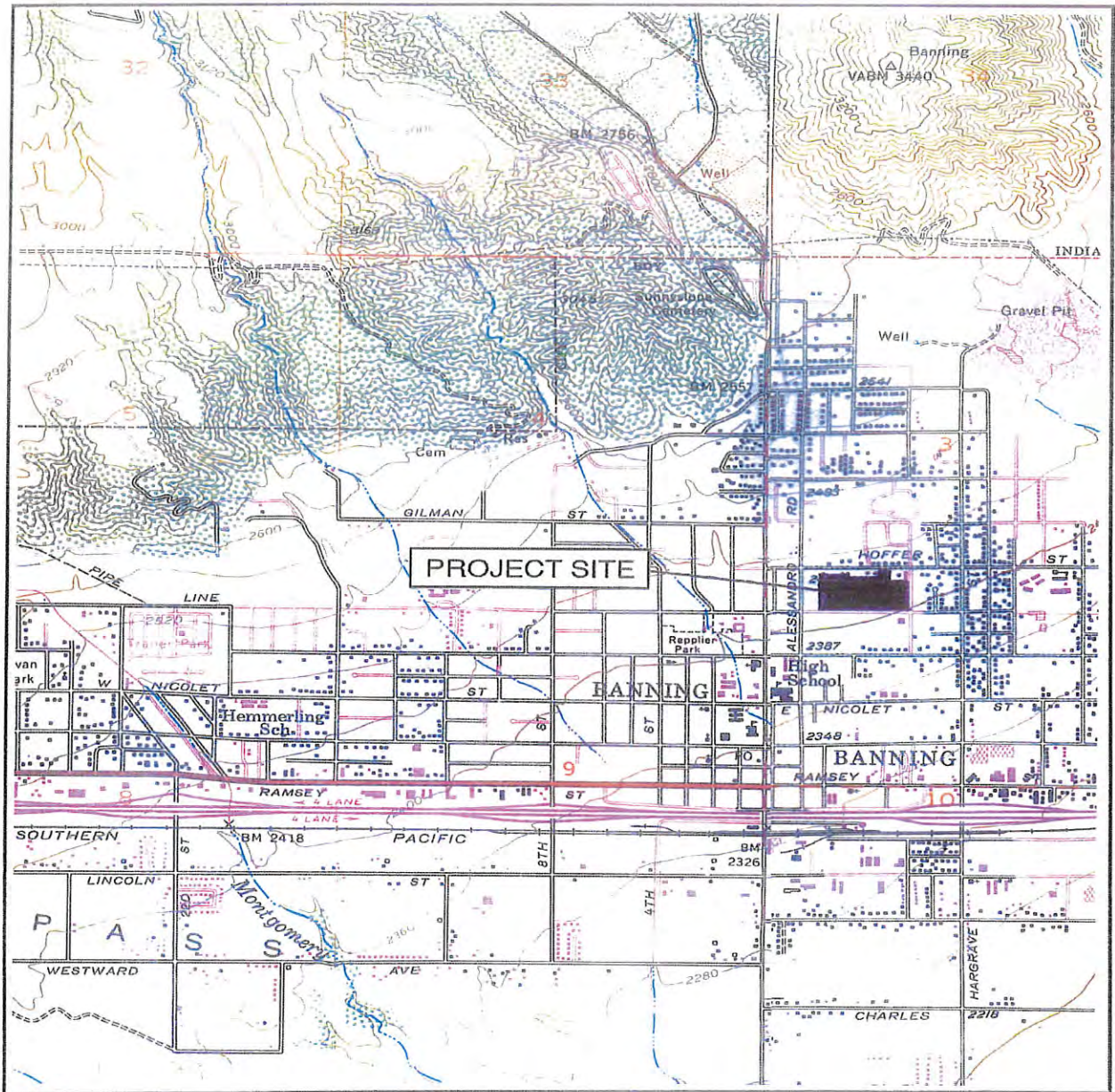
The proposed Project would be operated as a residential community. Typical operational characteristics include residents and visitors traveling to and from the site, leisure and maintenance activities occurring on individual residential lots and in the on-site recreational facilities and general maintenance of common areas. Low levels of noise and a moderate level of artificial exterior lighting typical of a residential community is expected.

Future Population

The Project would be developed with 46 single-family detached residential homes. Pursuant to City of Banning's General Plan, the median household size is currently 2.7 persons per dwelling unit. Using population generation estimates, the proposed Project could increase the City of Banning's population by up to 124 new residents if all the new residents currently reside outside the City limits. The City of Banning's 2016 population estimates (city limits only) as determined by the California Department of Finance is 30,834 residents. The City's population would increase by less than (0.5) percent or 30,958 residents. The Project is consistent with the Southern California Association of Governments (SCAG) population growth estimates in that the City's population is projected to reach 34,658 in 2010 and 42,027 in 2020. According to the City's Housing Element Regional Housing Needs Assessment (RHNA), the City of Banning has a total housing construction need of 1,780 units and an annual need of 237 units. The Project is consistent with the RHNA housing construction forecast efforts to meet the City's housing needs.

The *General Plan* land use designation currently assigned to the Project site is Low Density Residential (0-5 dwelling units per acre). The Project as proposed has a net density of 4.53 dwelling units per acre.

If the Project site were built out in accordance with its existing *General Plan* land use designation, a maximum of 53 residential dwelling units could be constructed on the property. (Low Density Residential x 5 units per acre x 10.6 acres = 53 units). The Project proposes 46 residential dwelling units which is below the maximum permitted under the *General Plan* and current Zoning District.



	Location Map/Aerial Photo	Exhibit 1

3.0 INITIAL STUDY/ENVIRONMENTAL CHECKLIST

Evaluation Format

This Initial Study Checklist has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. The Project is evaluated based on its potential effect on eighteen (18) environmental factors categorized as follows, as well as Mandatory Findings of Significance:

- | | |
|-------------------------------------|--|
| 1. Aesthetics | 10. Land Use & Planning |
| 2. Agriculture & Forestry Resources | 11. Mineral Resources |
| 3. Air Quality | 12. Noise |
| 4. Biological Resources | 13. Population & Housing |
| 5. Cultural Resources | 14. Public Services |
| 6. Geology & Soils | 15. Recreation |
| 7. Greenhouse Gas Emissions | 16. Transportation & Traffic |
| 8. Hazards & Hazardous Materials | 17. Tribal Cultural Resources |
| 9. Hydrology & Water Quality | 18. Utilities & Service Systems |
| | 19. Mandatory Findings of Significance |

Each factor is analyzed by responding to a series of questions pertaining to the impact of the Project on the particular factor in the form of a checklist. This Initial Study Checklist provides a manner to analyze the impacts of the Project on each factor in order to determine the severity of the impact and determine if mitigation measures can be implemented to reduce the impact to less than significant without having to prepare an Environmental Impact Report.

CEQA also requires Lead Agencies to evaluate potential environmental effects based to the fullest extent possible on scientific and factual data (CEQA Guidelines §15064[b]). A determination of whether or not a particular environmental impact will be significant must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064f[5]).

The effects of the Project are then placed in the following four categories, which are each followed by a summary to substantiate why the Project does not impact the particular factor with or without mitigation. If “Potentially Significant Impacts” that cannot be mitigated are determined, then the Project does not qualify for a Mitigated Negative Declaration and an Environmental Impact Report must be prepared:

<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.	Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.	No “significant” impact(s) identified or anticipated. Therefore, no mitigation is necessary.	No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

Throughout the impact analysis in this Initial Study Checklist, reference is made to the following:

- **Plans, Policies, Programs (PPP)** – These include existing regulatory requirements such as plans, policies, or programs applied to the Project based on the basis of federal, state, or local law currently in place which effectively reduce environmental impacts.
- **Project Design Features (PDF)** – These measures include features proposed by the Project that are already incorporated into the Project’s design and are specifically intended to reduce or avoid impacts (e.g., water quality treatment basins).
- **Mitigation Measures (MM)** – These measures include requirements that are imposed where the impact analysis determines that implementation of the proposed Project would result in significant impacts. Mitigation measures are proposed to reduce impacts to less than significant levels. In accordance with the requirements of *CEQA*.

Plans, Policies, or Programs (PPP) and the Project Design Features (PDF) were assumed and accounted for in the assessment of impacts for each issue area.

Mitigation Measures (MM) were formulated only for those issue areas where the results of the impact analysis identified significant impacts that could be reduced to less than significant levels.

All three types of measures described above will be required to be implemented as part of the Project, and will be included in the Mitigation Monitoring and Reporting Program for the Project.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Land Use and Planning
	Agriculture and Forest Resources		Mineral Resources
	Air Quality		Noise
	Biological Resources		Population and Housing
	Cultural Resources		Public Services
	Geology and Soils		Recreation
	Greenhouse Gas Emissions		Transportation/Traffic
	Hazards and Hazardous Materials		Tribal Cultural Resources
	Hydrology and Water Quality		Utilities and Service Systems
			Mandatory Findings of Significance

Because none of the environmental factors above are "checked", the Project does not require the preparation of an Environmental Impact Report.

Determination

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended for adoption.

☐

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Applicant. A MITIGATED NEGATIVE DECLARATION will be recommended for adoption.

☒

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐

I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effect (s) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to all applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures are imposed upon the proposed Project, nothing further is required.

☐

Signature

Patty Nevins
Community Development Director

Printed Name/Title

City of Banning
Agency

Date

Appendices (On Compact Disk)

- Appendix A. Phase I Environmental Site Assessment, The McRae Group, August 23, 2011
- Appendix B. Geotechnical Engineering Study, The McRae Group, April 4, 2014
- Appendix C. General Biological Resources Assessment & Burrowing Owl Habitat Assessment, RCA Associates, LLC, January 16, 2014
- Appendix D. Preliminary Drainage Report, United Engineering Group, September 6, 2016
- Appendix E. Focused Traffic Impact Study, RK Engineering Group, Inc., July 11, 2016
- Appendix F. Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., May 31, 2016
- Appendix G. Airport Land Use Commission, Riverside County letter, December 16, 2016
- Appendix H. Federal Aviation Administration, Determination of no Hazard letter, February 12, 2016
- Appendix I. Cultural Assessment Report, BCR Consulting LLC, May 1, 2017

3.1 Aesthetics

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				■
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				■
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			■	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				■

3.1 (a.) Have a substantial adverse effect on a scenic vista?

Determination: No Impact.

Sources: General Plan, City of Banning, Google Earth, Project Application Materials, EEI Phase I Environmental Site Assessment, August 23, 2011.

Plans, Policies or Programs (PPP)

The following applies to the Project and would reduce impacts related to scenic vistas. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-1 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Table 17.08.030, residential building heights shall not exceed thirty-five (35) feet in height.

Project Design Features (PDF)

Architecturally, there are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The site is a 10.67 acre vacant lot which is currently zoned Low Density Residential (0-5 du/ac). The project proposes a Planned Unit Development (PUD) with 4.53 dwelling units per net acre. The site is bounded by residential development to the north; East Wilson Street to the south; Florida Street to the east; and residential development to the west. The property ranges from approximately 2,422 feet above mean sea level (amsl) at the southeast margin and rises in elevation to approximately 2,452 feet amsl at the northwest margin of the property. The property consists of land which gently slopes in a southeasterly direction. The property has remained undeveloped from at least 1953 through 2009 based on historical photographs and topographic maps (EEI, Phase I Site Assessment, pg. 2). Based on the Banning General Plan, Archaeological Resources

Sensitivity Map (Exhibit IV-6) the site is within a Low Sensitivity Assessment Archaeological Resources District. Consequently, it is not anticipated that the site's housing development will have impacts to these sensitive resources.

With the implementation of PPP 3.1-1, the project will have no impacts to aesthetics or scenic vista.

3.1 (b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Determination: No Impact.

Sources: Banning General Plan, Google Earth, EEI Phase I Env. Assessment, Aug. 23, 2011.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As referenced in 3.1 (a), the Project site will not impact a scenic vista. Moreover, given the undeveloped history of the site, no historic buildings will be impacted since the site contains no structures with the exception of a line of utility poles running north-south in the western half of the site as noted in the photos. In general the subject property is surrounded by older single-family residential properties with a school site located to the south across East Wilson Street. Based on EEI's Phase I Environment Site Assessment report dated August 23, 2011, the following findings were noted:

- Historical Recognized Environmental Conditions (REC): No known or suspected Historic REC's were revealed during the preparation of the EEI's Phase I Environmental Site Assessment.
- Known or suspected REC's – No known or suspected REC's were revealed during the preparation of EEI's Phase I Environmental Site Assessment.
- *De Minimis* Conditions – No *De Minimis* conditions were revealed during the preparation of EEI's Phase I Environmental Site Assessment. A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities.

Based on the EEI Phase I findings, no impacts to scenic resources, rock outcroppings or historic buildings will result.

3.1 (c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

Determination: Less than Significant.

Sources: Banning General Plan, Google Earth, EEI Phase I Environmental Assessment, Aug. 23, 2011.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to the visual character and quality of the site and its surroundings. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-1 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Table 17.08.030, residential building heights shall not exceed thirty-five (35) feet in height.

Project Design Features (PDF)

PDF 3.1-1 The project site will be a Planned Unit Development (PUD) and incorporate specific land use and Right-of-Way (ROW) design features unique to the Project.

Impact Analysis

Development of the Project would introduce residential development onto the site. The residential development will consist of single-family detached homes, with related improvements such as roadways, landscaping, walls, and public street lighting. These improvements would be implemented in accordance with the PUD design standards unique to this subdivision project. Where the PUD standards are absent, the Banning Zoning Code development standards shall prevail. Although the existing undeveloped character of the site will change, it will not substantially change the character of the Project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its residential surroundings. Moreover, it is not anticipated that the 50 foot wide street ROW, that will be maintained by the Project's Home Owners Association (HOA) will be substantially out of character with the existing public ROW. It is typical for PUD's to incorporate smaller street widths subject to approval of Engineering and the Fire Department.

Based on the analysis above, with implementation of PPP 3.1-1 and PDF 3.1-1, impacts associated with visual character or quality will be less than significant and no mitigation measures are required.

3.1 (d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Determination: No Impacts.

Sources: City of Banning Zoning Standards, Project Application Materials, Riverside County Airport Land Use Commission letter, December 16, 2016.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to light and glare. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-2 The Project site is within Zone D of the Banning Municipal Airport Compatibility Map. Consequently, object heights are limited to 35 feet.

Project Design Features (PDF)

PDF 3.1 -2 Any Public Street Lighting shall not exceed 35 feet in height.

Impact Analysis

The project site is situated within Zone D of the Banning Municipal Airport Land Use Compatibility Plan. In accordance with a letter received from the, Riverside County, Airport Land Use Commission letter, December 16, 2016, all outdoor lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lights shall be downward facing and light structures shall be no more than 35 feet in height to mitigate the potential for aircraft to mistake public lighting for airport lighting. Pursuant to Chapter 2, Section 1.5.3 (4)(11) of the Riverside County Airport Land Use Compatibility Plan Policy Document, a "Major Land Use Action that proposes development consisting of five or more dwelling units that may incorporate lighting which could be mistaken for airport lighting is required to be reviewed by the Riverside County Airport Land Use Committee. (ALUC). The project's conditions of approval incorporate the lighting features designed for the proposed project.

Based on the analysis above, with the associated Conditions of Approval, and recommendations by Airport Land Use Commission, there will be no impacts with implementation of PPP 3.1-1, 3.1-2, and PDF 3.1-1 and PDF 3.1 -2.

3.2 AGRICULTURE AND FORESTRY RESOURCES

<p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:</i></p>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				■
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				■
d. Result in the loss of forest land or conversion of forest land to non-forest use?				■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				■

3.2 (a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? .*

Determination: No Impact

Sources: Banning General Plan Land Use Map, Zoning Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. As such, the Project has no potential to convert such lands to a non-agricultural use and no impact would occur. No mitigation measures are required.

3.2 (b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Determination: No Impact.

Sources: Banning General Plan Land Use Map, Zoning Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site will be a PUD. Given the scale of the residential subdivision of 46 lots and 5 lettered lots, the Project will not conflict with existing zoning for agricultural use. Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. The site is not under a Williamson Act Contract. As such, there is no impact. No mitigation measures are required.

3.2 (c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

Determination: No Impact.

Sources: Banning General Plan Land Use Map, Zoning Map.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is considered in-fill and will be a PUD. The PUD is compatible with surrounding low-density residential uses. No forest land, timberland, or timberland production occurs on the site so zoning for such uses or activities will not be impacted. Therefore, no impacts would occur and no mitigation measures are required.

3.2 (d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

Determination: No Impact.

Source: Field Survey.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

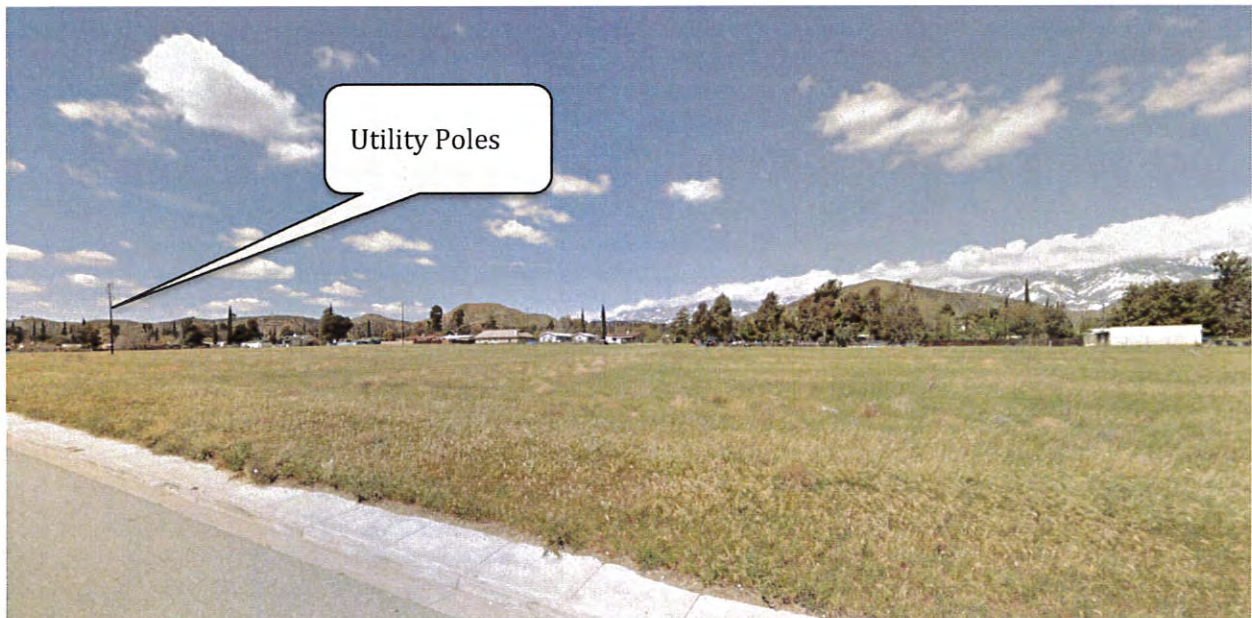
Impact Analysis

The Project site consists of vacant land and does not contain forest land as noted in the photos on the following page. Therefore, no impacts would occur and no mitigation measures are required.

**Project Site
North View**



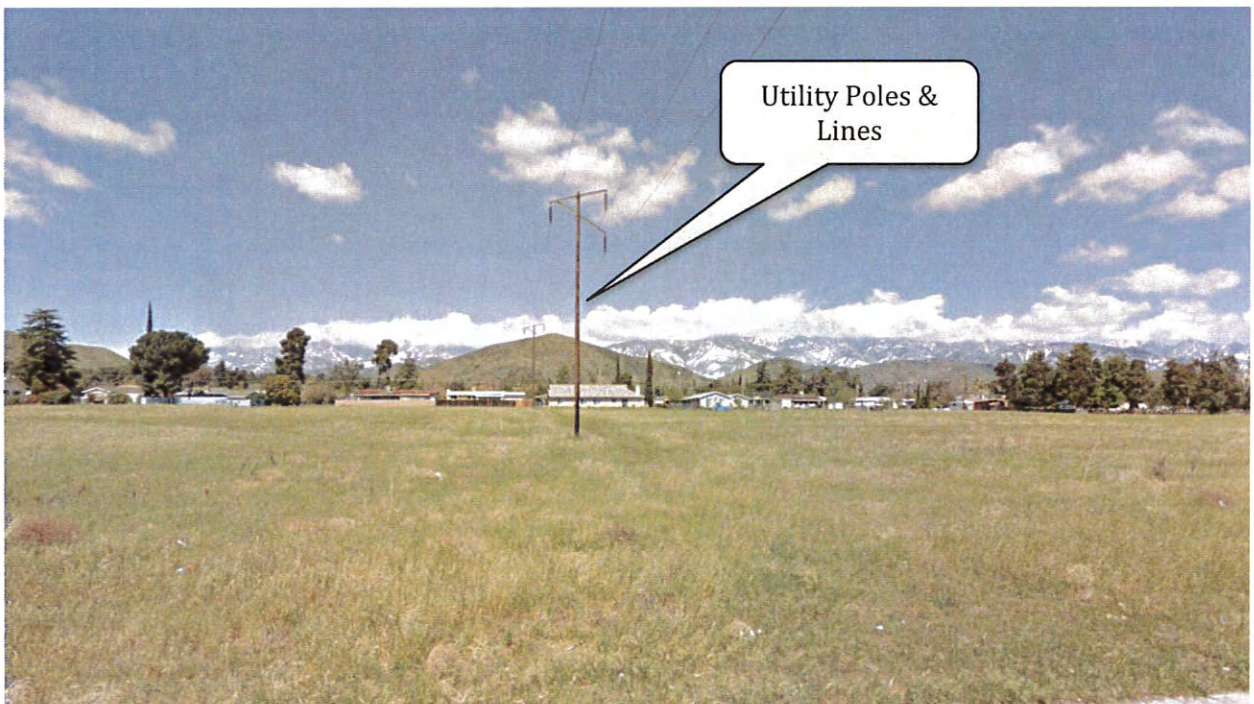
**Project Site
Northwest View**



**Project Site
Northeast View**



**Project Site
North View**



3.2 (e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

Determination: No Impact.

Sources: Banning General Plan Land Use Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is approximately 10.67 acres in size. The residential in-fill development will be a PUD. The PUD is characteristic of the existing low density zoned residential development located nearby and largely characterized by residential single family housing. There is no land being used primarily for agricultural purposes in the vicinity of the site. As such, the Project would not result in conversion of Farmland to non-agricultural use and no impacts would occur. No mitigation measures are required.

3.3 AIR QUALITY

<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			■	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		■		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			■	
d. Expose sensitive receptors to substantial pollutant concentrations?			■	
e. Create objectionable odors affecting a substantial number of people?			■	

3.3 (a) Conflict with or obstruct implementation of the applicable air quality plan (South Coast Air Quality Management District)?

Determination: Less than significant impact.

Sources: Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., May 31, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

Federal Air Quality Standards

Under the Federal Clean Air Act, the Federal Environmental Protection Agency establishes health-based air quality standards that California must achieve. These are called “national ambient air quality standards” and they apply to what are called “criteria pollutants.” Ambient (i.e. surrounding) air quality standard establish a concentration above which a criteria pollutant is known to cause adverse health effects to people. The national ambient air quality standards apply to the following criteria pollutants:

- Ozone (8-hour standard)

- Respirable Particulate Matter (PM₁₀)
- Fine Particulate Matter (PM_{2.5})
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NO_x)
- Sulphur Dioxide (SO₂), and
- Lead.

State Air Quality Standards

Under the California Clean Air Act, the California Air Resources Board also establishes health-based air quality standards that cities and counties must meet. These are called “state ambient air quality standards” and they apply to the following criteria pollutants:

- Ozone (1-hour standard)
- Ozone (8-hour standard)
- Respirable Particulate Matter (PM₁₀)
- Fine Particulate Matter (PM_{2.5})
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NO_x)
- Sulphur Dioxide (SO₂), and
- Lead

Regional Air Quality Standards

The City of Banning is located within the South Coast Air Basin which is under the jurisdiction of the South Coast Air Quality Management District. The District develops plans and regulations designed to achieve these both the national and state ambient air quality standards described above.

Attainment Designation

An “attainment” designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a “nonattainment” designation indicates that a criteria pollutant concentration has exceeded the established standard.

Table 5 shows the attainment status of criteria pollutants in the South Coast Air Basin.

Table 5. Attainment Status of Criteria Pollutants in the South Coast Air Basin.

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1 hour standard	Nonattainment	No Standard
Ozone – 8 hour standard	Nonattainment	Nonattainment
Respirable Particulate Matter (PM ₁₀)	Nonattainment	Attainment
Fine Particulate Matter (PM _{2.5})	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO _x)	Attainment	Attainment
Sulfur Dioxide (SO ₂)	Attainment	Attainment
Lead	Attainment	Attainment
<i>Source: South Coast Air Quality Management District, 2014</i>		

Air Quality Management Plan

The South Coast Air Quality Management District is required to produce air quality management plans directing how the South Coast Air Basin's air quality will be brought into attainment with the national and state ambient air quality standards. The most recent air quality management plan is 2016 Air Quality Management Plan *and* it is applicable to City of Banning. The purpose of the 2016 Air Quality Management Plan is to achieve and maintain both the national and state ambient air quality standards described above.

In order to determine if a project is consistent with the 2016 Air Quality Management Plan, the South Coast Air Quality Management District has established consistency criterion which are defined in Chapter 12, Sections 12.2 and 12.3 of the South Coast Air Quality Management District's CEQA Air Quality Handbook and are discussed below.

Consistency Criterion No. 1: *The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the 2016 Air Quality Management Plan.*

Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards and National Ambient Air Quality Standards. As evaluated under Issues 3.3 (b), (c), and (d), below, the Project would not exceed regional or localized significance thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the Project's regional and localized emissions would not contribute substantially to an existing or potential future air quality violation or delay the attainment of air quality standards.

Consistency Criterion No. 2: *The proposed project will not exceed the assumptions in the 2016 Air Quality Management Plan.*

The growth forecasts used in the 2016 Air Quality Management Plan to project future emissions levels are based on the projections of the Regional Transportation Model utilized by the Southern

California Association of Governments, which incorporates land use data provided by city and county General Plans, as well as assumptions regarding population number, location of population growth, and a regional housing needs assessment.

The Banning General Plan land use designation currently assigned to the Project site is Low Density Residential (0 to 5 du/ac). The site will be a PUD to accommodate a housing density less than the 5 du/ac. If the Project site were built out in accordance with its existing *General Plan* land use designation, a maximum of 53 residential dwelling units could be constructed on the property. (Low Density Residential @ 5 units per acre x 10.6 acres = 53 units. The Project proposes 46 single family residential dwelling units, which, constitutes 90 percent of the development potential of the site. Under the PUD, the housing density proposed is less than what would be permitted under the current land use designation of LDR.

The 2016 Air Quality Management Plan relied in part upon the City's General Plan for the growth forecast estimates used in the 2016 Air Quality Management Plan. As such, the Project would not exceed the assumptions in the 2016 Air Quality Management Plan because it does not exceed the growth forecasts contained in the Plan.

For the reasons stated above, the Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, delay the timely attainment of air quality standards or the interim emissions reductions specified in the 2016 Air Quality Management Plan. In addition, the Project would not exceed the growth assumptions in the 2016 Air Quality Management Plan. As such, the Project would be consistent with the 2016 Air Quality Management Plan and impacts would be less than significant and no mitigation measures are required.

3.3(b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Determination: Less than Significant Impact with Mitigation.

Sources: California Emissions Estimator Model, South Coast Air Quality Management District, Air Quality Management Plan, CEQA Air Quality Handbook, Project Application Materials, Air Quality and Greenhouse Gas Impact Study (RK Engineering Group, Inc., May 31, 2016)

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to air quality violations. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction

activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The South Coast Air Quality Management District has developed regional and localized significance thresholds for regulated pollutants. Any project in the South Coast Air Basin with daily emissions that exceed any of the indicated regional or localized significance thresholds would be considered to contribute to a projected air quality violation. The Proposed Project's regional and localized air quality impacts are discussed below as shown in Table 6.

Regional Impact Analysis

As with any new development project, the Proposed Project has the potential to generate pollutant concentrations during both construction activities and long-term operation. The following provides an analysis based on the applicable regional significance thresholds established by the South Coast Air Quality Management District in order to meet Federal and State air quality standards.

Table 6. South Coast Air Quality Management District Air Quality Regional Significance Thresholds

Pollutant	Emissions (Construction) (pounds/day)	Emissions (Operational) (pounds/day)
NOx	100	55
VOC	75	55
PM10	150	150
PM2.5	55	55
Sox	150	150
CO	550	550
Lead	3	3
<i>Source: South Coast Air Quality Management District CEQA Air Quality Significance Thresholds (2009)</i>		

Both construction and operational emissions for the Project were estimated by using the California Emissions Estimator Model which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the South Coast Air Quality Management District.

Construction Related Impacts

Construction activities associated with the proposed Project will result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following onsite and offsite construction activities and time duration:

- Site Preparation 20 Days
- Grading 40 Days
- 1st Phase of Home Construction 60 Days
- Architectural Coating 38 Days
- Paving 55 Days

Table 3 shows the South Coast Air Quality Management District daily criteria pollutant emissions thresholds for construction and operation and the proposed projects estimated emissions for construction and operation, in the Basin, using the CalEEMod Model Version 2013.2.2, released, October 2, 2013.

Table 7. SCAQMD Emissions Thresholds

Emissions Source	Pollutant Thresholds (pounds per day)					
	VOC	NOX	CO	SO2	PM10	PM2.5
Construction	43.90	69.66	47.68	0.06	9.78	6.37
Construction Thresholds	100	75	150	55	150	550
Operational	5.65	4.69	21.35	0.04	2.45	0.79
Operational Thresholds	55	55	150	55	150	550
	No	No	No	No	No	No
<i>Source: RK Engineering Group, Inc., Air Quality and Greenhouse Gas Impact Study, May 31, 2016</i>						

As shown in Table 7 above, construction and operational related emissions would not exceed South Coast Air Quality Management District regional construction criteria thresholds. With implementation of PPP 3.3-1 above (includes increasing wetting disturbed areas to 3-times per day, reduce speed to 25 mph on unpaved areas of project, and cleaning paved access roads daily) PM₁₀ emissions are reduced.

Fugitive Dust

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, including cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations and weather conditions at the time of construction. The proposed project will be required to comply with SCAQMD Rules 402 and 403 to control fugitive dust.

Table 8: Short-Term Regional Construction Emissions

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	4.90	51.82	40.19	0.04	9.78	6.37
Grading	6.17	69.66	47.68	0.06	6.77	4.46
Building Construction	3.40	27.59	21.90	0.03	2.16	1.79
Paving	1.85	17.21	15.09	0.02	1.04	0.89
Architectural Coating	42.05	2.04	2.21	0.00	0.21	0.17
Maximum	43.90	69.66	47.68	0.06	9.78	6.37
SCAQMD Threshold	75	100	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

Architectural Coatings

SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coatings and limits the VOC content in paints and paint solvents. This rule regulates the VOC content of paints available during construction. Therefore, all paints and solvents used during construction and operation of the project must comply with Rule 1113.

Localized Impacts Analysis as described in the SCAQMD guidance on applying CalEEMod modeling results to localized impacts analysis, the equipment planned to be used on a peak day during site preparation and grading operations would disturb no more than 5 acres in a day¹. Thus the 5-acre LST thresholds are appropriate for this project. Table 9 shows that the emissions of pollutants on the peak day of construction would all be less than the SCQAMD LST thresholds, which means that the resulting concentrations near the preschool to the south and nearest residences would be below the NAAQS and CAAQS concentrations.

Table 9. Construction Localized Impacts Analysis

Emissions Sources	NO _x	CO	PM ₁₀	PM _{2.5}
On-Site Emissions	69.66	47.68	9.78	6.37
LST Thresholds	236	2,817	21	11
Significant Emissions?	No	No	No	No

1. South Coast Air Quality Management District (SCAQMD). Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/caleemod-guidance.ped>, accessed September, 2015

Based on the above, the Project would not emit substantial concentrations of these pollutants during construction and would not contribute to an existing or projected air quality violation, on a direct or cumulative basis.

Odors

Heavy-duty equipment in the project area during construction would emit odors, primarily from the equipment exhaust. SCAQMD Rule 402 regarding nuisance states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." The proposed uses are not anticipated to emit any objectionable odors. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed project, and no mitigation measures are required.

Naturally Occurring Asbestos

The proposed project is located in Riverside County, which is not among the counties that are found to have serpentine and ultramafic rock in their soils. Therefore, the potential risk for NOA during project construction is small and less than significant.

Table 8 and 9 show that daily regional construction emissions would not exceed the daily thresholds of any criteria pollutant emission thresholds established by the SCAQMD, and during construction, there will be no locally significant impacts. Thus, no mitigation is required during project construction,

Long-Term Air Emission Impacts

Long-term air emission impacts are those associated with stationary sources and mobile sources involving any project-related change. The proposed project would result in both stationary and mobile source emissions. The stationary source emissions would come from natural gas consumption, landscape maintenance, and off-site electric power generation. Mobile sources from vehicular trips associated with the proposed uses emit pollutants.

The CalMEEMod Model was used to calculate the operational emissions. Mobile sources emissions were calculated based on the trip generation factors described in the Focused Traffic Impact Study (RK Engineering Group, Inc., July 11, 2016). Other emissions sources were calculated using the defaults in the CalEEMod mode for the project land use.

Long-term operational emission associated with the full proposed project of 46 homes are shown in Table 11. Table 11 shows that the long-term operational localized emissions of all critical pollutants as a result of the proposed project would not exceed the corresponding SCAQMD daily emission thresholds. Therefore, project-related long-term air quality impacts would be less than significant.

Table 10: Opening Year Regional Operational Emissions

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile Sources	1.72	4.32	17.21	0.04	2.34	0.68
Energy Sources	0.04	0.33	0.14	0.00	0.03	0.03
Area Sources	3.89	0.05	4.00	0.00	0.09	0.09
Total	5.65	4.69	21.35	0.04	2.45	0.79
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

Based on the analysis above, regional air quality impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1 impacts would be further reduced to the maximum extent feasible.

Localized Impact Analysis

The localized impacts analysis by design only includes on-site sources; however, the CalEEMod model outputs for operations do not separate on-site and off-site emissions. The emissions shown in Table 10 above for area sources are assumed to all occur on site and for energy sources entirely off-site. While some of the mobile-source emission will occur from vehicles driving on site, most of the mobile-source emissions calculated by the CalEEMod model would occur while the vehicles are driving off site. It is unlikely that the average on-site distance driven by vehicles will be 2,000 ft, which is approximately 4 percent of the total miles traveled. For a worst-case scenario assessment, the emissions shown in Table 11 include all on-site project-related area sources and 5 percent of the project-related new mobile sources

Table 11: Long-Term Operational Localized Impact Analysis (lbs/day)

LST	NOx (lbs/day)	CO (lbs/day)	PM ₁₀ (lbs/day)	PM _{2.5} (lbs/day)
On-site Emissions	0.60	5.03	0.23	0.15
SCAQMD Operational Threshold	236	2,817	6	3
Exceeds Threshold (?)	No	No	No	No

Table 11 shows that the emissions of pollutants during project operations would all be less than the SCAQMD LST thresholds, which means that the resulting concentrations at the nearest residences would be all below the NAAQS and CAAQS. Therefore, the proposed operational activity would not result in a locally significant air quality impact with mitigation.

Mitigation Measures:

MM AIR-1 To be compliant with CALEEMod modeling, the equipment planned to be used on a peak day during site preparation and grading operations will disturb no more than 5 acres in a day.

3.3(c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Determination: Less Than Significant Impact.

Sources: California Emissions Estimator Model, South Coast Air Quality Management District, Air Quality Management Plan, CEQA Air Quality Handbook, Project Application Materials.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to a cumulatively considerable net increase of any criteria pollutant. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As discussed in Issue 3.3(b) above, the Project would not exceed the regional or localized significance thresholds for construction or operational activities. The Project would comply with South Coast Air Quality Management District Rule 402 (Nuisance) and Rule 403 (fugitive dust control) during construction, as well as all other adopted Air Quality Management Plan emissions control measures. Per South Coast Air Quality Management District rules and mandates, as well the California Environmental Quality Act requirement that impacts be mitigated to the maximum extent feasible, these same requirements would also be imposed on all projects within the South Coast Air Basin area, which would include all related projects.

Based on the analysis above impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1 through PPP 3.3-2, impacts would be further reduced to the maximum extent feasible.

3.3(d) Expose sensitive receptors to substantial pollutant concentrations?

Determination: Less Than Significant Impact.

Sources, South Coast Air Quality Management District, CALEEMod.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to substantial pollutant concentrations to sensitive receptors. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. The residential uses adjacent to the site and pre-school to the south are considered sensitive receptors.

As indicated above under the discussion of Issue 3.3 (b)), the Project would not exceed any of the South Coast Air Quality Management District's Localized Significance Thresholds during near-term construction or long-term operation. In addition, the Project would not create a CO Hot Spot. Accordingly, Project-related localized emissions would not expose sensitive receptors to substantial pollutant concentrations during construction or long-term operation, and impacts would be less than significant. With implementation of PPP 3.3-1 through PPP 3.3-2, impacts would be further reduced to the maximum extent feasible.

3.3 (e) *Create objectionable odors affecting a substantial number of people?*

Determination: Less Than Significant Impact.

Source: CEQA Air Quality Handbook, Project Application Materials.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to objectionable odors. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such

persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

According to the South Coast Air Quality Management District CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not include any the above identified uses and therefore would not produce objectionable odors during operation.

Construction activities both onsite and offsite could produce odors from equipment exhaust, application of asphalt, and/or the application of architectural coatings. However, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon completion of construction activities.

Based on the analysis above impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1, impacts would be further reduced to the maximum extent feasible.

3.4 BIOLOGICAL RESOURCES

<i>Would the Project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			■	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				■
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				■
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			■	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				■

3.4(a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Determination: Less Than Significant

Source: RCA Associates LLC, General Biological Resources Assessment & Burrowing Owl Habitat Assessment, January 16, 2014, Banning General Plan.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to impacts to candidate, sensitive, or special status species. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.4-1 The Project is required to pay Fish and Wildlife fees to California Department of Fish and Wildlife.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

RCA Associates LLC conducted Biological surveys on the 10 acre parcels. The purpose of the surveys was to evaluate the existing biological resources present on the site, and to conduct a habitat assessment and non-breeding survey for the burrowing owl. Based on the surveys, the project site is highly disturbed and has been disked and plowed for weed control purposes. The vegetation observed is classified as a ruderal plant community and all plants noted are those typically associated with disturbed areas and does not support any prime wildlife habitat.

No mammals or their sign were observed during the field investigations and the only mammals which may occur in adjacent areas include the California ground squirrels, cottontails, deer mice and pocket gophers. Common reptiles in the area which may inhabit adjacent areas include the western fence lizards, and western granite lizards. The only birds observed included common ravens, western meadowlarks, mourning doves and the American robin. Although suitable habitats were present on-site for the burrowing owls, no fossorial burrows were observed on the property or along the edges of the site. Neither were suitable owl burrows noted in the surrounding area based on the developed nature of the area. Based on the absence of any suitable burrows, the property does not support habitats for the burrowing owl. It is the opinion of RCA Associates LLC that the site is unlikely to support any owl populations in the future as well. Impacts would be less than significant and no mitigation is required.

3.4(b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Determination: No Impact.

Source: EnGen Corp. Soils Percolation Feasibility Study, March 24, 2014, EnGen Corp. Geotechnical Engr. Study, April 4, 2014, Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is primarily covered with dry, tall grasses, with scattered low bushes. Based on soils percolation testing conducted by EnGen Corporation, groundwater was not encountered to the maximum depth explored (50.5 feet) in all exploratory boring locations. No evidence of historical high groundwater conditions was observed. Consequently, groundwater is not anticipated to rise within 100 feet from surface elevation at the subject site (EnGen Geotechnical Eng. Study, pg. 11). The Banning General Plan Biological Resources Element cites that there are seven natural communities represented in the Banning General Plan planning area. The two habitats associated with riparian habitats include the Riparian Scrub and Meadows and Marshes. The Riparian Scrub is a water-dependent plant supported primarily by watercourse that flow through the planning area. Secondly, Meadows and Marshes encompasses a wetland community. It is unlikely given the depth of groundwater at the project site that any affects associated with the project will affect such habitats. Moreover, Riparian Scrub was found existing in the channels of the San Gorgonio River, Smith Creek and Mias Canyon, while Meadows and Marshes was at one time located in the uppermost reaches of Banning Canyon.

Given the absence of any riparian habitat or other sensitive natural habitat, the project is not anticipated to have any impacts upon these environments. No Impacts are anticipated to occur therefore no mitigation measures are proposed as a consequence of the development.

3.4(c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Determination: No Impact.

Source: Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As cited in 3.4 (b) given the absence of any riparian habitat or other sensitive natural wetland habitat, the project is not anticipated to have any impacts upon these environments or other federally protected wetland sensitive habitat. No Impacts are anticipated to occur and no mitigation measures are proposed as a consequence of the development.

3.4(d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Determination: No Impact.

Source: Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) sets forth three primary objects which are 1) impose a habitat mitigation fee on discretionary development in western Riverside County; 2) designate criteria areas for acquisition or as subject to special development criteria; 3) cooperate with state and federal land management agencies for conservation and unification of habitat lands. There are three features of the MSHCP that apply within the Banning planning area. These are criteria areas, special linkage areas, and special survey areas.

Criteria Areas. There is one criteria areas "cell" in the Banning Planning Area. This cell is located along the City's western border with unincorporated Riverside County and just south of the San Bernardino County line, in the northeast quarter section. This cell is approximately 160 acres, a portion which occurs in the City limits. Pursuant to the MSHCP, conservation in this Cell focuses on chaparral and woodlands and forests. This cell however is not located near the project area and as such will not be affected by the development.

Special linkage Area. A three-quarter mile MSHCP special linkage area occurs in the easterly planning area, adjacent to the eastern City limits where the San Gorgonio River exits the City. For special linkage areas, the MSHCP requires local jurisdictions to assure preservation of a wildlife movement corridor in compliance with guidelines set forth in the South Coast Wildlands 'Missing Linkages project. However the South Coast Wildlands' document makes no reference to the San Gorgonio River linkage. In the absence of other guidance, in the MSHCP, the City will apply standards set forth in the CEQA Guidelines for projects within the Special Linkage area. The General Biological Resources Assessment & Burrowing Owl Habitat Assessment prepared by RCA Associates LLC, pg. 2 cites that the project is not located within any designated critical area or cell or cell grouping. This is consistent with the Banning General Plan MSCHP Special Linkage and Criteria Area map that shows no such special habitat or linkage that affects the project site. In that no impacts to the MSHCP in Banning will occur from the project, no impacts are anticipated.

3.4(e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Determination: Less Than Significant Impact

Source: Banning General Plan Biological Resources Element, pg. IV-30,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is primarily covered with dry, tall grasses, with scattered low bushes. No sporadic ornamental plant and tree species was found on site.

The City of Banning's General Plan Biological Resources Element includes provisions to provide for the preservation and protection of the natural environment and many biological resources. Biological resources represent the plants and wildlife species and ecosystems and habitats that contribute to the area's natural setting. As set forth in Government Code Section 65302(d), the City is required to include an element that provides for the conservation and preservation of wildlife resources. Wildlife common to suburban areas was observed using the site in the field survey investigation conducted by RCA Associates staff on January 2, 2014. Other wildlife observed on the site and those species expected to occur in surrounding area are cited below:

- Common raven
- Mourning dove
- Song sparrow
- Side-blotched lizard
- Western whiptail lizard
- Desert spiny lizard
- California ground squirrel
- Coyotes
- Desert cottontail
- Deer Mice
- Western harvest mouse
- Pocket mouse

As previously cited, no mammals or their sign were observed during the investigations and the only mammals that may occur in adjacent areas include species that were not endangered or at risk, such as the California ground squirrels, deer mice, pocket gophers western fence lizards and the common raven

As previously cited, the project site is not located within a Multiple Species Habitat Conservation Plan (MSHCP) or within a Criteria Area or adjacent to a Criteria Area or Conservation Area. Thus the project is not subject to the Urban/Wildlands Interface Guidelines. No impacts are anticipated to arise as a result of the project.

3.4(f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Determination: No Impact

Source: Banning General Plan Biological Resources Element, pg. IV-30,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Based on the General Biological Resources Assessment & Burrowing Owl Habitat Assessment prepared by RCA Associates LLC, dated January 16, 2014, pg. 7 the following are the biological findings:

- **General Vegetation and Wildlife.** Future development activities on the property would generate some impacts to the general biological resources which occurred on the site. However, the site has been significantly disturbed by past human activities; consequently the site supports limited vegetation. Loss of the existing ruderal vegetation would affect some wildlife species; although the number of species that would be impact is limited. Direct impacts would include an increase in mortality for less mobile species (e.g., rodents, etc.) and displacement of mobile species, (primarily birds) into adjacent habitats. The number of wildlife species that would be displaced is very low and a significant increase in overall mortality is unlikely. Indirect impacts would include an increase in disturbance of daily and seasonal behavior of some species in the area due to increased noise levels during development activities.
- **Threatened, Endangered and Species of Special Concern.** The site does not support any populations of listed plant or animal species, and there are no know populations of any sensitive species in the immediate area. No burrowing owls or any owl signs were observed on the site during the field investigations conducted by RCA Associates on January 2, 2014. Future development activities are not expected to generate any impacts to burrowing owls or any other sensitive species, nor will any listed species be impacted. Development activities will not impact any riparian/riverine/vernal pool plant species, vernal pools, or narrow endemic plant species. Future development of the site is not expected to generate significant impacts to any biological resources.
- **Habitat Fragmentation and Wildlife Movement.** The property is located in an area where habitat has been significantly fragmented due to past development activities, and the incremental loss of wildlife habitat is expected to be very minimal. There are no wildlife corridors present on the site or in adjacent areas, and the proposed project will not impede regional wildlife movement or impact any MSHCP-designated corridors or habitat linkages.

Therefore the future site development will not have substantial impacts with regard to habitat fragmentation and regional wildlife movement.

- Critical and Sensitive Habitat. Future development will not have any impact on any critical or sensitive habitats.
- Jurisdictional Waters. Future development activities will not impact any jurisdictional waters either on the site or in adjacent areas.
- Application of CEQA Guidelines – Section 15370.
 - Avoidance of Impacts: Development will not generate any significant impacts to biological resources.
 - Minimization of Impacts: Future development of the site will not impact any sensitive plant community.
 - Rectifying Impacts: No mitigation will be required based on the results of the January 2014 field investigations.
 - Impacts:

No impacts to biological resources will result from the project and no mitigation measures are required.

3.5 CULTURAL RESOURCES

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?				■
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?				■
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				■
d. Disturb any human remains, including those interred outside of formal cemeteries?				■

3.5(a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

Determination: No Impact.

Source: City of Banning General Plan, BCR Consulting, LLC, Cultural Resources Assessment, May 1, 2017

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

- 1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.*
- 2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.*

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

The majority of the site is covered by disturbed, ruderal vegetation. Sporadic ornamental plant and tree species were also found on site. Given the current conditions of the site, it does not appear that any surface cultural resources are present on the site. In addition, the site also does not appear on the Riverside County Historic Resources Survey Architectural Survey Forms provided by the Riverside County Parks Department. Moreover, in accordance with AB 52, the respective Indian Tribes were notified of the proposed subdivision. The City did receive comments and consulted with The Morongo Band of Mission Indians, Agua Caliente Band of Cahuilla Indians and Soboba Band of Luiseño Indians. Agua Caliente Band of Cahuilla Indians requested a records search and physical survey of the site. A full report has been prepared, both record search and physical survey by BCR Consulting, LLC, May 1, 2017.

As stated above, a Cultural Resources records search and field survey were conducted for the project by, BCR Consulting, LLC, May 1, 2017. The records search revealed that 14 cultural resource studies have taken place resulting in the recording of 105 cultural resources within one-mile of the project site. Of these resources, 104 were historic-period and one was a prehistoric archaeological site. The nearest historic-period resource was a single-family residence adjacent to the northwest of the project site. The only prehistoric resource in the records search radius was a prehistoric habitation site (designated P-33-99) located approximately ½ mile to the northwest of the project site. Of the 14 previous studies, none has assessed the project site. No cultural resources have been previously recorded within its boundaries.

During the field survey, BCR Consulting archaeologists did not discover any cultural resources (including prehistoric or historic-period archaeological sites or historic-period buildings) within the project site boundaries. Based on these results, BCR Consulting recommends a finding of no impacts to historical resources under CEQA. BCR Consulting also recommends that no additional cultural resources work or monitoring is necessary during proposed activities associated with the development of the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary. The City of Banning standard conditions of approval for the project address the discovery of Cultural Resources.

Therefore, there will be no impact to historical resources as a result of the Project and no mitigation measures are required. Tribal Cultural Resources are assessed in section 3.17 where mitigation measures are proposed for the project.

3.5(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?

Determination: No Impact.

Source: City of Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

As stated in 3.5 (a) above, there will be no impact to an archaeological resource as a result of the Project and no mitigation measures are required.

3.5(c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Determination: No Impact.

Sources: City of Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The Project site has been disturbed and the potential for paleontological resources to be present at the Project site is considered low. Therefore; there will be no impact to a paleontological resource or site and no mitigation is required.

3.5(d) *Disturb any human remains, including those interred outside of formal cemeteries?*

Determination: No Impact.

Sources: California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to disturbing human remains. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.5-1 The project is required to comply with the applicable provisions of California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq., and provisions of AB 52 concerning consideration of Tribal Cultural Values in determination of project impacts and mitigation.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. As noted in the response to Issue 3.5 (a) above, the Project site has been disturbed and the potential for uncovering human remains at the Project site is considered low. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

In the event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Based on the analysis above, with implementation of PPP 3.5-1, there will be no impacts and no mitigation measures are required.

3.6 GEOLOGY AND SOILS

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			■	
2) Strong seismic ground shaking?			■	
3) Seismic-related ground failure, including liquefaction?			■	
4) Landslides?			■	
b. Result in substantial soil erosion or the loss of topsoil?		■		
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?		■		
d. Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?		■		
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				■

3.6 (a) (1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Determination: Less Than Significant Impact

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

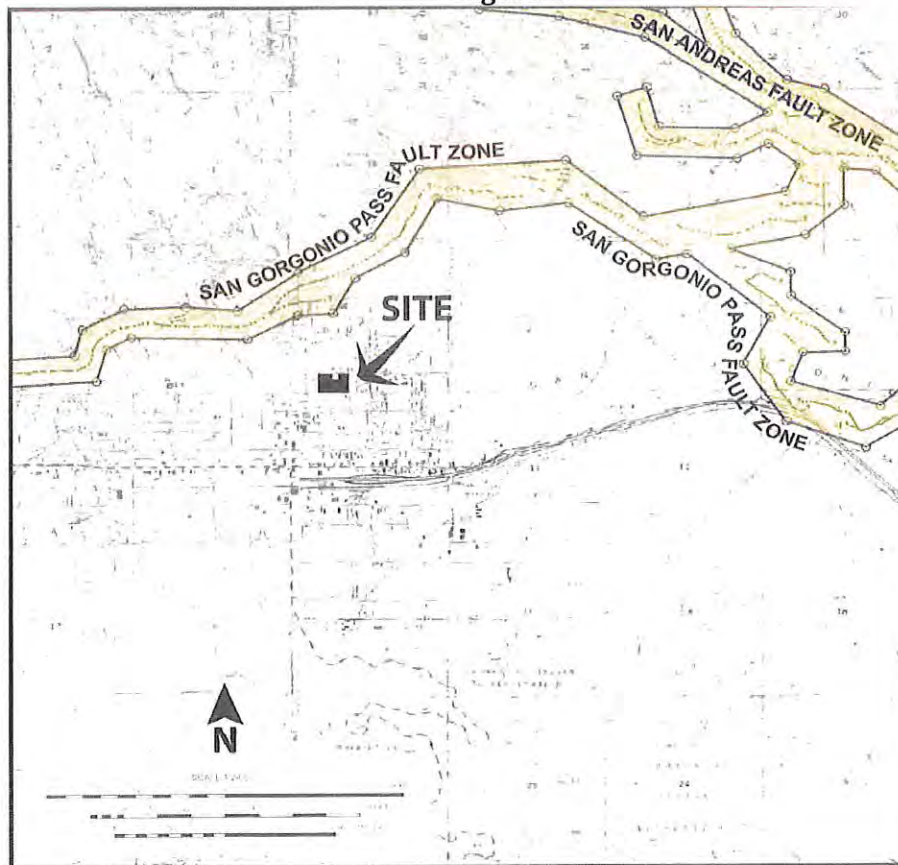
Project Design Features (PDF)

There are no Design Features relating to this issue.

Impact Analysis

A geotechnical engineering study of the subsurface conditions of the subject site was performed on January 15th and 20th, 2014 by EnGen Corporation. Six exploratory borings were advanced and six exploratory backhoe test pits were excavated across the subject property. The results of the surface and subsurface investigations determined that the site is not located within an Alquist-Priolo Earthquake Fault Zone. No known active faults traverse the property. The closest mapped fault to the subject property is the San Geronio Pass Fault which is located approximately ½ mile north of the subject site as shown in Figure 3. The San Bernardino branch of the San Andreas Fault is located approximately 2 ¾ mile north northeast of the subject site.

Figure 3



Consequently, in light of the EnGen geotechnical findings, impacts will be less than significant and no and no mitigation is required.

3.6 (a) (2) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?

Determination: Less Than Significant Impact

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to seismic ground shaking. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6 -1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The EnGen Corporation Geotechnical Engineering Study, dated April 4, 2014 reports that the subject site is located within a seismically active region near the active margin between the North American and Pacific tectonic plates. The city of Banning lies within the Transverse Ranges geomorphic province, while the southern edge of Banning area is located within the Peninsular Ranges geomorphic province with the San Geronimo Pass defining the boundary between the two regions. The primary seismic risk at the project site is a potential earthquake along the San Andreas Fault. Impacts associated with seismic ground shaking will be less than significant in that the project is subject to review and approval by the Banning Building and Safety Division. Housing units shall be constructed in accordance with the California Building Codes.

Pursuant to PPP 3.6-1, impacts associated with seismic ground shaking will be less than significant and no mitigation is required.

3.6 (a) (3) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?

Determination: Less Than Significant Impact.

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, EnGen Soils Percolation Feasibility Study, March 24, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to seismic ground shaking. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions. The factors controlling liquefaction are:

- Seismic ground shaking of relatively loose, granular soils that are saturated or submerged can cause soils to liquefy and temporarily behave as a dense fluid. For liquefaction to occur, the following conditions have to occur: Intense seismic shaking;
- Presence of loose granular soils prone to liquefaction; and
- Saturation of soils due to shallow groundwater.

According to the EnGEN Corp. Geotechnical Engineering Study dated April 4, 2014, the project site is not situated within a known liquefaction hazard area as the depth to groundwater at the site is in excess of 400 feet below existing ground surface which renders the site considerably less susceptible to liquefaction. The EnGEN Soils Percolation Feasibility Study, dated March 24, 2014, moreover cites that no evidence of historical high groundwater conditions was observed during boring tests (EnGEN Corp. Soils Percolation Feasibility Study, March 24, 2014, pg. 2).

Consequently, the potential for soil liquefaction at the site appears unlikely and no significant impacts are anticipated as a result of liquefaction. No mitigation is required.

3.6 (a) (4) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?

Determination: No Impact.

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Generally, a landslide is defined as the downward and outward movement of loosened rock or earth down a hillside or slope. Landslides can occur either very suddenly or slowly, and frequently accompany other natural hazards such as earthquakes, floods, or wildfires. Landslides can also be

induced by the undercutting of slopes during construction, improper artificial compaction, or saturation from sprinkler systems or broken water pipes.

Due to the flat gradient of the site, the massive nature of subsurface soils, the strength of these soils and the absence of known landslides within or immediately adjacent to the site, the potential for land-sliding at the site was judged to be low. Based on the EnGen Corp. Geotechnical Engineering Study dated April 4, 2014, with implementation of PPP 3.6-1, impacts would be less than significant and no mitigation measures are required.

3.6(b) *Result in substantial soil erosion or the loss of topsoil?*

Determination: Less than Significant with Mitigation

Sources: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6-2 Prior to grading permit issuance, the Project Proponent shall prepare a *Stormwater Pollution Prevention Plan*. Project contractors shall be required to ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Banning staff and the state water resources control board staff.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Soils in the project area have already been disturbed by previous activities. Therefore, the loss of topsoil is not a potential impact. Construction activities may nevertheless cause soil erosion if the sites are not properly designed. The potential of soil erosion would be minimized through implementation of the EnGEN Corp. Geotechnical Engineering Study, dated April 4, 2014 recommendations for earthwork and grading. Moreover, the applicant is required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Contract Permit. The SWPPP would also prescribe temporary Best Management Practices (BMP's) to control wind and water erosion during and shortly after construction of the project. With implementation of the recommendation cited in the EnGEN Corp. Geotechnical Engineering Study, in conjunction with NPDES requirements, impacts arising from the project will be less than significant with mitigation.

Mitigation Measure:

Source: EnGEN Corp. Geotechnical Engineering Study, TTM 36710, April 4, 2014

- MM- GEO -1 Developer shall adhere to the recommendations cited in the EnGEN Corp Geotechnical Engineering Study with regard to the project's development per Section 8.0.

3.6(c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?*

Determination: Less Than Significant Impact with Mitigation

Source: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to an unstable geologic unit. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is flat and gently sloping and contains no substantial natural or man-made slopes. There is no evidence of on-site landslides on or near the Project site, nor are there any exposed boulders that could result in rock fall hazards. As such, there will no impacts associated with landslides and rock fall hazards.

Based on the EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Soil classification and expansion index indicates that near surface soils have a very low expansion potential. Ultimately, based on the EnGen field and laboratory data and engineering analysis performed, the project is feasible from a geotechnical engineering standpoint.

With the project recommended mitigation MM GEO-1 as cited in the EnGen report, impacts will be less than significant.

3.6(d) *Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?*

Determination: Less than Significant Impact with Mitigation

Source: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to expansive soils. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. The following mitigation will reduce impacts to less than significant.

With implementation of MM GEO-1, impacts associated with expansive soils will be less than significant.

-
- 3.6(e)** *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*
-

Determination: No Impact.

Source: Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not propose the use of septic tanks or alternative waste water disposal systems. The Project would install domestic sewer infrastructure and connect to the City of Banning Sewer District's existing sewer conveyance and treatment system. As such, there are no impacts and no mitigation measures are required.

3.7 GREENHOUSE GAS EMISSIONS

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			■	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			■	

3.7(a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Determination: Less Than Significant Impact.

Source: RK Engineering Group, Inc., Air Quality and Climate Change Study, TTM 36710, May 31, 2016

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to greenhouse gas emissions. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.7-1 Prior to issuance of the first residential building permit, the Project Applicant shall submit energy usage calculations in the form of a Title 24 Compliance Report to the City of Banning Building & Safety Department showing that the Project will be constructed in compliance with the most recently adopted edition of the applicable California Building Code Title 24 requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Greenhouse Gases (GHGs): Gases that trap heat in the atmosphere are commonly referred to as "greenhouse gases," because they function like a greenhouse by letting light in while preventing heat from escaping. Naturally occurring GHGs include water vapor, carbon dioxide (CO₂) methane (CH₄) and nitrogen dioxide/oxides (N₂O and NO_x). The natural accumulation of GHGs in the atmosphere has a warming effect on the Earth's temperature. Without these natural GHGs, the Earth's temperature would be cooler.

In addition to the naturally occurring gases, man-made chemicals also act as GHGs and include the following common compounds: chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), ozone (O₃), and aerosols. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the

concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Individual greenhouse gas compounds have varying global warming potential and atmospheric lifetimes. Carbon dioxide (CO₂), the reference gas for global warming potential, has a global warming potential of one. The global warming potential of a greenhouse gas is a measure of how much a given mass of a greenhouse gas is estimated to contribute to global warming. To describe how much global warming a given type and amount of greenhouse gas may cause, the carbon dioxide equivalent (CO₂ e) is used. The calculation of the carbon dioxide equivalent is a consistent methodology for comparing greenhouse gas emissions since it normalizes various greenhouse gas emissions to a consistent reference gas, carbon dioxide. For example, methane's warming potential of 21 indicates that methane has 21 times greater warming affect than carbon dioxide on a molecule per molecule basis. A carbon dioxide equivalent is the mass emissions of an individual greenhouse gas multiplied by its global warming potential. Greenhouse gases defined by AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

This analysis is restricted to greenhouse gases identified by AB 32 and the CEQA Guidelines (section 15364.5), which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The project would generate a variety of greenhouse gases during construction and operation, including several defined by AB 32 and the CEQA Guidelines such as carbon dioxide, methane and nitrous oxide.

Construction Greenhouse Gas Emissions Impact

CalEEMod was used to estimate onsite and offsite emissions. Greenhouse gas emissions from project construction equipment and worker vehicle emissions are shown below in Table 12. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 19.08 metric tons of CO₂e per year.

Table 12. Construction Greenhouse Gas Emissions

Activity	Emissions (MTCO ₂ e)		
	Onsite	Offsite	TOTAL
Site Preparation	18.27	0.63	18.90
Grading	86.46	2.08	88.54
Building Construction	359.71	80.47	440.18
Paving	20.50	1.00	21.50
Coating	2.56	0.60	3.16
TOTAL	487.50	84.78	572.28
Averaged over 30 years	16.25	2.83	19.08

Operational Greenhouse Gas Emissions Impact

Operational or long-term emissions occur over the life of the project. The operational emissions for the project are 800.19 metric tons of CO₂e per year as shown in Table 13 below. The operational emissions refer to emissions with the incorporation of regulations that would further reduce emissions.

Table 13. Project Greenhouse Gas Emissions During Operation

Emissions Source	Emissions (MTCO ₂ e) with Regulation
Mobile Source	452.91
Energy Source	231.62
Area Source	38.63
Water	32.40
Waste	25.55
Subtotal (operational)	781.11
Subtotal Construction (averaged over 30 years)	19.08
Total Annual Emissions	800.19

The project's operational GHG emissions are below the SCAQMD's significance threshold. Therefore, the project will not result in significant construction emissions (see table 14 below).

Table 14. Significance of Greenhouse Gases

Item	Emissions with Regulation	Units
Total Annual Emissions	800	MTCO ₂ e/year
SCAQMD Draft Tier 3/CAP Threshold	3,000	MTCO ₂ e/year
Exceed Tier 3 Threshold?	No	
Significant impact?	No	

Because climate change impacts are cumulative in nature, no typical single project can result in emissions of such a magnitude that it, in and of itself, would be significant on a project basis. The project's operational emissions of 2,000 MT/yr of CO₂e are less than the SCAQMD-recommended interim threshold of 3,500 MT/yr of CO₂e for residential uses. Therefore, the proposed project would not result in a significant impact on GHG emissions.

CO Hot Spot Analysis

Given the relatively low level of CO concentrations in the project area, project-related vehicles are not expected to result in the CO concentrations exceeding the State or federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations.

The project would generate direct and indirect greenhouse gas emissions; however, these emissions would not result in a significant impact on the environment. As such, impacts are less than significant and no mitigation measures are required.

3.7(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Determination: Less Than Significant Impact.

Source: RK Engineering Group, Inc., Air Quality and Climate Change Study, TTM 36710, May 31, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. As such, impacts are less than significant and no mitigation measures are required.

Based on the analysis above, with implementation of PPP 3.7-1, impacts would be less than significant.

3.8 HAZARDS AND HAZARDOUS MATERIALS

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				■
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			■	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				■
d. Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?				■
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?			■	
f. For a project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?			■	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			■	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			■	

3.8(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Determination: No Impact

Source: City of Banning General Plan, Hazardous and Toxic Materials Element.

Plans, Policies, or Programs (PPP)

The transport, use or disposal of hazardous materials in the unlikely event these materials are uncovered shall adhere to the regulations pertaining regulating the handling and transport of these items. The following PPP applies to the Project and would reduce impacts relating to this issue. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.8-1 The Project is subject all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Existing Site Conditions

The construction of single family homes on the proposed project site will not result in significant impacts associated with hazardous materials. The City implements the standards of the Household Hazardous Waste programs through its waste provider. These regulations and standards ensure that impacts to surrounding areas, or within the project itself, are less than significant. No Mitigation Measures are proposed

Operational Activities

The Project site would be developed with residential land uses which are land uses not typically associated with the transport, use, or disposal of hazardous materials. Although residential land uses may utilize household products that contain toxic substances, such as cleansers, paints, adhesives, and solvents, these products are usually in low concentration and small in amount and would not pose a significant risk to humans or the environment during transport to/from or use at the Project site. No mitigation measures are proposed and no impacts will result.

3.8(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Determination: Less than Significant

Sources: City of Banning General Plan, Hazardous and Toxic Materials Element

Plans, Policies, or Programs (PPP)

There are numerous regulations pertaining to the accidental release of hazardous materials. The following PPP applies to the Project and would reduce impacts relating to this issue. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.8-1 The Project is subject all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term operation of the Project and are not reasonably foreseeable. The transport, use and handling of hazardous materials on the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site.

Upon build-out, the Project site would operate as a residential community, which is a land use type not typically associated with the transport, use, or disposal of hazardous materials that could be subject to upset or accident involving the release of hazardous materials into the environment.

Based on the analysis above, with implementation of PPP 3.8-1, impacts would be less than significant and no mitigation measures are required.

3.8(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Determination: No Impact

Sources: Project Application Materials, Google Earth.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project site is a proposed residentially subdivision. The future occupants of the single-family subdivision would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing school because the residential project does not propose the use of hazardous materials. There would be no impact related to hazardous emissions or the handling of hazardous materials near schools resulting from implementation of the project

3.8(d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Determination: No Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur and no mitigation measures are required.

3.8(e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?*

Determination: Less Than Significant Impact.

Source: Riverside County Airport Land Use Commission response, December 16, 2016.

Plans, Policies, or Programs (PPP)

Project Design Features (PDF)

PDF 3.8-1 The Applicant is proposing a Planned Unit Development (PUD) to permit a housing density of 4.5 dwelling units per acre.


Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 4 is classified as a "Primary Traffic Pattern and Runway Buffer Area". Table 3A of the RCALUC cites Zone D Risk Level as "Low". The table indicates that 20% to 30% of general aviation accidents take place in this zone. However the large area encompassed by this district as noted in Figure 5 means a low likelihood of accident occurrence in any given location. The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and noise impacts. For project's located within an airport influence area, the Riverside County Airport

Land Use Commission (ALUC) is responsible for reviewing the plans, regulations and land use actions of local agencies for consistency with the RCALUC. ALUC's have no authority over existing land uses. The authority of the ALUC extends only to land in the vicinity of airports that is "not already devoted to incompatible uses".

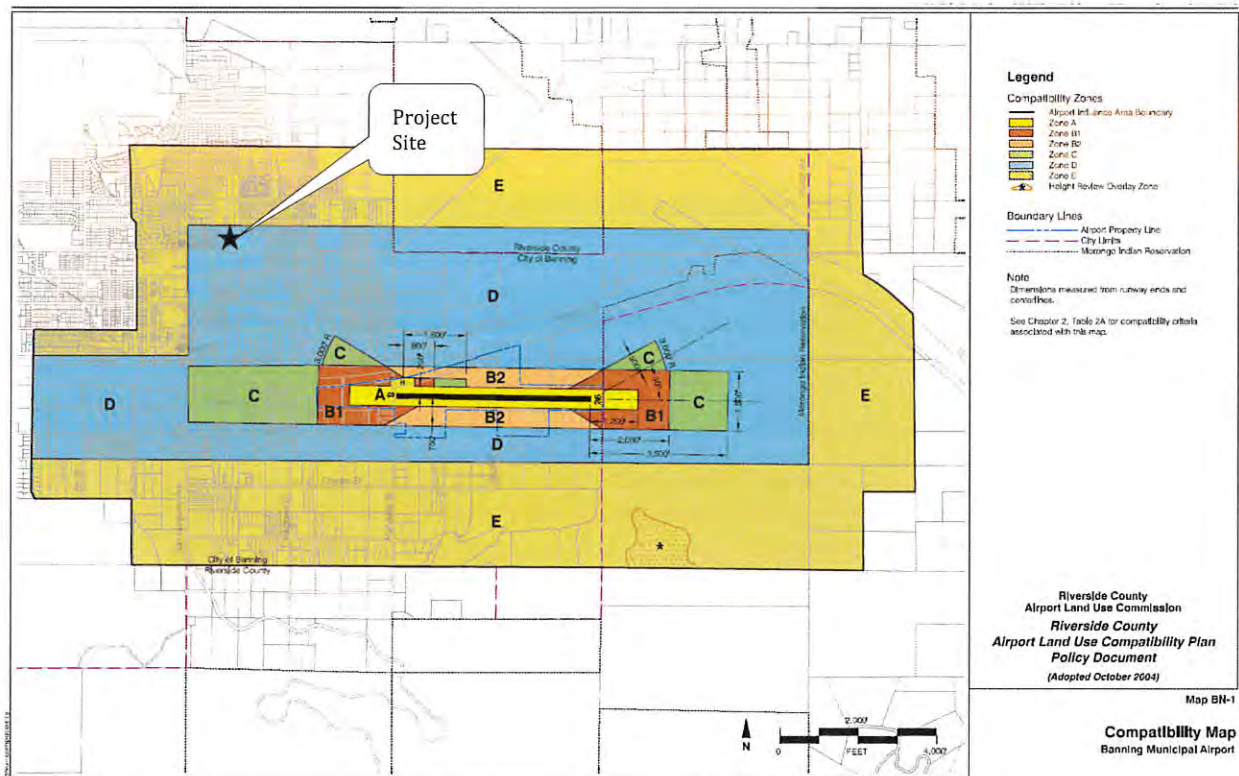
Figure 4

CHAPTER 2 COUNTYWIDE POLICIES

Zone	Locations	Maximum Densities / Intensities					Additional Criteria	
		Residential (d.u./ac.) ¹	Other Uses (people/ac.) ²			Req'd Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
		Aver.	Single	with Bonus ⁶				
A	Runway Protection Zone and within Building Restriction Line	0	0	0	0	All Remaining	<ul style="list-style-type: none"> • All structures except ones with location set by aeronautical function • Assemblages of people • Objects exceeding FAR Part 77 height limits • Storage of hazardous materials • Hazards to flight⁹ 	<ul style="list-style-type: none"> • Aviation easement dedication
B1	Inner Approach/Departure Zone	0.05 (average parcel size ≥20.0 ac.)	25	50	65	30%	<ul style="list-style-type: none"> • Children's schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Bldgs with > 2 aboveground habitable floors • Highly noise-sensitive outdoor nonresidential uses¹⁰ • Aboveground bulk storage of hazardous materials¹¹ • Critical community infrastructure facilities¹² • Hazards to flight⁹ 	<ul style="list-style-type: none"> • Locate structures maximum distance from extended runway centerline • Minimum NLR of 25 dB in residences (including mobile homes) and office buildings¹³ • Airspace review required for objects > 35 feet tall¹⁴ • Aviation easement dedication
B2	Adjacent to Runway	0.1 (average parcel size ≥10.0 ac.)	100	200	260	No Req't	Same as Zone B1	<ul style="list-style-type: none"> • Locate structures maximum distance from runway • Minimum NLR of 25 dB in residences (including mobile homes) and office buildings¹³ • Airspace review required for objects > 35 feet tall¹⁴ • Aviation easement dedication
C	Extended Approach/Departure Zone	0.2 (average parcel size ≥5.0 ac.)	75	150	195	20%	<ul style="list-style-type: none"> • Children's schools, day care centers, libraries • Hospitals, nursing homes • Bldgs with > 3 aboveground habitable floors • Highly noise-sensitive outdoor nonresidential uses¹⁰ • Hazards to flight⁹ 	<ul style="list-style-type: none"> • Minimum NLR of 20 dB in residences (including mobile homes) and office buildings¹³ • Airspace review required for objects > 70 feet tall¹⁵ • Deed notice required
D	Primary Traffic Patterns and Runway Buffer Area	(1) ≤0.2 (average parcel size ≥5.0 ac.) or ¹⁶ (2) ≥5.0 (average parcel size ≤0.2 ac.)	100	300	390	10%	<ul style="list-style-type: none"> • Highly noise-sensitive outdoor nonresidential uses¹⁰ • Hazards to flight⁹ 	<ul style="list-style-type: none"> • Airspace review required for objects > 70 feet tall¹⁵ • Children's schools, hospitals, nursing homes discouraged¹⁷ • Deed notice required
E	Other Airport Environs	No Limit	No Limit ¹⁸			No Req't	<ul style="list-style-type: none"> • Hazards to flight⁹ 	<ul style="list-style-type: none"> • Airspace review required for objects > 100 feet tall¹⁹ • Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks¹⁰
	Height Review Overlay	Same as Underlying Compatibility Zone				Not Applicable	Same as Underlying Compatibility Zone	<ul style="list-style-type: none"> • Airspace review required for objects > 35 feet tall¹⁴ • Aviation easement dedication

See Chapter 3 for airport-specific additions or exceptions to these policies

Figure 5



The proposed subdivision and location in Zone D of the Banning Airport Compatibility zone is subject to ALUC review and qualifies as a Major Land Use Action. The scope or character of certain major land uses actions are listed below and is such that their compatibility with airport activity is a potential concern.

- 1) Any proposed expansion associated with future annexation of land to a city or special district.
- 2) Proposed pre-zoning associated with future annexation of land to a city.
- 3) Proposed development agreements or amendments to such agreements.
- 4) Proposed residential development, including land divisions, consisting of five or more dwelling units or lots.
- 5) Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval (e.g., a building permit) is required.
- 6) Major capital improvements.
- 7) Proposed land acquisitions by a government entity
- 8) Any off-airport, nonaviation use of land within Zone A
- 9) Proposal for new development having a height of more than:
 - 35 feet within Compatibility Zone B1, B2 or a Height Review Overlay Zone;
 - 70 feet within Compatibility Zone C; or
 - 150 feet within Compatibility Zone D or E.
- 10) Any obstruction reviewed by the Federal Aviation Administration

- 11) Any project having the potential to create electrical or visual hazards to aircraft in flight.
- 12) Projects having the potential to cause attraction of birds or other wildlife that can be hazardous to aircraft operations.

As shown in Figure 4, the residential development provisions in the Zone D, paragraph (1) require the average parcel size less than or equal to 0.2 or a housing density greater than or equal to 5 units per acre. The RCALUC rationale for a higher residential density is premised on the basis that noise concerns can be minimized either by limiting the number of dwelling units in affected areas or by allowing high-density development which tends to have comparatively high ambient noise levels.

The average lot size based on RCALUC requirements is approximately 8,712 square feet. The project's average lot size is 6,035 square feet. The project was considered by ALUC as the subdivision net density is less than the minimum five units per acre required by the RCALUC. Table 15 below denotes the subdivision's current unit density.

Table 15: Project Density Characteristics

Gross Area	10.67 Acres
Total Gross Density	4.31 du/Gross Acre
Net Area	10.15 acres
Total Net Density	4.53 du/Net Acre
Zone D	≥ 5 du/ac

Riverside County Airport Land Use Commission Reviewed the project for potential conflicts with the current Airport Land Use Plan and provided the following statement.

On December 8, 2016 the Riverside County Airport Land Use Commission (ALUC) found City of Banning Case No. 15-7004 (Tentative Tract Map 36710), a proposal to divide 10.67 acres located on the northerly side of Wilson Street, westerly of Florida Street, southerly of Hoffer Street, and easterly of Alessandro Road into 46 single-family residential lots, one drainage basin lot, and one open space lot, **CONSISTENT** with the 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016, pursuant to Policy 3.3.6 of the Countywide Policies based on special Findings 1 and 2 specified below and subject to the following conditions:

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

1. The City of Banning has guidelines requiring a minimum lot width of fifty (50) feet, thus limiting the applicant's ability to increase the project density within the single-family residential design model, which generally provides for lots that are 50-60 feet in width.
2. There are significant amounts of open area in the immediate vicinity, to wit, existing baseball and soccer fields on the school properties located along the south side of Wilson Street opposite from and to the southwest of the project site, which can supplement the open area provided on-site in serving as potential emergency landing areas.

Therefore the project will not have a significant effect on the environment as the City of Banning has adopted the 2004 Airport Land Use Plan and requires all new development to remain in

compliance with the provisions of the Land Use Plan. This requirement is included in the typical Conditions of Approval for this project and requires no further analysis.

3.8(f) *For a project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?*

Determination: Less than Significant

Source: Riverside County Airport Land Use Commission response, December 16, 2016.

Plans, Policies, or Programs (PPP)

The City of Banning has adopted the 2004 Banning Airport Land Use Plan which guides development in the area. All projects are conditioned to comply with the Airport Land Use Plan.

Project Design Features (PDF)

PDF 3.8-1 The Applicant is proposing a Planned Unit Development (PUD) to permit a housing density of 4.5 dwelling units per acre.

Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 5 is classified as a "Primary Traffic Pattern and Runway Buffer Area". Table 3A of the RCALUC cites Zone D Risk Level as "Low". The table indicates that 20% to 30% of general aviation accidents take place in this zone. However the large area encompassed by this district as noted in Figure 5 means a low likelihood of accident occurrence in any given location. The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and noise impacts. For projects located within an airport influence area, the Riverside County Airport Land Use Commission (ALUC) is responsible for reviewing the plans, regulations and land use actions of local agencies for consistency with the RCALUC. ALUC's have no authority over existing land uses. The authority of the ALUC extends only to land in the vicinity of airports that is "not already devoted to incompatible uses".

Therefore the project will not have a significant effect on the environment as the City of Banning has adopted the 2004 Airport Land Use Plan and requires all new development to remain in compliance with the provisions of the Land Use Plan. This requirement is included in the typical Conditions of Approval for this project and requires no further analysis.

3.8(g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Determination: Less Than Significant Impact.

Sources: Banning General Plan, Public Services and Facilities, Chapter VI.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. The project would not result in any closures of existing roadways that might have an effect on emergency response or evacuation plans in the vicinity of the project site. In addition, all vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Accordingly, implementation of the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Consequently, impacts would be less than significant.

3.8 (h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Determination: Less than Significant

Source: Banning General Plan, Public Services and Facilities, Chapter VI.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs applicable to the project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, because there are no wildlands adjacent to this site. The project site is in an urban area and is not located in fire prone area. Therefore, the project will not expose people, structures, or infrastructure to risks of wildland fires. Consequently, impacts would be less than significant.

3.9 HYDROLOGY AND WATER QUALITY

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			■	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			■	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner, which would result in substantial erosion or siltation on- or offsite?			■	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite?			■	
e. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			■	
f. Otherwise substantially degrade water quality?			■	
g. Place housing within a 100-year flood hazard as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				■
h. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				■
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				■
j. Inundation by seiche, tsunami, or mudflow?				■

3.9(a) Violate any water quality standards or waste discharge requirements?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating water quality and waste discharge requirements. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.9-1 Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Resources Control Board. Evidence that an National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.
- PPP 3.9-2 Prior to grading permit issuance, the Project Proponent shall prepare a Storm water Pollution Prevention Plan. Project contractors shall be required to ensure compliance with the Storm water Pollution Prevention Plan and permit periodic inspection of the construction site by City of Jurupa Valley staff or its designee to confirm compliance.
- PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to water quality and discharge requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Construction

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.

Pursuant to the requirements Chapter 13.24 of the City of Banning Municipal Code, the Project would be required to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The National Pollutant Discharge Elimination System permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

In addition, the Project would be required to comply with the Colorado River Regional Water Quality Control Board's Colorado River Basin Water Quality Control Program. Compliance with the National Pollutant Discharge Elimination System permit and the Colorado River Basin Water Quality Control Program involves the preparation and implementation of a Storm Water Pollution Prevention Plan for construction-related activities, including grading. The Storm Water Pollution Prevention Plan would specify the Best Management Practices that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

Operation

Storm water pollutants commonly associated with the land uses proposed by the Project (i.e., residential) include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, pesticides, and metals.

Pursuant to the requirements of the City's National Pollutant Discharge Elimination System permit, a Water Quality Management Plan (WQMP) is required for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed and the facilities or structures are occupied and/or operational. A WQMP describes the Best Management Practices that will be implemented and maintained throughout the life of a project to prevent and minimize water pollution that can be caused by storm water or urban runoff.

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The sole source of potable water supply is provided by the City of Banning Water Utility Department. More than 30,000 residents in Banning, depend on the Water Utility Department to provide water service to their homes and businesses. By supplying local groundwater pumped from City owned wells the department is able to meet the daily demands of these customers. The department provides plan reviews, design and construction management for Water Utility projects

The City's Water Utility Department does not have an immediate concern with water supply reliability. Because the District's water supply is groundwater, which is not subject to seasonal or year-to-year climatic change, it is not subject to short-term water shortages resulting from temporary dry weather conditions. The Water Utility Department and other groundwater users in the San Gorgonio Pass Sub Basin have been implementing ongoing groundwater management practices to extend the useful life of the groundwater resource to meet current and future demands. In the foreseeable future, the Water Utility Department will continue to be reliant on local groundwater supplies. The Water Utility Department will develop additional groundwater extraction and groundwater treatment facilities as needed to ensure a continuous and adequate water supply for its service area.

Based on the above analysis, the Project's demand for domestic water service would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant and no mitigation is required

3.9(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or offsite?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710, Drainage Study, WQMP

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

The Construction of single family homes on the Project site will result in an increase in impermeable surfaces, and therefore an increase in runoff. The WQMP basins must be designed to retain a 100 year, three (3) hour storm event.

Based on the analysis above, with implementation of PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or offsite?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to flooding. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to flooding. This measure will be included in the Project's Mitigation Monitoring and Reporting Program:

- PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9 -4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Determination: Less than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to drainage capacity and additional sources of polluted runoff. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.9-1. Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Water Resources Control Board. Evidence that a National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.
- PPP 3.9-2 Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to drainage capacity and additional sources of polluted runoff. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Water runoff from the site will be directed to the on-site water quality basin and an infiltration pit before discharging into the storm drain system.

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(f) Otherwise substantially degrade water quality?

Determination: Less Than Significant Impact.

Sources: Project Application Materials.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to water quality. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.9-1. Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Water Resources Control Board. Evidence that a National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.
- PPP 3.9-2 Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan. Project contractors shall be required to ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to water quality. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

There are no conditions associated with the proposed Project that could result in the substantial degradation of water quality beyond what is described above in Responses 3.9 (a), 3.9(c), and 3.9 (e).

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Determination: No Impact.

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The site is not located in Flood Zone X, which denotes a 500-yr flood area as designated by FEMA

3.9(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Determination: No Impact.

Plans, Policies, Programs (PPP)

There are no Plans, Policies, Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Refer to Issue 3.9(g) above. The Project area is not within a 100-year flood hazard. No Impact would occur and no mitigation measures are required.

3.9(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Determination: No Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As noted Issue 3.9(g), the Project site is not subject to flooding. No dams, levees or water bodies exist in the immediate vicinity of the Project site that could adversely affect the site should a structural failure occur. No impact would occur and no mitigation measures are required.

3.9(j) Inundation by seiche, tsunami, or mudflow?

Determination: No Impact.

Sources: Project Application Materials, Google Earth

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site would not be subject to inundation by a seiche, mudflow, and/or tsunami. No impact would occur and no mitigation measures are required.

3.10 LAND USE AND PLANNING

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				■
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			■	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			■	

3.10(a) Physically divide an established community?

Determination: No Impact.

Sources: Project Application Materials, Google Earth

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is an in-fill development consisting of 10.6 acres and located within proximity of residential development. Therefore, no impacts would occur with respect to dividing an established community.

3.10(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Zoning Code.

Plans, Policies, or Programs (PPP)

The applicable plans and policies relating to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect are described in the analysis below.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As demonstrated throughout this Initial Study Checklist/Mitigated Negative Declaration, the Project would otherwise not conflict with any applicable goals, objectives, and policies of the General Plan, or the City of Banning Zoning Ordinance. The Project would not conflict with any applicable policy document, including, without limitation, the Western Riverside Multiple Species Habitat Conservation Plan, South Coast Air Quality Management District's Air Quality Management Plan, Southern California Association of Government's 2012, 2035 Regional Transportation Plan/Sustainable Communities Strategy, and Government's 2008 Regional Transportation Plan. The purpose of these plans are to avoid or mitigate an environmental effect.

In conclusion, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating adverse environmental effects and impacts would be less than significant.

3.10(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Determination: Less than Significant

Source: General Biological Resources Assessment, Tract 36710, RCA Associates LLC, January 16, 2014, RCA MSHCP Info. App.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site lies within the Pass Plan Area Plan Unit. The "Pass Plan Area Plan Unit" is a unit area of the MSHCP mapped by the Regional Conservation Authority (RCA), Western Riverside County. The RCA MSHCP Information mapping website lists the following environmental status of the project site:

- The Project site is not located within an MSHCP Criteria Cell (area proposed for conservation).
- The Project site is not located within a Cell group.
- The Project site is not in a criteria area species survey area.
- The Project site is not in a narrow endemic plant survey area.
- The Project site is not in a mammal, owl, or amphibian survey area.
- The property does not support any stream channels or desert

In conclusion, the RCA Associates LLC Biological report prepared for this project, dated January 16, 2014 determined that the 46 single family unit subdivision with regard to General Vegetation and Wildlife, that the impacts associated with displacement of threatened or endangered wildlife species given the past disturbance of the site is not anticipated to be significant. The project would displace certain wildlife, such as rodents and birds. However, the number of wildlife species that would be displaced is very low; Threatened, Endangered, and Species of Special Concern will not be impacted as a result of the project. Consequently, future development of the site is not expected to generate significant impacts to any biological resources; and lastly, impacts associated with Habitat Fragmentation and Wildlife Movement will not be affected as there are no wildlife corridors present on the site or in adjacent areas. Moreover, the project will not impede regional wildlife movement or impact any MSHCP-designated corridors or habitat linkages. Consequently, impacts will be less than significant and no mitigation is required. (RCA Associates LLC, Bio Report, pg. 7)

3.11 MINERAL RESOURCES

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				■
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				■

3.11(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Determination: No Impact.

Sources: City of Banning General Plan, Environmental Resources, Chapter IV

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

No mineral resource extraction activity is known to have ever occurred on the property. According to mapping conducted by the California Geological Survey which maps areas known as Mineral Resources Zones (MRZs), the proposed Project site is mapped within MRZ-3, which is defined as "areas with no known significant mineral deposits."

The Project site is not located within an area of known to be underlain by regionally- or locally important mineral resources, or within an area that has the potential to be underlain by regionally or locally-important mineral resources, as disclosed by the General Plan. Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. Accordingly, no impact would occur.

3.11(b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Determination: No Impact.

Sources: City of Banning General Plan, Environmental Resources, Chapter IV

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Refer to the Issue 3.11(a), above. The General Plan does not identify any locally important mineral resource recovery sites on-site or within close proximity to the Project site, nor are any mineral resource recovery operations located on-site or in the surrounding area. No impact.

3.12 NOISE

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			■	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			■	
c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?			■	
d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?			■	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?		■		
f. For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?				■

3.12(a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to noise. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.12-1 In order to ensure compliance with the Banning Municipal Code Chapter 8.44 Noise Regulations, prior to the issuance of a grading permit, the developer is required to submit a construction-related noise mitigation plan to the City for review and approval. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this project. In addition, the plan shall require that the following notes are included on grading

plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.

a) All construction activities shall comply with Chapter 8.44 (Noise Regulations) of the City of Banning Municipal Code.

b) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.

c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.

d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Development of the Project site as a residential community has the potential to expose persons to or result in elevated noise levels during both short-term construction activities and under long-term conditions. Short-term (i.e., construction) and long-term (i.e., operational) noise impacts associated with the Project are discussed below

Short-term Construction Noise

The most significant source of short-term noise impact is related to noise generated during construction activities on the Project site which would result in potential noise impacts to nearby sensitive receptors. Construction is performed in discrete steps, each of which has its own mix of equipment and consequently its own noise characteristics. Thus noise levels will fluctuate depending upon construction phase, equipment type, duration of equipment use, distance between the noise source and receptor, and the presence or absence of noise attenuation structures.

As shown on Table 11 below, noise levels generated by heavy construction equipment can range from approximately 75 dBA to 99 dBA when measured at 50 feet

Table16. Typical Construction Equipment Noise Levels

Type of Equipment	Range of Sound Levels Measured (dBA at 50 feet)
Pile Drivers	81 to 96
Rock Drills	83 to 99
Jack Hammers	75 to 85
Pneumatic Tools	78 to 88
Pumps	68 to 80
Dozers	85 to 90
Tractors	77 to 82
Front-End Loaders	86 to 90
Graders	79 to 89
Air Compressors	76 to 86
Trucks	81 to 87
<i>Source: "Noise Control for Buildings and Manufacturing Plants", Bolt, Beranek & Newman, 1987, as cited in the General Plan EIR</i>	

However, these noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 75 dBA for a jack hammer measured at 50 feet from the noise source to the receptor would be reduced to 69 dBA at 100 feet from the source to the receptor, and would be further reduced to 63 dBA at 200 feet from the source to the receptor.

Chapter 8.44 of the City of Banning Municipal Code (Noise Regulations) includes a provision that exempts construction activities from any maximum noise level standard, provided that construction activities occur between the hours of 7:00 A.M. and 6:00 P.M. The person engaged in such activity is hereby permitted to exceed sound levels otherwise set forth in this chapter for the duration of the activity during the above described hours for purposes of construction. However, nothing contained herein shall permit any person to cause sound levels to at any time exceed fifty-five dB(A) for intervals of more than fifteen minutes per hour as measured in the interior of the nearest occupied residence or school. If the building official should determine that the public health and safety will not be impaired by the construction related noise, the building inspector may issue a permit for construction within the hours of 6:00 P.M. and 7:00 A.M., upon application being made at the time the permit for the work is awarded or during the progress of the work. The building official may place such conditions on the issuance of the permit as to him or her shall seem appropriate to maintain the public health and safety.

Noise Impacts to the Project

The Project is considered a “sensitive receptor” because it is a residential development. Impacts to the Project would be significant if the exterior area of the homes (i.e. yards) would be exposed to noise levels in excess of 55 dBA. For the interior area of the homes impacts would be significant if exposed to noise levels in excess of 45 dBA.

The Project site is located in an area largely characterized by urban development. Residential land uses surround the site on all sides. Noise producing land uses that impact residential uses include, but are not limited to, agriculture uses, industrial uses, commercial uses, and noise from major highways and roads.

The Project site is located north of Wilson Street and lies between Alessandro Street and Florida Street. Wilson Street, Alessandro Road and Florida Street are classified as “Local Streets” and are not considered a major highway or roadway that produces significant levels of traffic noise. As such, impacts are considered to be less than significant.

Noise Impacts Generated by the Project

As established by the General Plan performance standards, project-related noises, as projected to any portion of any surrounding property containing a habitable dwelling, hospital, school, library or nursing home, shall not exceed 55 equivalent level dBA (dBA Leq) between 7 a.m. and 10 p.m. or 45 dBA Leq between 10 p.m. and 7:00 a.m. for a cumulative period of more than fifteen (15) minutes per hour.

The primary source of noise generated by the Project will be from the vehicle traffic generated by the new homes to the nearby residential uses. The Project would generate an estimated additional 457 trip-ends per day with 36 total vehicles per hour during the AM peak hour, and 48 total vehicles per hour during the PM peak hour.

The City of Banning considers a project to result in a significant traffic-related noise impact if traffic generated by that project would cause or contribute to exterior noise levels at sensitive receptor locations in excess of 55 dBA CNEL and the project’s contribution to the noise environment equals 3.0 dBA CNEL or more. (A change of 3.0 dBA is considered “barely perceptible” by the human ear and changes of less than 3.0 dBA CNEL generally cannot be perceived except in carefully controlled laboratory environments). Due to the low traffic volume and speeds, traffic noise from the Project will not make a significant contribution to the noise environment.

Based on the analysis above, with implementation of PPP 3.12-1 impacts would be less than significant.

3.12(b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Determination: Less Than Significant Impact.

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Construction Vibration

Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the Project site. The Project would not generate ground-borne vibration or ground-borne noise, except, potentially, during the construction phase from the use of heavy construction equipment. The Project will not employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction.

Operational Vibration

There are no conditions associated with the long-term operation of the proposed Project that would result in the exposure of on- or off-site residents to excessive ground-borne vibration or noise. The proposed Project would develop the subject property as a residential community and would not include nor require equipment, facilities, or activities that would generate ground-borne vibration or ground-borne noise. In addition, the Project site is not located in the vicinity of a railroad line or any other use associated with ground-borne vibration or ground-borne noise; therefore, the Project would not expose future on-site residents to substantial ground-borne vibration or noise.

Based on the above analysis, operation the Project would not expose on- or off-site sensitive receptors to substantial ground-borne vibration or ground-borne noise. Impacts are less than significant and no mitigation is required.

3.12(c) *A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?*

Determination: Less Than Significant Impact.

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed above under Issue 3.12(a), the only potential for the Project to create a permanent increase in ambient noise levels is the result of future traffic generated by the proposed Project that has the potential to cause or contribute to elevated traffic-related noise volumes at offsite locations. The analysis presented under Issue 3.12(a) concluded that the Project's incremental noise contributions to study area roadways would be considered "barely perceptible" (i.e., less than 3.0 dBA CNEL). As such, offsite transportation-related noise impacts would be less than significant and no mitigation is required.

3.12(d) *A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

See PPP 3.12-1

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed above under Issue 3.12(a), the only potential for the Project to create a substantial temporary or periodic increase in ambient noise levels is during its construction phase. The analysis presented under Issue 3.12(a) concluded that the Project would result in elevated noise levels during construction but were less than significant.

Based on the analysis above, with implementation of PPP 3.12-1, impacts would be less than significant and no mitigation measures are required.

3.12(e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?*

Determination: Less than significant with mitigation.

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code. Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004), Airport Land Use Commission (ALUC) Development Review Report December 16, 2016.

Plans, Policies, or Programs (PPP)

This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.12-2 The City shall require building setbacks, the installation of wall and window insulation, soundwalls, earthen berms, and/or other mitigation measures in areas exceeding the City's noise standards for private development projects as they occur.

Project Design Features (PDF)

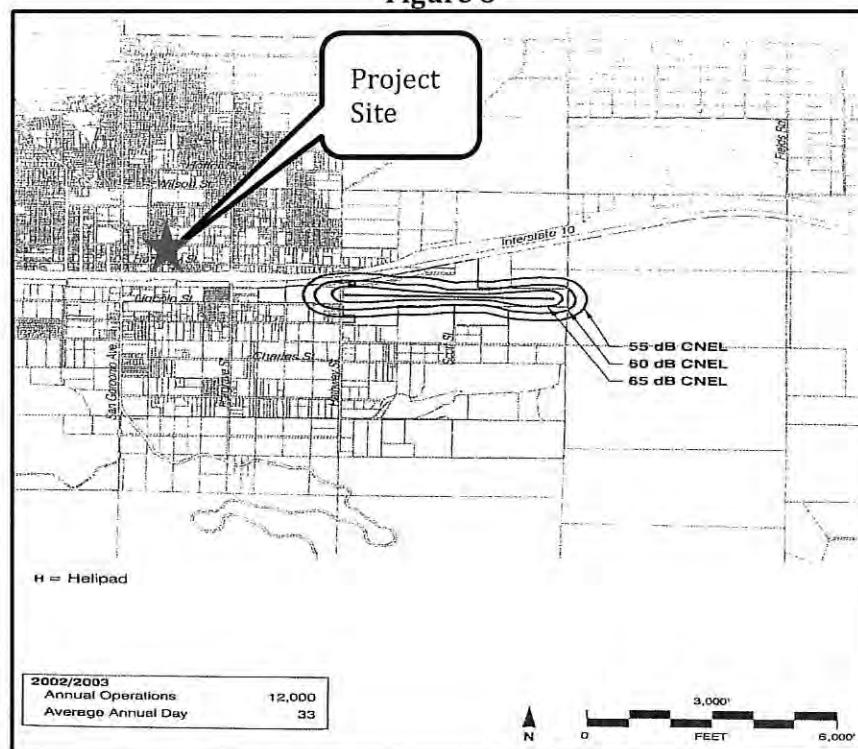
There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 5 is classified as a "Primary Traffic Pattern and Runway Buffer Area". The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and *noise* impacts.

The Banning Municipal Airport averages approximately 10 to 15 takeoffs and landings daily, and about 12,000 operations per year. Air traffic is comprised primarily of private, single-engine fixed-wing aircraft. The Banning Municipal Airport Master Plan (December 1990), shows typical takeoff noise levels for such aircraft. Levels range from approximately 56 dba to 68 dba at 7,100 feet from brake release. As noted in Figure 6 below, noise contours are generally contained within the airport boundary, and extend to lands designated for airport and related industrial uses, which are considered less sensitive.

Figure 6



For the City of Banning, the applicable limit one-hour average for outdoor noise levels in residential areas is 55 dBA during daytime hours, and 45 dBA during evening and nighttime hours (Ordinance 1138). The project site is well outside the 65 db CNEL noise contour. For project's located within an airport influence area". As noted in Figure 6,

In accordance with ALUC recommendations, the residential housing development will incorporate noise attenuating measures to ensure that the ambient noise conforms to the City of Banning noise standards. Pursuant to the ALUC recommendations and PPP 3.12-1 and PPP 3-12.2 impacts associated with noise will be less than significant with mitigation. ALUC mitigation measures are as follows:

Mitigation Measures: *Source: Airport Land Use Commission Development Review Report, December 16, 2016.*

MM- NOISE- 1 Highly noise-sensitive outdoor nonresidential uses are prohibited.

MM- NOISE- 2 The following notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13) (A)

3.12(f) For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?

Determination: Less than Significant with Mitigation

Source: Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004), Banning General Plan

Plans, Policies, or Programs (PPP)

PPP 3.12-1 and PPP 3.12-2

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed Response 3.12 (e), the project site is outside the Banning Airport noise contours. Impacts associated with aviation noise will not exceed the residential ambient noise standards for

residential development. Moreover, in accordance with ALUC's mitigation and PPP 3.12-1 and PPP 3.122, exposure of people to impacts arising from the private airstrip will be less than significant.

3.13 POPULATION AND HOUSING

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			■	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■

3.13(a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Determination: Less than Significant Impact.

Sources: Project Application City of Banning General Plan, Housing Element.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project would be developed with 46 single-family detached residential homes. Pursuant to population estimates prepared by the State Department of Finance, single-family detached units within the City are occupied by an average of 2.7 persons per dwelling unit (*City of Banning General Plan, Housing Element, Page III-127*). Therefore, using population generation estimates provided by the State, the Project could increase the City of Banning's population by up to 124 new residents if all the new residents currently reside outside the City limits.

Typically, population growth would be considered a significant impact pursuant to CEQA if it directly or indirectly affects the ability of agencies to provide needed public services and requires the expansion or new construction of public facilities and utilities.

Section 3.14, Public Services, of this Initial Study Checklist demonstrates that the impacts on public services is less than significant so the public service providers' ability to provide services will not be reduced. As such, impacts are less than significant and no mitigation measures are required.

3.13(b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Determination: No Impact.

Sources: Project Application City of Banning General Plan, Housing Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is vacant and contains no housing. As such, there are no impacts that would require the construction of replacement housing elsewhere. No mitigation measures are required.

3.13(c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Determination: No Impact.

Sources: Project Application City of Banning General Plan, Housing Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is vacant and contains no housing. As such, there are no impacts that would require the construction of replacement housing elsewhere.

3.14 PUBLIC SERVICES

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			■	
2) Police protection?			■	
3) Schools?			■	
4) Parks?			■	
5) Other public facilities?			■	

3.14(a) *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

FIRE PROTECTION

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element

Plans, Policies, or Programs (PPP)

There are no Project Design Features applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Buildout of the site will have a less than significant impact on public services. The proposed Project will be served by the City Police Department and Riverside County Fire Department under contract. The project will be required to pay the mandated school fees, development impact fees and park in lieu fees in place at the time of issuance of building permits. Payment of these fees and future revenue stream from property tax will lower potential impacts associated with additional services to a less than significant impact.

POLICE PROTECTION

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to police protection. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.14-1 The Project shall comply with applicable City's Development Impact Fees which requires payment of a development mitigation fee to assist in providing funds to offset the incremental increase in the demand for public services, parks and open space that would be created by the Project. Prior to the issuance of building permits. The Project Applicant shall pay fees in accordance with the City of Banning Municipal Code Requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The City of Banning Police Department provides community policing to the Project area. The Banning Police Station is located at 125 East Ramsey, just under one (1) mile from the Project site. The Banning Police Department current level of law enforcement staffing is approximately 1.4 sworn officers for every 1,000 residents. Banning has historically maintained a goal of 1.8 police officers per 1,000 residents. The Banning Police Department has a total of 35 sworn positions, of which three are grant positions and 16 unsworn positions for a total of 51 positions. At full buildout, the Project would introduce approximately 124 new residents to the Project area. The Project's buildout would not affect or alter the current ratio of sworn officers per 1,000 residents. No additional police staffing or the construction of new or expanded police facilities is required.

The Project would be required to comply with the provisions of the City's Development Impact Fee Ordinance, which requires a fee payment to assist the City in providing for public services, including police protection services. Payment of the Development Impact Fee would ensure that the Project provides its fair share of funds for additional police protection services, which is intended, to offset the incremental increase in the demand that would be created by the Project.

Based on the above analysis, with implementation of PPP 3.14-2, impacts related to police protection would be less than significant and no mitigation measures are required.

SCHOOLS

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to schools. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.14-2 Prior to the issuance of building permits, the Project Applicant shall pay required development impact fees to the Banning Unified School District following protocol for impact fee collection.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The construction of 46 residential homes as proposed by the Project would have an incremental increase in the population in the local area and would generate additional demands to the existing public school system by generating additional students to be served by the Banning Unified School District. The Project would be required to contribute fees to the Banning Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation for Project-related impacts to school services.

Based on the above analysis, with implementation of PPP 3.14-2, impacts related to schools would be less than significant and no mitigation measures are required.

PARKS

Determination: Less Than Significant Impact.

Source: City of Banning General Plan Parks and Recreation Element, Open Space and Conservation Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to parks.

PPP 3.14-3 Prior to the issuance of a building permit, the Project Applicant shall pay required park development impact fees to the City of Banning Recreation and Park District.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project proposes the construction of 46 residential units. Based on population estimates prepared by the State Department of Finance, the Project is estimated to provide housing for up to 124 residents (2.7 persons per household x 46 = 124). The Project does not propose any park land so it will be subject to the park land impact fee.

Based on the above analysis, with implementation of PPP 3.14-3, impacts related to parks would be less than significant and no mitigation measures are required.

OTHER PUBLIC FACILITIES

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Public Building and Facilities Element

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to parks.

PPP 3.14-2 above is applicable to the Project.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Development of the Project would result in an increase in the population of the Project area and would have an incremental increase the demand for public services, including public health services and library services. However, the population increase generated by the Project would not require the construction of new or expanded public facilities.

The Project would be required to comply with the provisions of the City's Development Impact Fee, which requires a fee payment to assist the City in providing public services. Payment of the Development Impact Fee would ensure that the Project provides fair share of funds for additional public services. These funds may be applied to the acquisition and/or construction of public services and/or equipment.

Based on the above analysis, with implementation of PPP 3.14-1 and 3.14-2, above, impacts related to parks would be less than significant and no mitigation measures are required.

3.15 RECREATION

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			■	
b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			■	

3.15(a) *Would the proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Determination: Less than Significant Impact.

Sources: City of Banning General Plan Parks and Recreation Element

Plans, Policies, or Programs (PPP)

There are no Project Design Features applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project's 124 estimated residents would not substantially increase the use of existing public park facilities and would not require the modification existing parks or modification of new park facilities.

With implementation of PDF 3.14-1, impacts related to recreational facilities would be less than significant and no mitigation measures are required.

3.15(b) *Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?*

Determination: Less than Significant Impact.

Source: Project Application Materials, City of Banning Parks and Recreation Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not propose any on-site recreational facilities nor does it required the construction or expansion of recreational facilities given its limited population generation (124 residents).

Based on the above analysis, impacts related to parks and recreational facilities would be less than significant and no mitigation measures are required.

3.16 TRANSPORTATION/TRAFFIC

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			■	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			■	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			■	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			■	
e. Result in inadequate emergency access?			■	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			■	

3.16(a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to transportation and traffic. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.16-1 Prior to the issuance of any building permits, the Project Proponent shall make pay the City's Traffic Control Facility Fee per household unit constructed.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Motorized Vehicle Travel

Trips generated by the Project's proposed land uses have been estimated based on trip generation rates identified in the Focused Traffic Impact Study prepared by RK Engineering Group, Inc., shown in Table 17.

Table 17. Trip Generation Rates

Land Use Type	Units	AM Peak Hour			PM Peak Hour			Daily
		Total	In	Out	Total	In	Out	
Single-Family Detached Housing Trips/Unit Land Use Category: 210	46	0.75 36	0.19 9	0.56 27	1.00 48	0.63 30	0.37 18	9.52 457

Source: RK Engineering Group, Inc., Focused Traffic Impact Study, TTM 36710, July 11, 2016

The Project is estimated to generate the following number of trips:

Based on the Banning General Plan Amendment Change in Level of Service Policy, dated September 2012, the City of Banning establishes Level of Service (LOS) D as the minimum LOS to be maintained on all roadway segments and intersections. Trip generation for the proposed project was calculated using rates from the Institute of Transportation Engineers (ITE) Trip Generation (9th Edition) for Land Use 46 Single-Family Detached Housing. The project trip generation would generate 36 trips in the a.m. peak hour, 48 trips in the p.m. hour and 457 daily trips.

Based on the project's trip generation, under existing and opening year conditions, all the studied intersections operate at satisfactory LOS or better.

Mass Transit and Pedestrian Facilities

Transit Service

The Project area is currently served by the Banning Transit Services, which provides fixed route bus service along three routes. The Project is not proposing to construct any improvements and will not interfere with the existing bus service. As such, the Project as proposed will not conflict with an applicable plan, ordinance or policy applying to transit services.

Bicycle & Pedestrian Facilities

The Project is not proposing to construct any improvements that will interfere with bicycle and pedestrian use. The Project will not conflict with an applicable plan, ordinance or policy applying to non-motorized travel. Impacts are less than significant.

Based on the above analysis, with implementation of PPP 3.16-1 would be less than significant and no mitigation measures are required.

3.16(b) *Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

Determination: Less Than Significant Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project proposes only 46 lots and would generate less than 457 daily trips on intersections in the vicinity of the Project site. As such, the Project is not forecast to deteriorate the minimum Level of Service in the Project area as required by the General Plan. Therefore, the Project will not be in conflict with the City of Banning's Congestion Management Program. Impacts are less than significant and no mitigation measures are required.

3.16(c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

Determination: Less Than Significant Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not include any air travel component (e.g., runway, helipad, etc.) Accordingly, the Project would not have the potential to affect air traffic patterns, including an increase in traffic

levels or a change in flight path location that results in a substantial safety risk. Therefore, impacts are less than significant.

3.16(d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Determination: Less Than Significant Impact.

Source: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The residential land uses proposed Project would be compatible with existing development in the surrounding area; therefore, implementation of the Project would not create a transportation hazard as a result of an incompatible use.

The Project would provide adequate vehicular and pedestrian safety and ensure that no hazardous transportation design features would be introduced by the Project. Accordingly, the Project would not substantially increase hazards due to a design feature or incompatible use. Impacts would be less than significant.

3.16(e) *Result in inadequate emergency access?*

Determination: Less Than Significant Impact.

Source: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Project would result in a new residential community, which would increase the need for emergency access to-and-from the site. Adequate emergency access would be provided to the Project site via Wilson Street. During the course of the required review of the Project, the Project's transportation design was reviewed by the City's Public Works/Engineering Department, County Fire Department,

and City of Banning Police Department to ensure that adequate access to and from the site would be provided for emergency vehicles. With the City/County requirements for emergency vehicle access, impacts would be less than significant and no mitigation measures are required.

3.16(f) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

Determination: Less Than Significant Impact.

Source: General Plan Circulation Element, Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project as proposed will not conflict with an applicable plan, ordinance or policy applying to transit services. Impacts are less than significant.

3.17 TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		■		
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		■		

a-b Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public resources Code section 5020.1(k), or A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Determination: Less than significant impact with mitigation.

Source: Banning Zoning Code Section 18.18.120 D, BCR Consulting LLC, Cultural Resources Records Search for TTM 36710, March 2, 2017 and BCR Consulting LLC, Cultural Resources Assessment (Field Survey) for APN's 534-183-014, 534-200-004 and 534-200-047, May 1, 2017

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to Tribal Cultural Resources. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.17-1 If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of the origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify

the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

PPP 3.17-2 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Section 18.18.120 D, discoveries made of archaeological or paleontological interest shall stop operations until a qualified archeologist or paleontologist has assessed the significance of the find.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

BCR Consulting LLC (BCR Consulting) was under contract to United Engineering Group to conduct a Cultural Resources Assessment of Assessor Parcel Numbers 534-183-014, 534-200-004, and 534-200-047 (the project) in the City of Banning, Riverside County, California. The work was performed pursuant to the California Environmental Quality Act (CEQA). A cultural resources records search and field survey were conducted for the project.

The records search revealed that 14 cultural resource studies have taken place resulting in the recording of 105 cultural resources within one-mile of the project site. Of these resources, 104 were historic-period and one was a prehistoric archaeological site. The nearest historic-period resource was a single-family residence adjacent to the northwest of the project site. The only prehistoric resource in the records search radius was a prehistoric habitation site (designated P-33-99) located approximately ½ mile to the northwest of the project site. Of the 14 previous studies, none has assessed the project site. No cultural resources have been previously recorded within its boundaries.

During the field survey, BCR Consulting archaeologists did not discover any cultural resources (including prehistoric or historic-period archaeological sites or historic-period buildings) within the project site boundaries. Based on these results, BCR Consulting recommends a finding of no impacts to historical resources under CEQA. BCR Consulting also recommends that no additional cultural resources work or monitoring is necessary during proposed activities associated with the development of the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

After consultation with local Native American Tribes, it was agreed that a Native American Monitor be present during initial grading of the project site to help identify any undiscovered cultural resources that may not have been visible from the surface. This request was initiated by the Morongo Band of Mission Indians who expressed the theory that no discoveries have been made at the site due to the fact that the site has never been disturbed. Typically, cultural resources lie within the first several feet of soil and are not exposed until some type of earthwork is performed. Therefore, the following mitigation measure will be required to assist in the identification of any potential discoveries.

Mitigation Measures:

MM- TRIBAL-1The project proponent shall notify and invite, Morongo Band of Mission Indians Tribal Resource Monitor(s) be present during all required ground disturbing activities pertaining to the project.

3.18 UTILITIES AND SERVICE SYSTEMS

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			■	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			■	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			■	
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?			■	
e. Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?			■	
f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?			■	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			■	

3.18(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to wastewater treatment requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-1 As per Title 16 of the City of Banning Municipal Code Subdivision section, prior to recordation of a Final Map, improvement plans shall be submitted to the City Engineer that provide for sewage disposal by connection to an existing collection

system capable of accepting the waste load. The collection system shall meet the City of Banning Utility Department standards and requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Wastewater treatment and collection services would be provided to the Project site by the City of Banning Public Works and Utilities Department. The Banning Public Works and Utilities Department is required to operate all of its treatment facilities in accordance with the waste treatment and discharge standards and requirements set forth by the Colorado River Regional Water Quality Control Board.

Wastewater generated by the Project will be treated at the Banning Waste Water Treatment Plant. The Project would not install or utilize septic systems or alternative wastewater treatment systems, therefore, the Project would have no potential to exceed the applicable wastewater treatment requirements established by the Colorado River Regional Water Quality Control Board or Banning Waste Water Treatment Plan specifications. Accordingly, impacts would be less than significant.

3.18(b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project would construct an on-site network of water and sewer pipes which would connect to the existing 8 inch water line in Wilson Street and 8 inch sewer line in Wilson Street. The installation of water and sewer lines as proposed by the Project would result in physical impacts to the surface and subsurface of the Project site. These impacts are considered to be part of the Project's construction phase and are evaluated throughout this Initial Study Checklist. In instances where impacts have been identified for the Project's construction phase, Plans, Policies, Programs, or Standard Conditions (PPP), Project Design Features (PDF), or development recommendations cited in the EnGen report dated, April 4, 2014, these measures are intended to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study Checklist would not be required.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Drainage patterns will generally follow the existing frontage Wilson Street public street gutter and remain in the existing condition.

The construction of the on-site drainage facilities would result in physical impacts to the surface and subsurface of the Project site. Project engineers shall be required to design the WQMP basins to retain the 100yr – 3 hour storm event provided on site. These impacts are part of the Project's construction phase and are evaluated in the appropriate sections of this Initial Study/Mitigated Negative Declaration document. In instances where impacts have been identified for the Project's construction phase, Plans, Policies, Programs, or Standard Conditions (PPP), Project Design Features (PDF), or Mitigation Measures are required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study Checklist would not be required.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element)

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to water supply requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-2 Prior to recordation of a Final Map, required improvement plans shall be submitted to the satisfaction of the City Engineer that provide for the installation of a domestic water supply and distribution system that meets the requirements per the City of Banning Public Services and Utility requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Utilities are available at the project site. The service providers for water, sewer, electricity and other utilities have facilities in the immediate vicinity of the site, and will collect connection and usage fees to balance for the cost of providing services. The project will control on-site storm water to the satisfaction of the City Engineer (please see Hydrology, above). The City's solid waste hauler will continue to implement the requirements of AB 939, requiring the reduction of the solid waste stream. The construction of the proposed project is expected to have less than significant impacts on utility providers.

3.18(e) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to water supply requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-3 Prior to the issuance of a grading permit, the Project proponent shall be required to provide written verification to the City of Banning Public Works Department that that adequate capacity exists at the City of Banning Water Control Plant to serve the Project. All water and sewer connection fees shall be paid prior to the issuance of a building permit.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Sanitary sewer service to the Project site would be provided by the Banning Waste Water Treatment Plant.

Based on the above analysis, with implementation of PPP 3.18-3, impacts would be less than significant and no mitigation measures are required.

3.18(f) *Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?*

Determination: Less Than Significant Impact.

Sources: (City of Banning General Plan)

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Construction Related Impacts

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The City of Banning Contracts with Waste Management Inland Empire for solid waste and disposal services. Construction debris and waste is taken to the Lamb Canyon Sanitary Land fill, El Sobrante Landfill and the Badlands Landfill for disposal.

The California Integrated Waste Management Board (CIWMB) database cites that Lambs Canyon Sanitary Landfill occupies an area of 1,088 acres for all of its land fill operations and has a total permitted disposal volume of 23,601,596 cubic yards and permit to accept a maximum of 1,900 ton of solid waste per day. CIWBM estimates that that the Lamb Canyon Sanitary Landfill had a remaining capacity of 16,926,000 cubic yards in 1998. The El Sobrante Landfill operated by Waste Management encompasses a total of 1,322 acres and has a total permitted disposal volume of 184,930,000 cubic yards. On a daily basis, this landfill is permitted to accept a maximum of 10,000 tons of solid waste. CIWMB estimates that as of 2001, the El Sobrante Landfill has an estimated remaining capacity of 3,674,267 cubic yards.

Operational Related Impacts

Solid waste generated during long-term operation of the Project would be disposed at the Lamb Canyon Sanitary Landfill and/or the El Sobrante Landfill. During long-term operation, the Project's solid waste would be minuscule amount of the daily permitted disposal capacity at the Lamb Canyon Sanitary Landfill and El Sobrante Landfill.

These landfills receive well below their maximum permitted daily disposal volume and solid waste generated by the Project is not anticipated to cause these landfills to exceed their maximum permitted daily disposal volume. Because the proposed Project would generate a relatively small

amount of solid waste per day, as compared to the permitted daily capacities for Lamb Canyon Sanitary Landfill and the El Sobrante Landfill, these regional landfill facilities would have sufficient daily capacity to accept solid waste generated by the Project.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to solid waste. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-4 The California Waste Management Act (AB 939) requires municipalities to reduce the amount of waste it sends to landfills by 50%. The Project shall participate in established Citywide recycling programs in response to AB 92. Individuals may also participate through privately run recycling operators.

Impact Analysis

The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

The Project's proponent would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic.

Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the Project are reduced in accordance with existing regulations.

Based on the above analysis, with implementation of PPP 3.18-4, impacts would be less than significant and no mitigation measures are required.

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		■		
b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		■		
c. Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			■	

Impact Analysis

3.19(a) *Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Determination: Less Than Significant Impact with Mitigation Incorporated.

Source: This Initial Study Checklist.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue.

Plans, Policies, or Programs (PPP)

PPP 3.4-1, PPP 3.4-2, and PPP 3.5-1 shall apply.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Mitigation Measures (MM)

MM GEO-1 shall apply

Impact Analysis

All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study Checklist.

In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features, or Mitigation Measures listed above are required to reduce impacts to less than significant levels. Therefore, the Project would not substantially degrade the quality of the environment.

3.19(b) *Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Determination: Less Than Significant With Mitigation Incorporated.

Source: This Initial Study Checklist.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue. These measures will be included in the Project's Mitigation Monitoring and Reporting Program:

Plans, Policies, or Programs (PPP)

All Plans, Policies, or Programs (PPP) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Project Design Features (PDF)

All Project Design Features (PDF) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Mitigation Measures (MM)

All Project Mitigation Measures (MM) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Impact Analysis

As discussed throughout this Initial Study Checklist, implementation of the proposed Project has the potential to result in effects to the environment that are individually limited, but cumulatively considerable. In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features, or Mitigation Measures, listed above are required to reduce impacts to less than significant levels. Therefore, the Project would not contribute to environmental effects that are individually limited, but cumulatively considerable.

3.19(c) *Does the Project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?*

Determination: Less Than Significant Impact.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue. These measures will be included in the Project's Mitigation Monitoring and Reporting Program:

Plans, Policies, or Programs (PPP)

The following shall apply:

PPP 3.1-1 and 3.1.2
PPP 3.3-1 and 3.3-2
PPP 3.4-1
PPP 3.5-1
PPP 3.6-1 and 3.6-2
PPP 3.7-1
PPP 3.8-1
PPP 3.9-1 through 3.9-4
PPP 3.12-1 and 3.12-2
PPP 3.14-1 through 3.14-3
PPP 3.16-1
PPP 3.17-1 and 3.17-2
PPP 3.18-1 through 3.18-4

Project Design Features (PDF)

The following shall apply:

PDF 3.1-1 and 3.1-2
PDF 3.8-1
PDF 3.9-1

Mitigation Measures (MM)

The following shall apply:

MM AIR-1
MM GEO-1

MM NOISE-1
MM NOISE-2
MM TRIBAL-1

Impact Analysis

The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Initial Study Checklist/Mitigated Negative Declaration.

In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features and Mitigation Measures are required to reduce impacts to less-than-significant levels. Therefore, the Project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

4.0 REFERENCES

California Air Resources Board (CARB) Handbook, 2009.

<http://www.arb.ca.gov/homepage.htm>

California Environmental Quality Act (CEQA) Guidelines. http://opr.ca.gov/m_ceqa.php

California Environmental Quality Act (CEQA) Air Quality Handbook.

http://opr.ca.gov/m_ceqa.php

City of Banning General Plan, 2006 www.ci.banning.ca.us

City of Banning General Plan EIR, 2006 www.ci.banning.ca.us

California Department of Toxic Substances Control, www.dtsc.ca.gov

Countywide Integrated Waste Management Plan www.rivcowom.org

Flood Insurance Rate Maps, Federal Emergency Management Agency, <https://msc.fema.gov>

South Coast Air Quality Management District, www.aqmd.gov.

South Coast Air Quality Management District, Final 2012 Air Quality Management Plan

www.aqmd.gov

Southern California Association of Governments, 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy.

<http://rtpscs.scag.ca.gov/Pages/default.aspx>

Western Riverside County Multiple Species Habitat Conservation Plan.

<http://www.rctlma.org/mshcp/>

5.0 REPORT PREPARATION PERSONNEL

LEAD AGENCY:

City of Banning
Community Development Department
99 East Ramsey Street
Banning, CA 92220

Patty Nevins, Community Development Director
Mark de Manincor, Contract Planner

ATTACHMENT 4

ALUC APPROVAL



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

December 16, 2016

DEC 22 2016

W.S. 2016

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

John Lyon
Riverside

Glen Holmes
Hemet

Steve Manos
Lake Elsinore

Russell Betts
Desert Hot Springs

STAFF

Director
Ed Cooper

John Guerin
Paul Rull
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Mr. Brian Guillot, Community Development Director
Ms. Patty Nevins, Project Planner
City of Banning Planning Department
99 E. Ramsey Street
Banning CA 92220

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1020BA15
Related File No.: 15-70004 (Tentative Tract Map No. 36710)
APNs: 534-183-014, 534-200-004, 534-200-008, 534-200-047

Dear Mr. Guillot and Ms. Nevins:

On December 8, 2016, the Riverside County Airport Land Use Commission (ALUC) found City of Banning Case No. 15-70004 (Tentative Tract Map 36710), a proposal to divide 10.67 acres located on the northerly side of Wilson Street, westerly of Florida Street, southerly of Hoffer Street, and easterly of Alessandro Road into 46 single-family residential lots, one drainage basin lot, and one open space lot, **CONSISTENT** with the 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016, pursuant to Policy 3.3.6 of the Countywide Policies, based on special Findings 1 and 2 specified below and subject to the following conditions:

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

1. The City of Banning has guidelines requiring a minimum lot width of fifty (50) feet, thus limiting the applicant's ability to increase the project density within the single-family residential design model, which generally provides for lots that are 50-60 feet in width.
2. There are significant amounts of open area in the immediate vicinity, to wit, existing baseball and soccer fields on the school properties located along the south side of Wilson Street opposite from and to the southwest of the project site, which can supplement the open area provided on-site in serving as potential emergency landing areas.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:

AIRPORT LAND USE COMMISSION

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Highly noise-sensitive outdoor nonresidential uses.
- 3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
 - 4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
 - 5. The ALUC eligible open area provided in Lot B shall be kept obstacle and obstruction free per ALUC open area definition.
 - 6. The Federal Aviation Administration has conducted aeronautical studies of the proposed structures (Aeronautical Study Nos. 2015-AWP-8635-OE, 2015-AWP-8636-OE, 2015-AWP-8637-OE, and 2015-AWP-8638-OE), and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L and shall be maintained in accordance therewith for the life of the project.
 - 7. The maximum height of the proposed structures to top point shall not exceed 35 feet above ground level, and the maximum elevation at the top of the structures shall not exceed 2,486 feet above mean sea level.

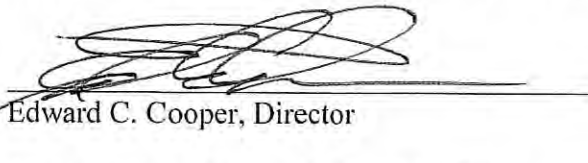
AIRPORT LAND USE COMMISSION

8. The specific coordinates, height and top point elevations of the proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
9. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the structures, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
10. Within five (5) days after construction of the structures reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structures.

If you have any questions, please contact Paul Rull, Urban Regional Planner IV, at (951) 955-6893, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

Attachment: Notice of Airport in Vicinity

cc: RMG Residential 2010, LLLP (applicant/landowner)
Beau Cooper, United Engineering Group (representative)
Carl Szoyka, Airport Manager, City of Banning
Jack Kenton (interested party)
ALUC Case File

Y:\AIRPORT CASE FILES\Banning\ZAP1020BA15\ZAP1020BA15.LTR.doc

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-AWP-8635-OE

Issued Date: 02/12/2016

Randall Andrus
RMG Residential 2010, LLLP
8800 N. Gainey Center Drive
Suite 255
Scottsdale, AZ 85258

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Single Family Homes
Location:	Banning, CA
Latitude:	33-56-03.54N NAD 83
Longitude:	116-52-23.16W
Heights:	2451 feet site elevation (SE) 35 feet above ground level (AGL) 2486 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 35 feet above ground level (2486 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 08/12/2016, unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 13, 2016. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on March 23, 2016 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Karen McDonald, at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AWP-8635-OE.

Signature Control No: 261862242-281365398

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

The proposal, submitted by RMC Residential 2020, LLLP, represents one boundary point for a potential development of 35-foot above ground level (agl) single family homes on significantly rising natural terrain in Banning, California. Viewed on a satellite map, this area of Banning has a concentration of existing structures, including utility poles, of similar height. This site point is located approximately 1.31 nautical miles (NM) northwest of the Banning Municipal (BNG) airport reference point. The BNG Field Elevation (FE) is 2222 feet above mean sea level (amsl). BNG is the closest civilian public-use landing area. The site elevation of this proposal site point is 2451 feet amsl.

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77 as follows:

Section 77.19(b) by 71 feet, the entire height of the structure above the ground, because of the significantly rising site terrain - a height exceeding the BNG Conical Surface.

Details of the proposal were not circularized for public aeronautical comment because internal FAA evaluation finds that the adverse effect of this structure is known. There would be no derogation of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure instrument Terminal Procedures at BNG. Therefore, no further attempt to negotiate the structure to a lower height was considered necessary. This does not affect the right to petition for review determinations regarding structures which exceed the subject obstruction standards.

AERONAUTICAL STUDY FOR POSSIBLE EFFECT UPON THE OPERATION OF AN AIR NAVIGATION AID:

- None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including BNG. The proposal would not penetrate a known maneuvering area associated with VFR Traffic Pattern operations at BNG than other existing structures of similar height seen on a satellite map. Aircraft at normal Traffic Pattern altitudes and standard rates of descent have reasonable clearance above this structure.

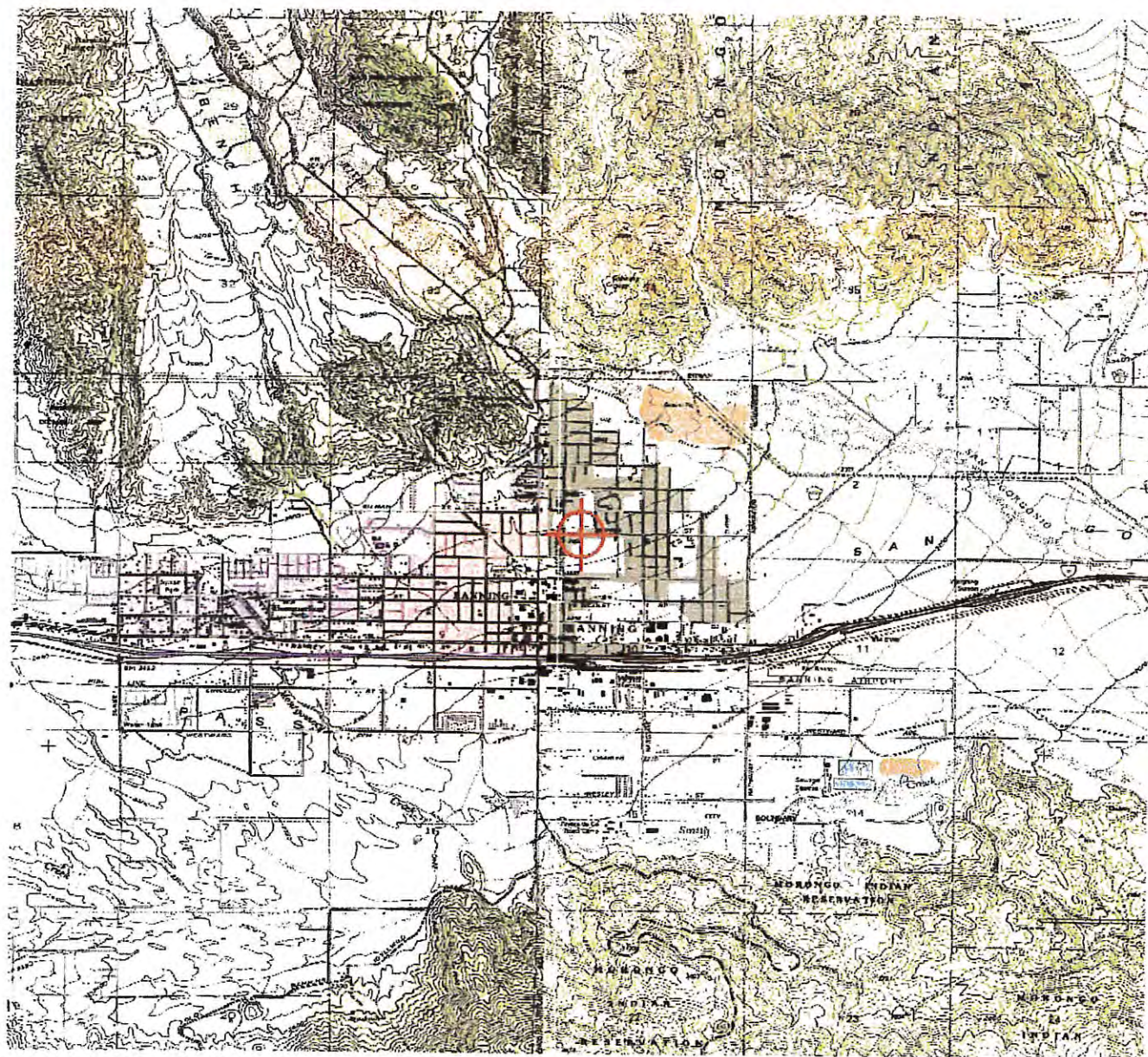
- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

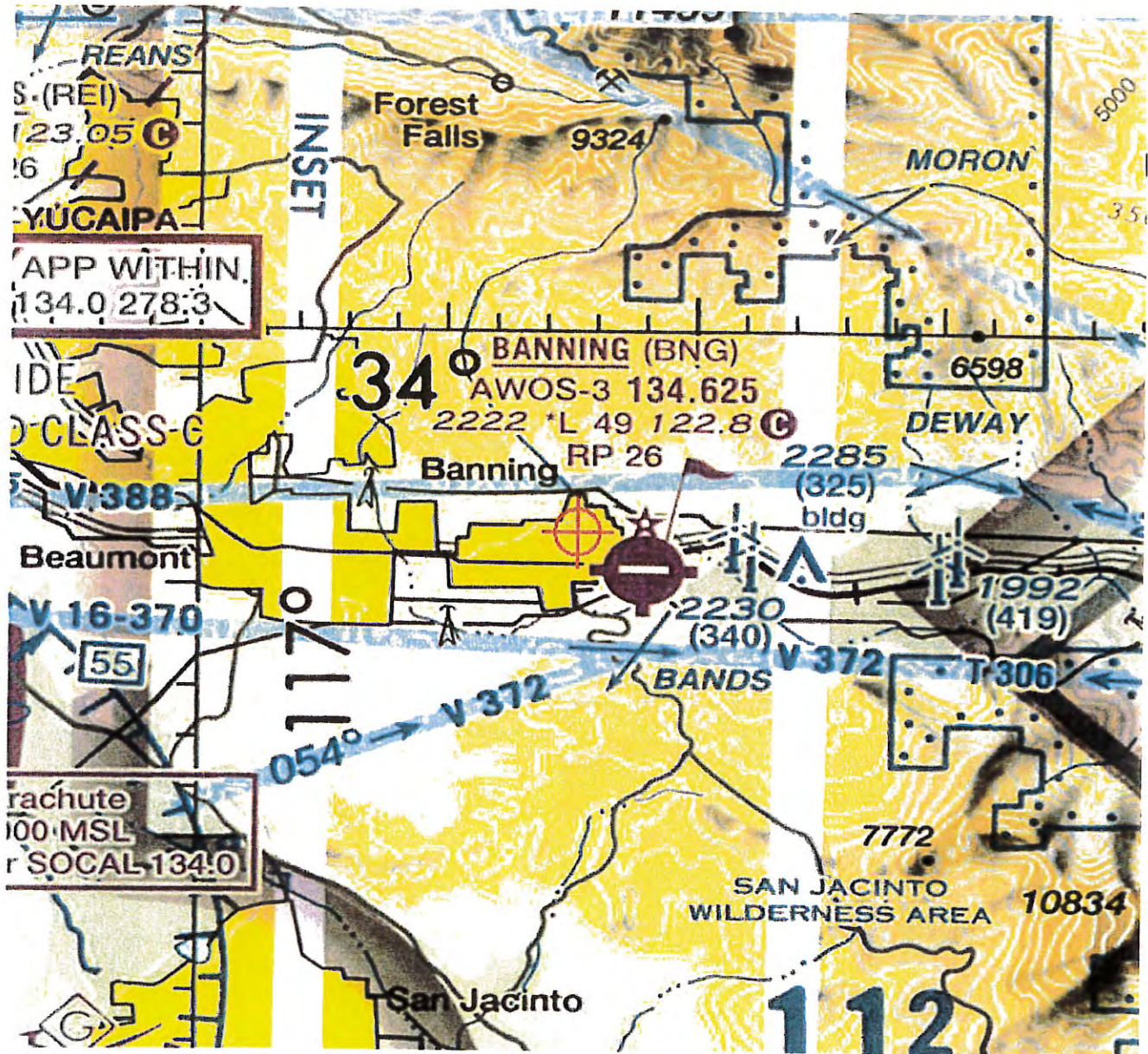
The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-AWP-8636-OE

Issued Date: 02/12/2016

Randall Andrus
RMG Residential 2010, LLLP
8800 N. Gainey Center Drive
Suite 255
Scottsdale, AZ 85258

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Single Family Homes
Location:	Banning, CA
Latitude:	33-56-03.57N NAD 83
Longitude:	116-52-17.24W
Heights:	2445 feet site elevation (SE) 35 feet above ground level (AGL) 2480 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 35 feet above ground level (2480 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 08/12/2016, unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 13, 2016. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on March 23, 2016 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Karen McDonald, at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AWP-8636-OE.

Signature Control No: 261862243-281365479

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2015-AWP-8636-C

The proposal, submitted by RMC Residential 2020, LLLP, represents one boundary point for a potential development of 35-foot above ground level (agl) single family homes on significantly rising natural terrain in Banning, California. Viewed on a satellite map, this area of Banning has a concentration of existing structures, including utility poles, of similar height. This site point is located approximately 1.24 nautical miles (NM) northwest of the Banning Municipal (BNG) airport reference point. The BNG Field Elevation (FE) is 2222 feet above mean sea level (amsl). BNG is the closest civilian public-use landing area. The site elevation of this proposal site point is 2445 feet amsl.

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77 as follows:

Section 77.19(b) by 82 feet, the entire height of the structure above the ground, because of the significantly rising site terrain - a height exceeding the BNG Conical Surface.

Details of the proposal were not circularized for public aeronautical comment because internal FAA evaluation finds that the adverse effect of this structure is known. There would be no derogation of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure instrument Terminal Procedures at BNG. Therefore, no further attempt to negotiate the structure to a lower height was considered necessary. This does not affect the right to petition for review determinations regarding structures which exceed the subject obstruction standards.

AERONAUTICAL STUDY FOR POSSIBLE EFFECT UPON THE OPERATION OF AN AIR NAVIGATION AID:

- None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including BNG. The proposal would not penetrate a known maneuvering area associated with VFR Traffic Pattern operations at BNG than other existing structures of similar height seen on a satellite map. Aircraft at normal Traffic Pattern altitudes and standard rates of descent have reasonable clearance above this structure.

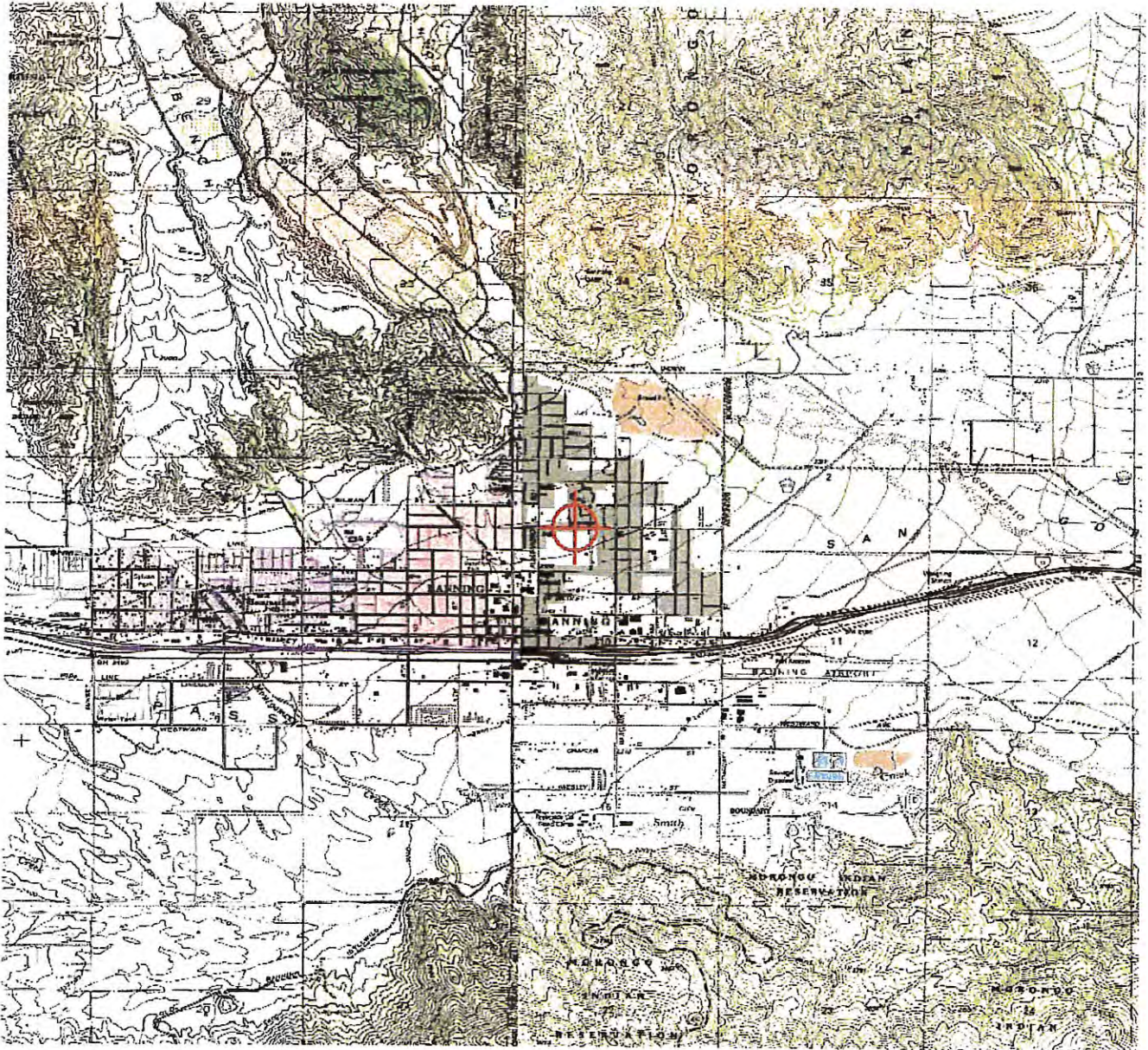
- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

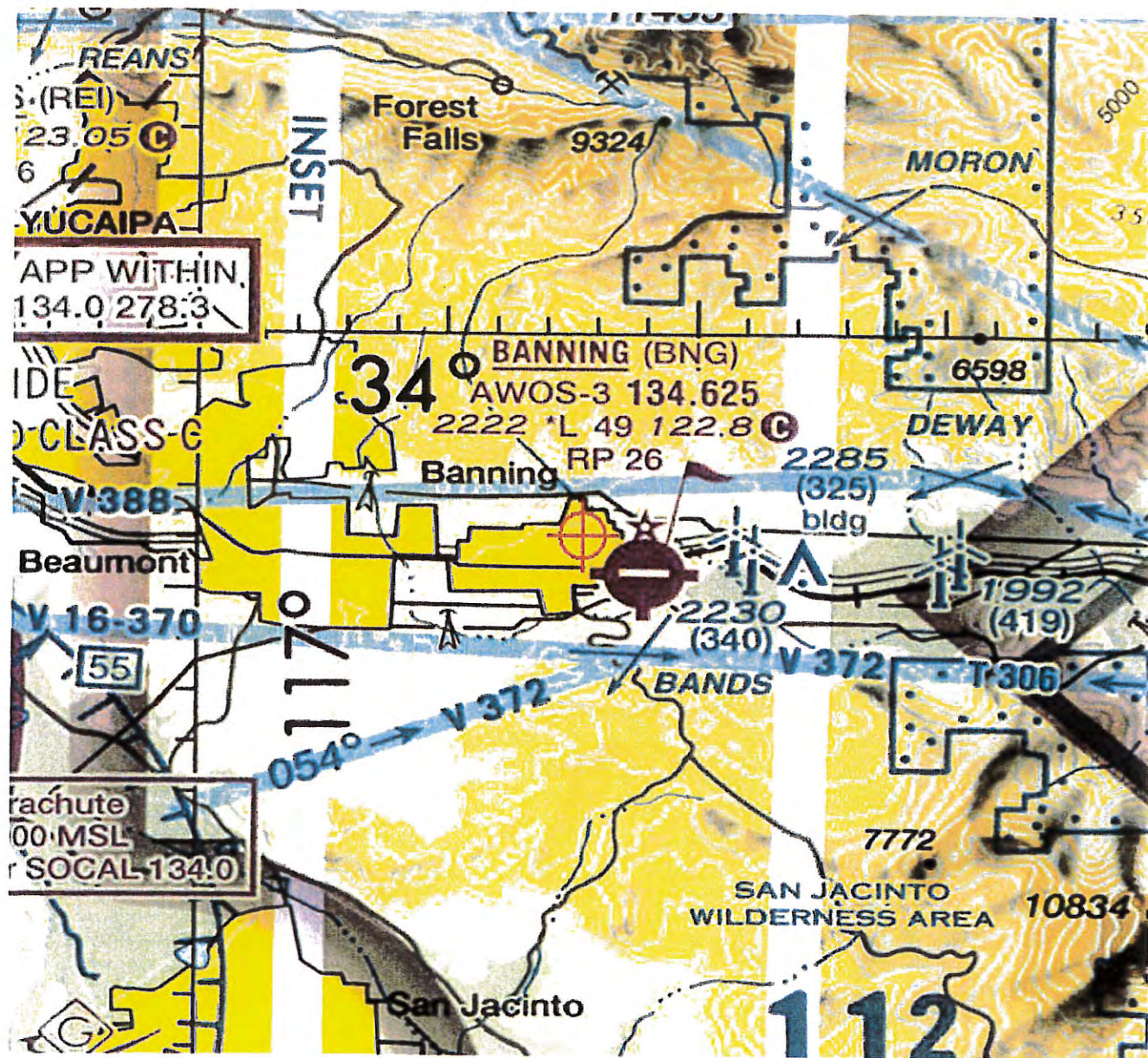
The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-AWP-8637-OE

Issued Date: 02/12/2016

Randall Andrus
RMG Residential 2010, LLLP
8800 N. Gainey Center Drive
Suite 255
Scottsdale, AZ 85258

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Single Family Homes
Location:	Banning, CA
Latitude:	33-55-57.58N NAD 83
Longitude:	116-52-25.06W
Heights:	2432 feet site elevation (SE) 35 feet above ground level (AGL) 2467 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 35 feet above ground level (2467 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 08/12/2016, unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 13, 2016. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on March 23, 2016 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Karen McDonald, at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AWP-8637-OE.

Signature Control No: 261862244-281365581

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2015-AWP-8637-C

The proposal, submitted by RMC Residential 2020, LLLP, represents one boundary point for a potential development of 35-foot above ground level (agl) single family homes on significantly rising natural terrain in Banning, California. Viewed on a satellite map, this area of Banning has a concentration of existing structures, including utility poles, of similar height. This site point is located approximately 1.28 nautical miles (NM) northwest of the Banning Municipal (BNG) airport reference point. The BNG Field Elevation (FE) is 2222 feet above mean sea level (amsl). BNG is the closest civilian public-use landing area. The site elevation of this proposal site point is 2432 feet amsl.

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77 as follows:

Section 77.19(b) by 67 feet, the entire height of the structure above the ground, because of the significantly rising site terrain - a height exceeding the BNG Conical Surface.

Details of the proposal were not circularized for public aeronautical comment because internal FAA evaluation finds that the adverse effect of this structure is known. There would be no derogation of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure instrument Terminal Procedures at BNG. Therefore, no further attempt to negotiate the structure to a lower height was considered necessary. This does not affect the right to petition for review determinations regarding structures which exceed the subject obstruction standards.

AERONAUTICAL STUDY FOR POSSIBLE EFFECT UPON THE OPERATION OF AN AIR NAVIGATION AID:

- None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including BNG. The proposal would not penetrate a known maneuvering area associated with VFR Traffic Pattern operations at BNG than other existing structures of similar height seen on a satellite map. Aircraft at normal Traffic Pattern altitudes and standard rates of descent have reasonable clearance above this structure.

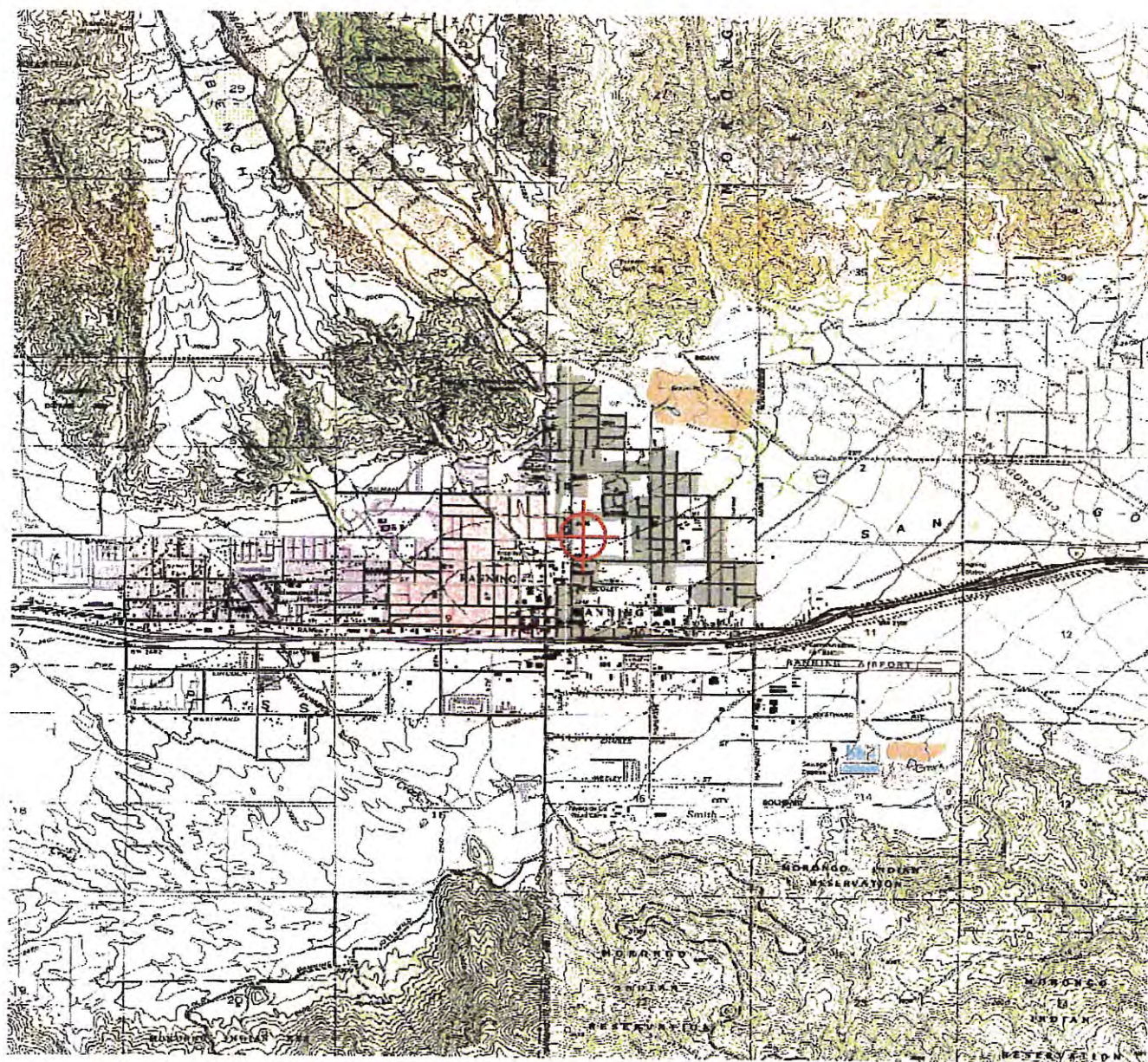
- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

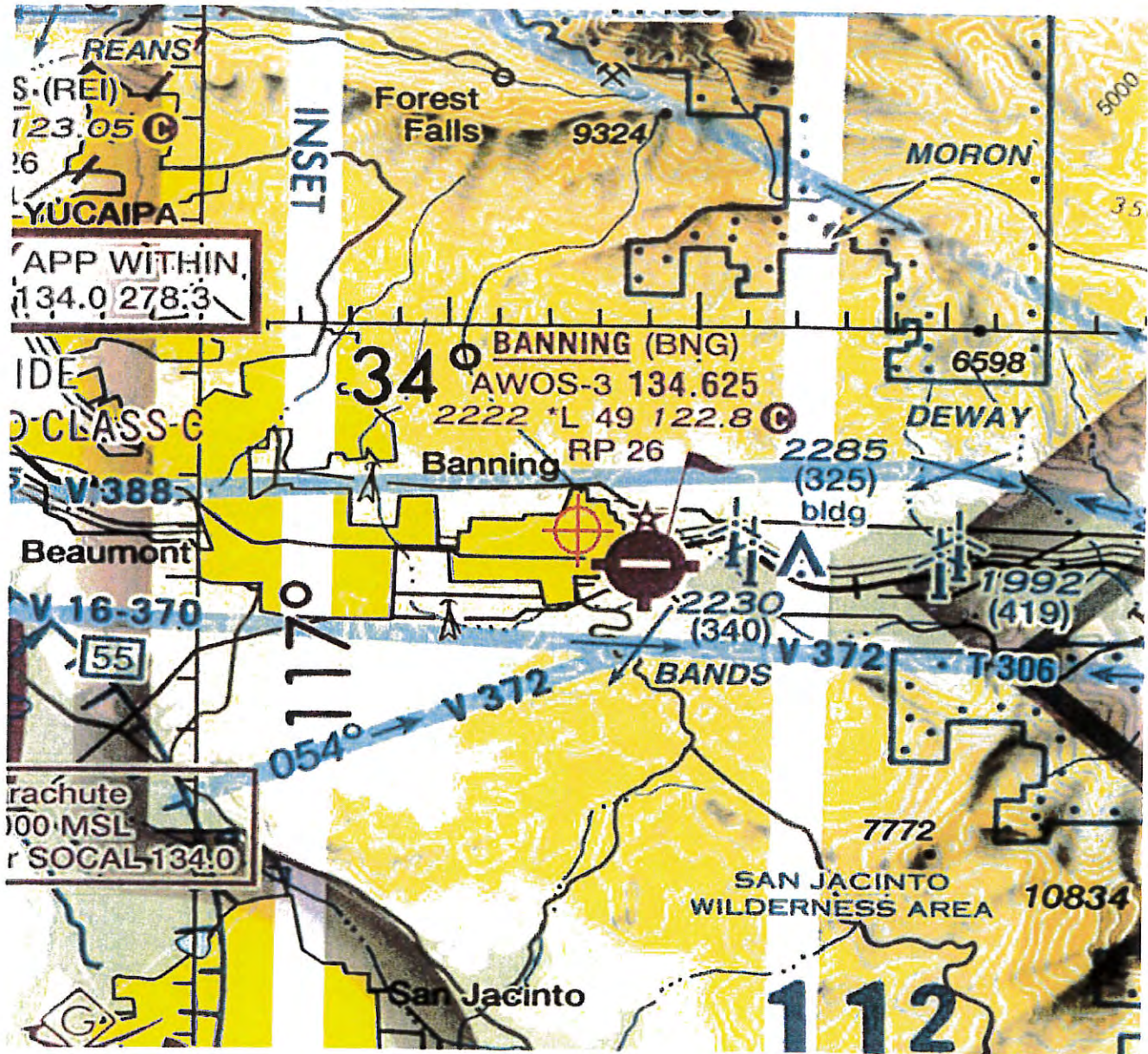
The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-AWP-8638-OE

Issued Date: 02/12/2016

Randall Andrus
RMG Residential 2010, LLLP
8800 N. Gainey Center Drive
Suite 255
Scottsdale, AZ 85258

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Single Family Homes
Location:	Banning, CA
Latitude:	33-55-57.69N NAD 83
Longitude:	116-52-13.08W
Heights:	2426 feet site elevation (SE) 35 feet above ground level (AGL) 2461 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 35 feet above ground level (2461 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 08/12/201 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 13, 2016. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on March 23, 2016 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Karen McDonald, at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AWP-8638-OE.

Signature Control No: 261862245-281365616

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2015-AWP-8638-01

The proposal, submitted by RMC Residential 2020, LLLP, represents one boundary point for a potential development of 35-foot above ground level (agl) single family homes on significantly rising natural terrain in Banning, California. Viewed on a satellite map, this area of Banning has a concentration of existing structures, including utility poles, of similar height. This site point is located approximately 1.14 nautical miles (NM) northwest of the Banning Municipal (BNG) airport reference point. The BNG Field Elevation (FE) is 2222 feet above mean sea level (amsl). BNG is the closest civilian public-use landing area. The site elevation of this proposal site point is 2426 feet amsl.

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77 as follows:

Section 77.19(a) by 89 feet, the entire height of the structure above the ground, because of the significantly rising site terrain - a height exceeding the BNG Horizontal Surface.

Details of the proposal were not circularized for public aeronautical comment because internal FAA evaluation finds that the adverse effect of this structure is known. There would be no derogation of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure instrument Terminal Procedures at BNG. Therefore, no further attempt to negotiate the structure to a lower height was considered necessary. This does not affect the right to petition for review determinations regarding structures which exceed the subject obstruction standards.

AERONAUTICAL STUDY FOR POSSIBLE EFFECT UPON THE OPERATION OF AN AIR NAVIGATION AID:

- None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including BNG. The proposal would not penetrate a known maneuvering area associated with VFR Traffic Pattern operations at BNG than other existing structures of similar height seen on a satellite map. Aircraft at normal Traffic Pattern altitudes and standard rates of descent have reasonable clearance above this structure.

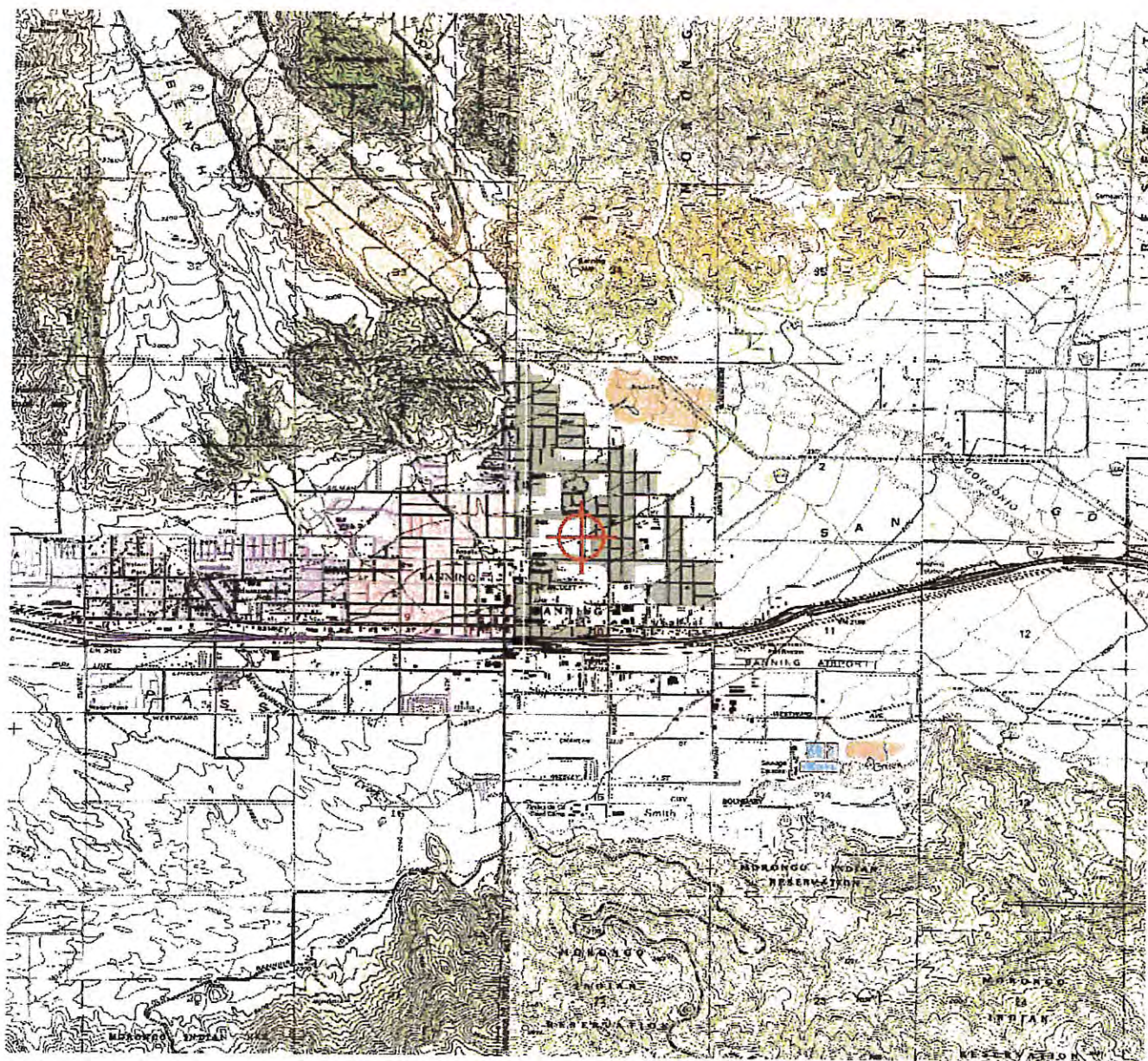
- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

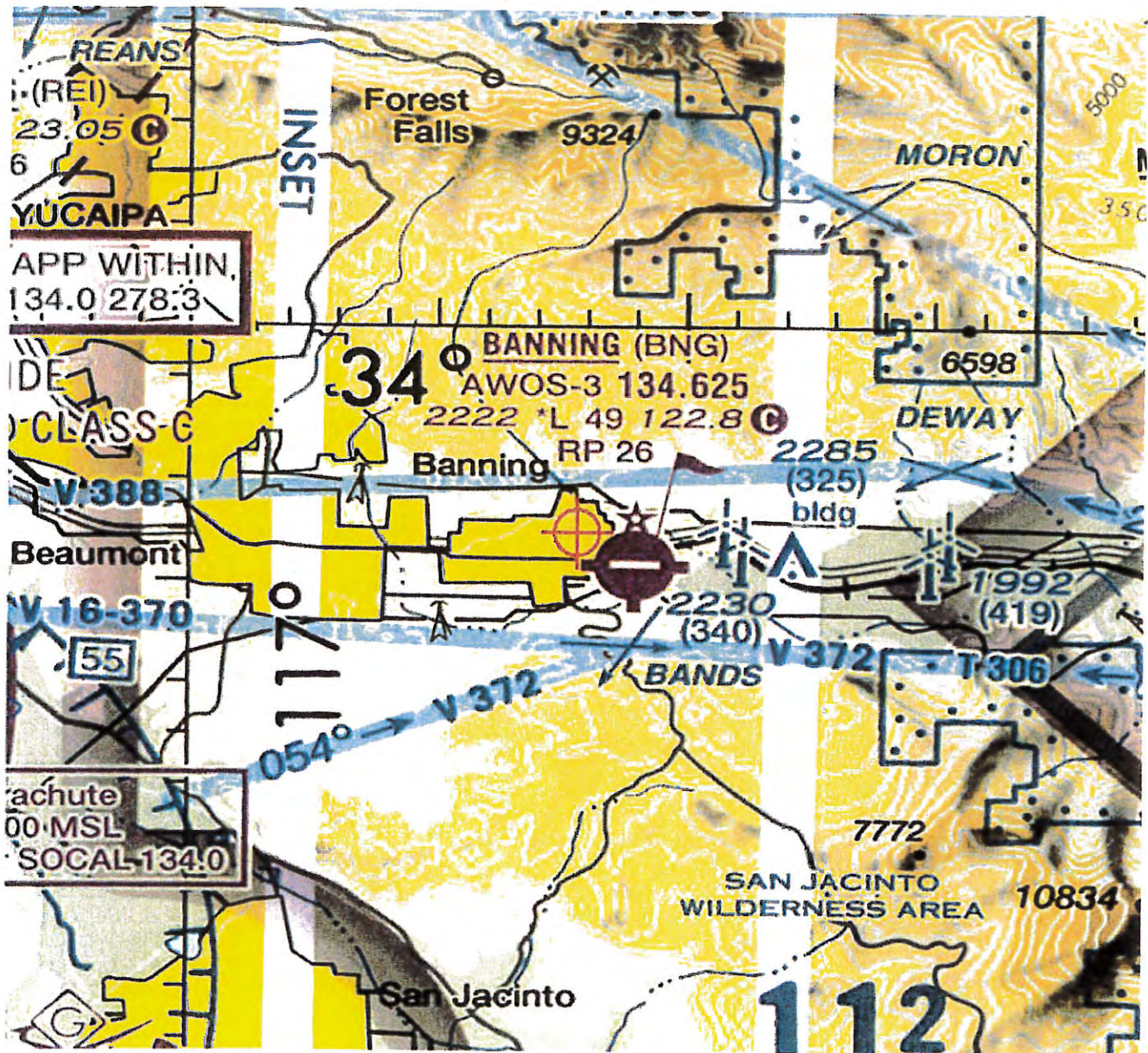
The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

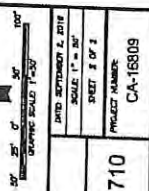
Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





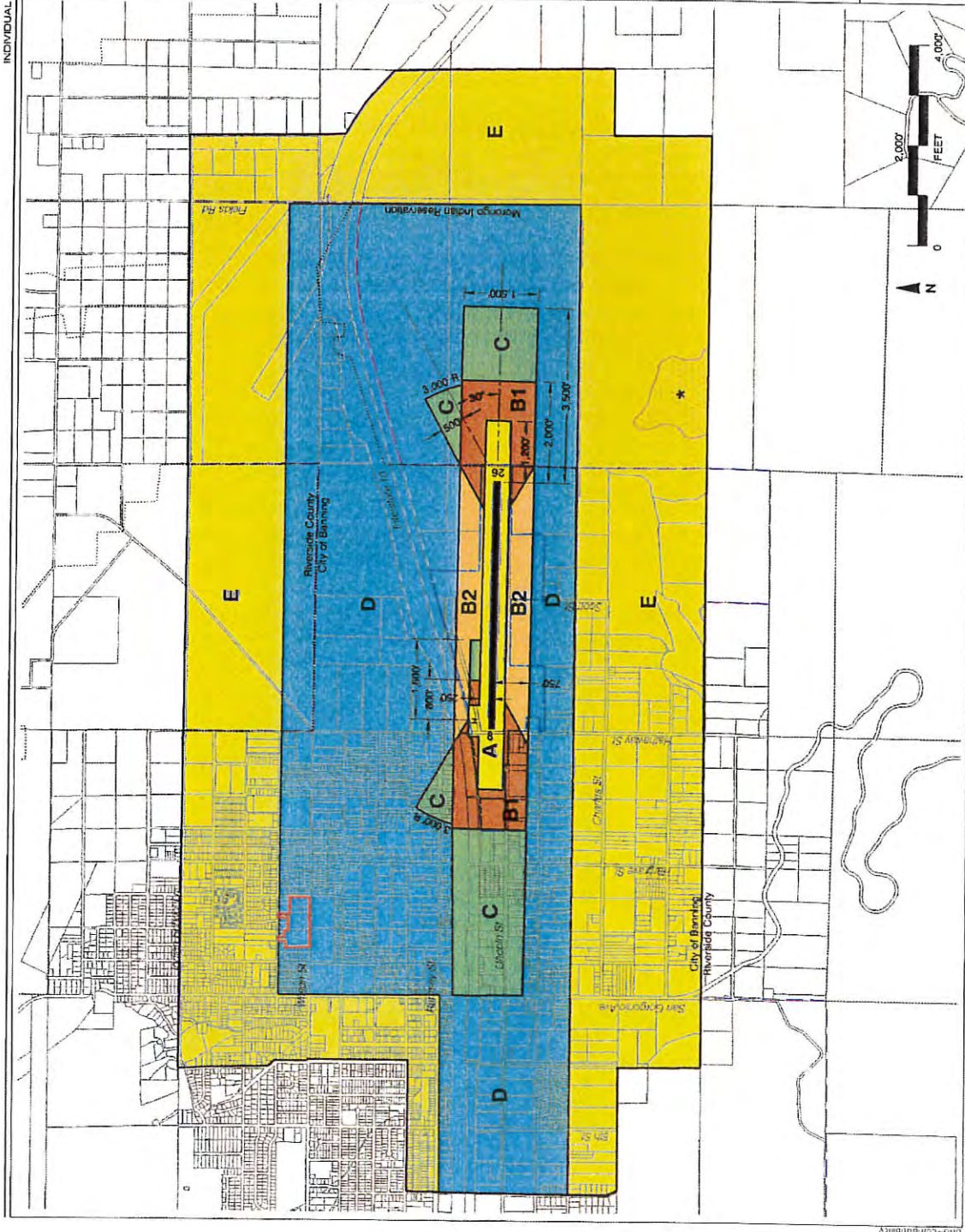
BEING A SUBDIVISION OF A PORTION OF BLOCK 18 AND BLOCK 147, BANNING COLONY LANDS AS PER MAP RECORDED IN BOOK 3, PAGE 149 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND IN BOOK 5 PAGE 198 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

UNITED ENGINEERING GROUP CA., INC. SEPTEMBER 2016



CITY OF BANNING
TENTATIVE TRACT MAP NO.:

[illegible]



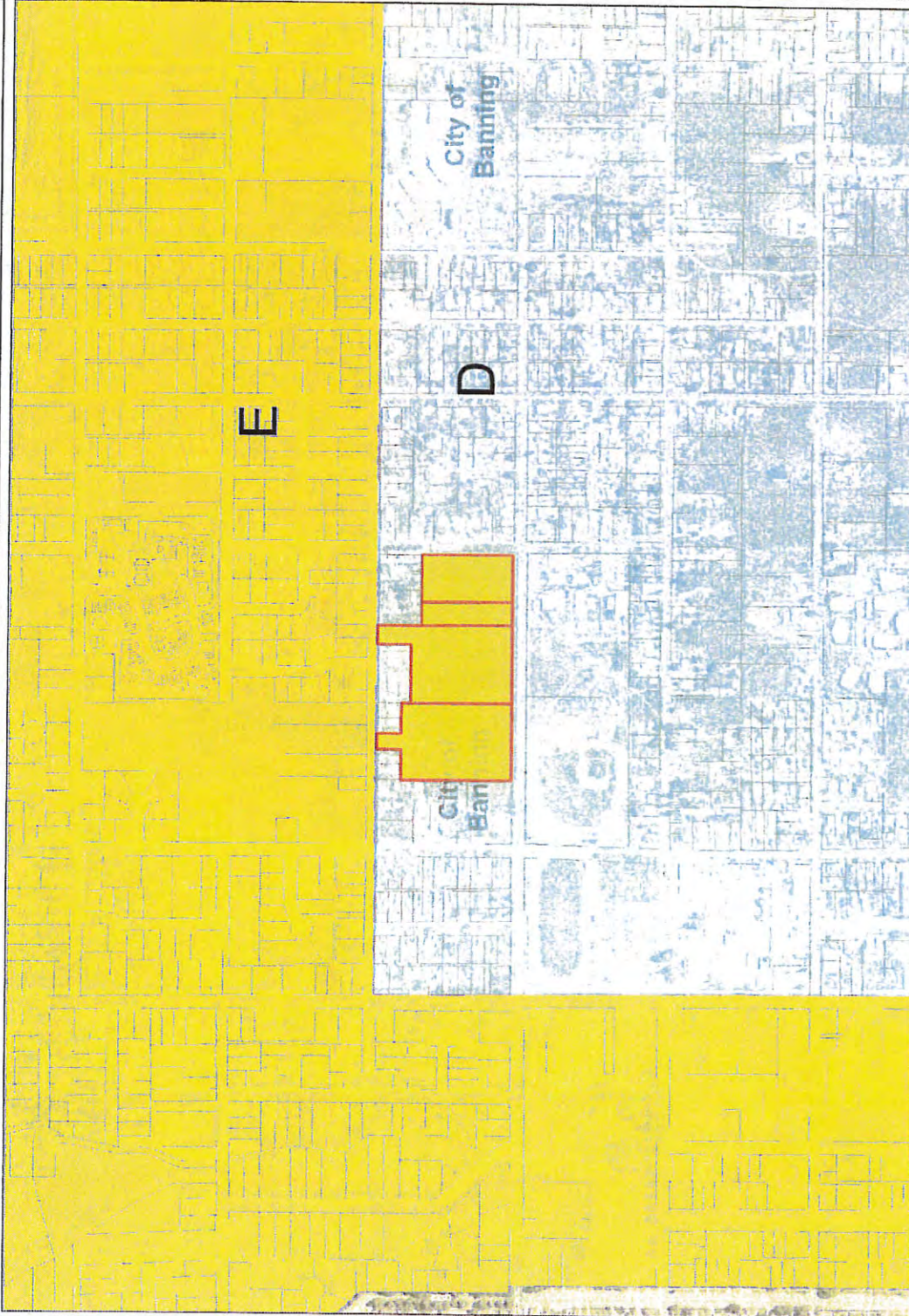
Riverside County
Airport Land Use Commission
Riverside County
Airport Land Use Compatibility Plan
Policy Document
(Adopted October 2004)

Compatibility Map
Banning Municipal Airport

My Map



- Legend**
- ☐ Display Parcels
 - ☐ Airport Compatibility
 - ☒ OTHER ZONE
 - A
 - A-EXC1
 - B1
 - B1-APZ I
 - B1-APZ I-EXC1
 - B1-APZ II
 - B1-APZ II-EXC1
 - B1-EXC1
 - B2
 - B2-EXC1
 - C
 - C1
 - C1-EXC1
 - C1-EXC3
 - C1-EXC4
 - C1-HIGHT
 - C2
 - C2-EXC1
 - C2-EXC2
 - C2-EXC3
 - C2-EXC5
 - C2-EXC6
 - C2-HIGHT
 - C2-HIGHT-EXC1



Notes

"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 10/13/2015 10:42:37 AM

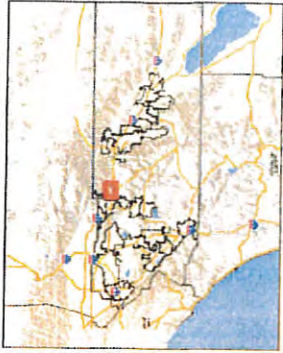
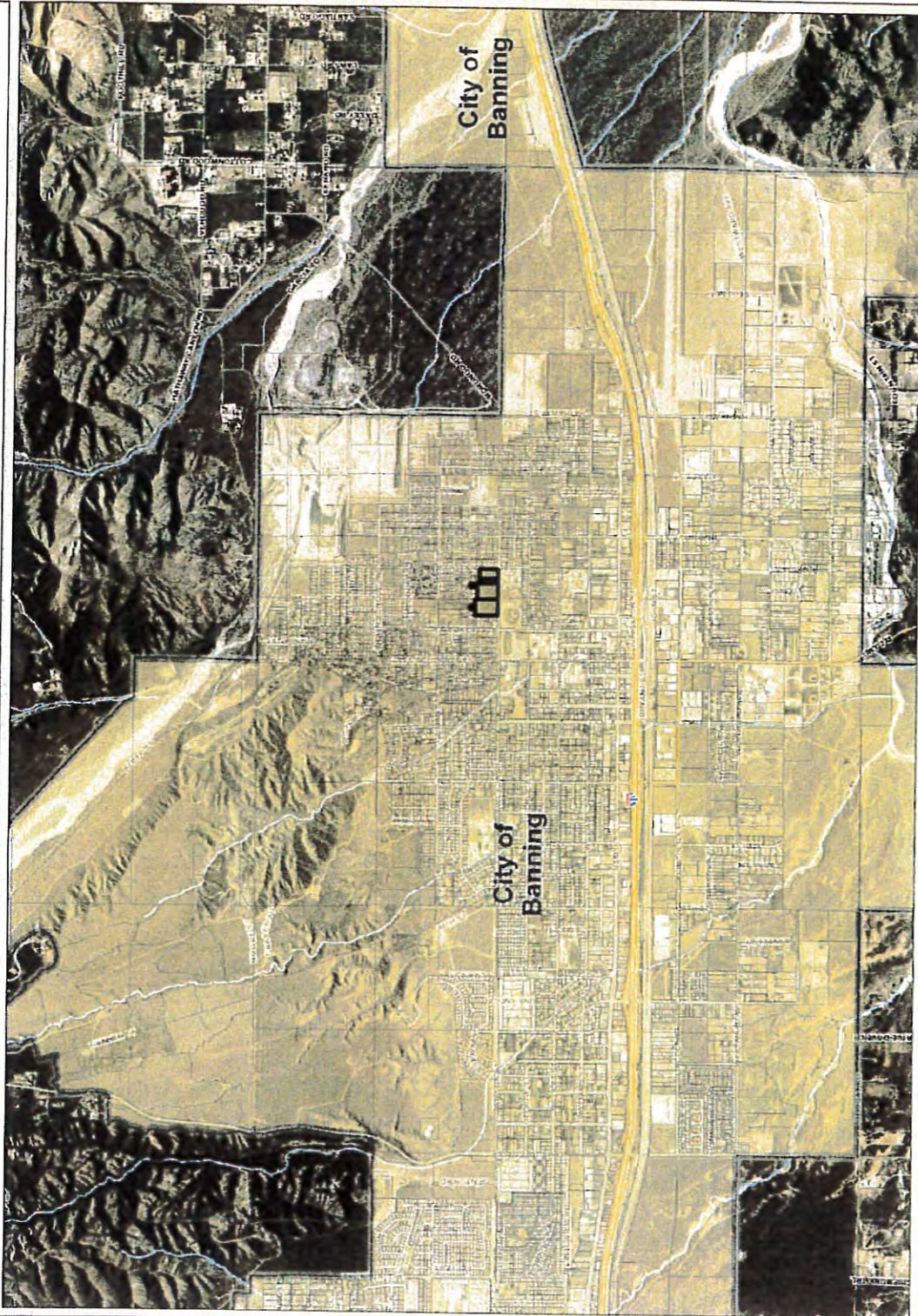
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0 831 1,662 Feet



My Map



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 - waterbodies
 - Lakes
 - Rivers

Notes

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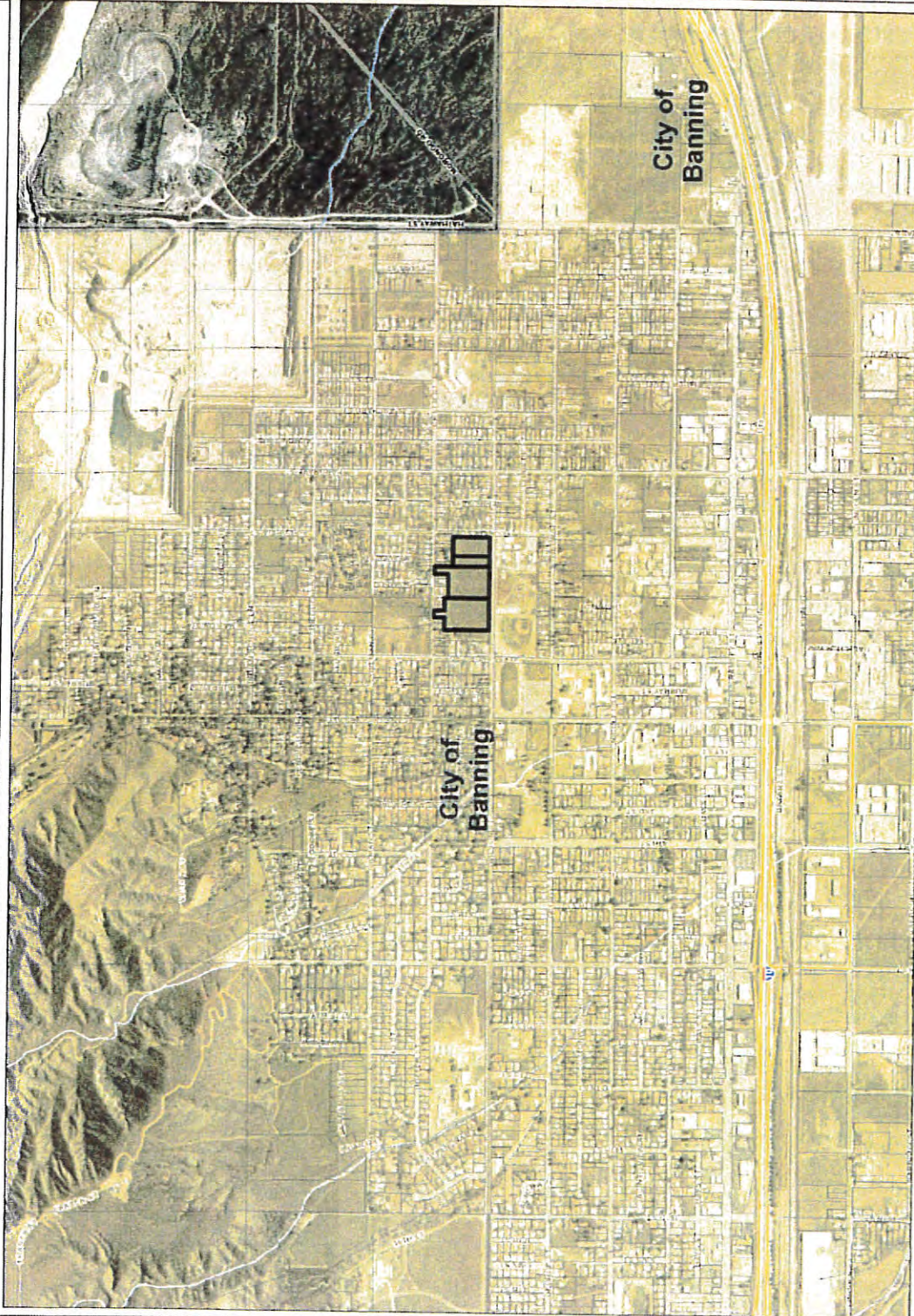
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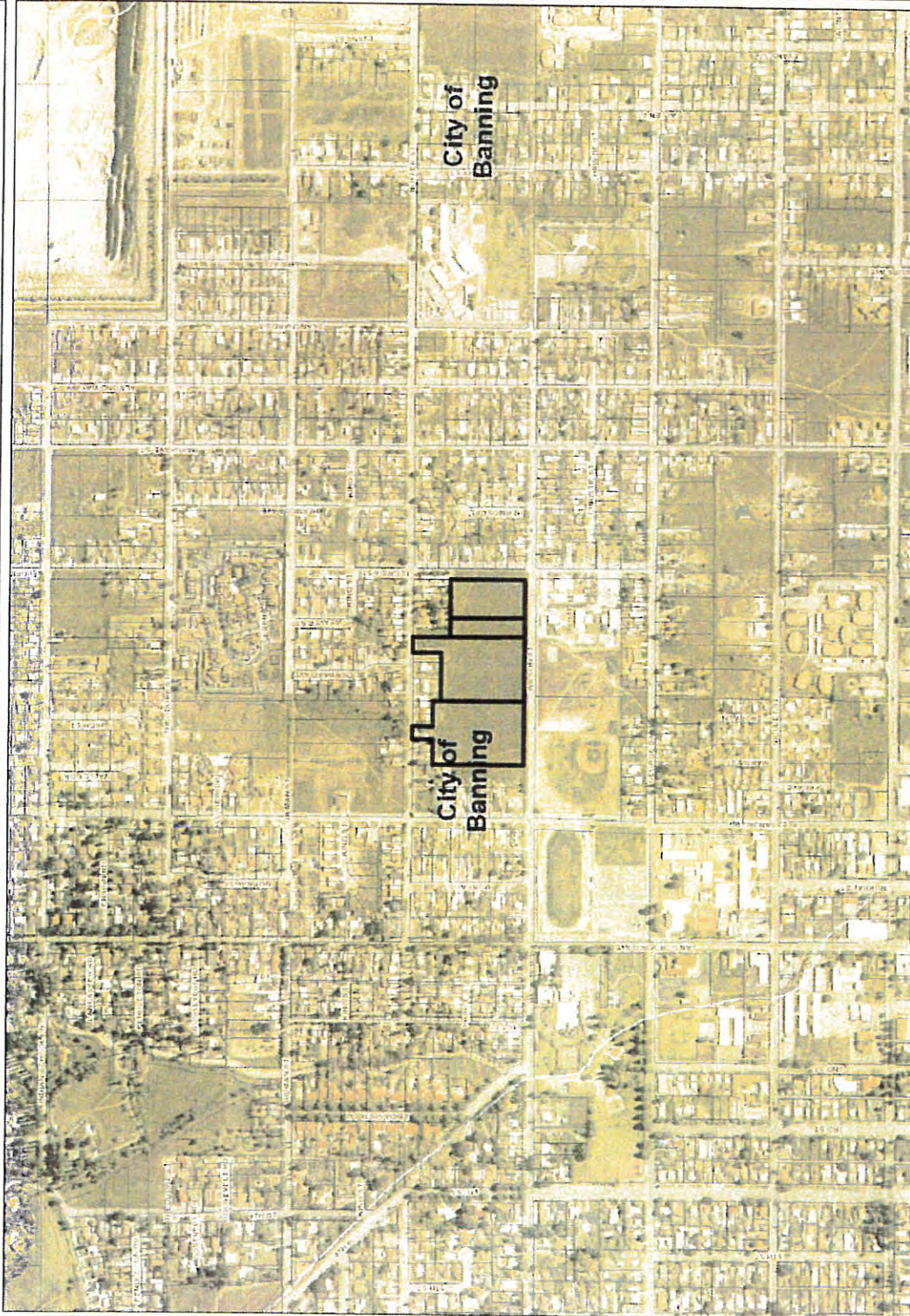
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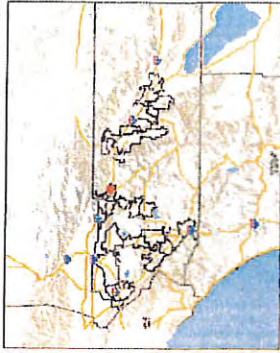
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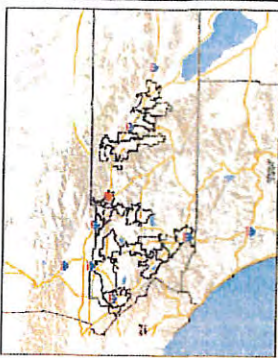
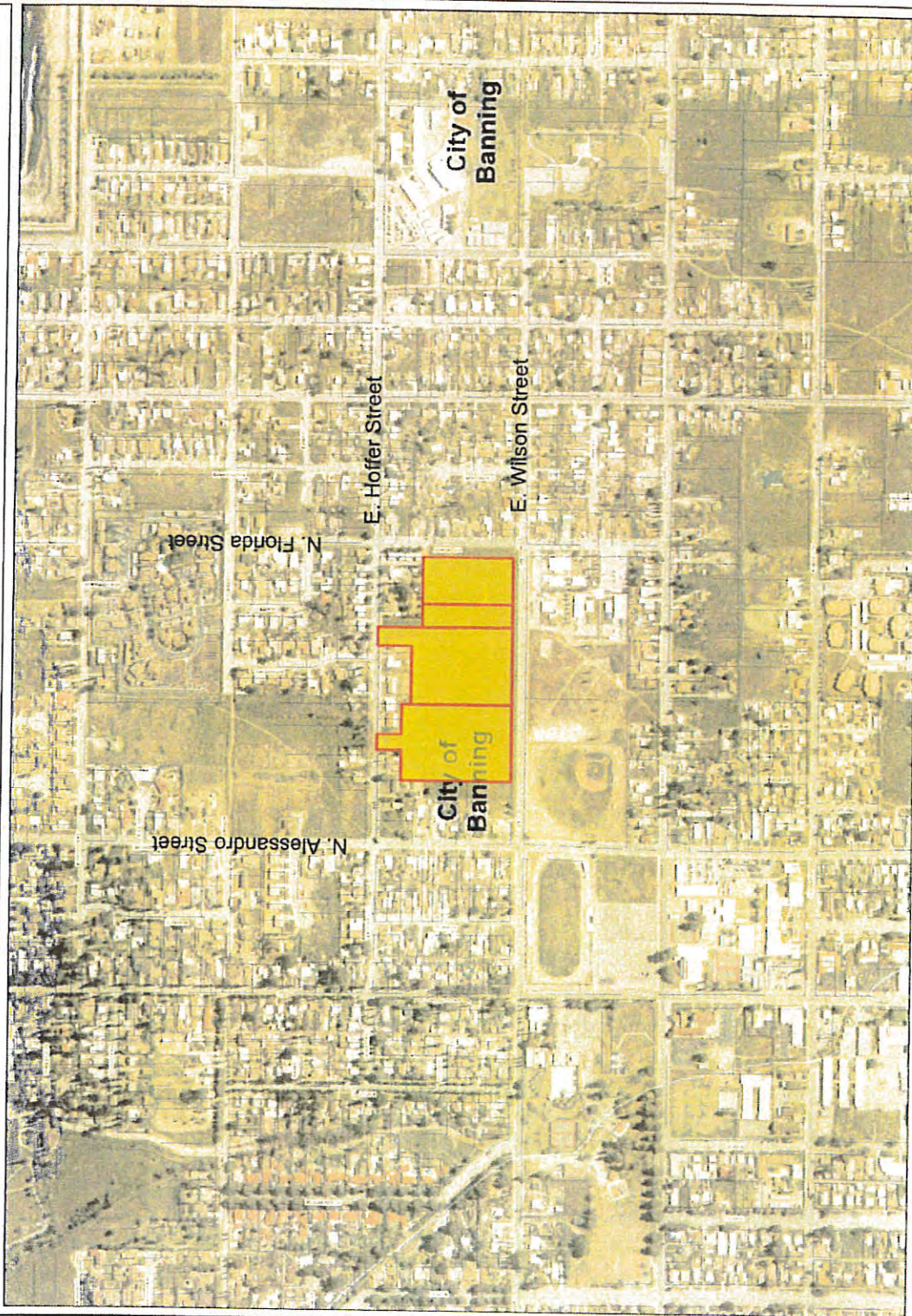
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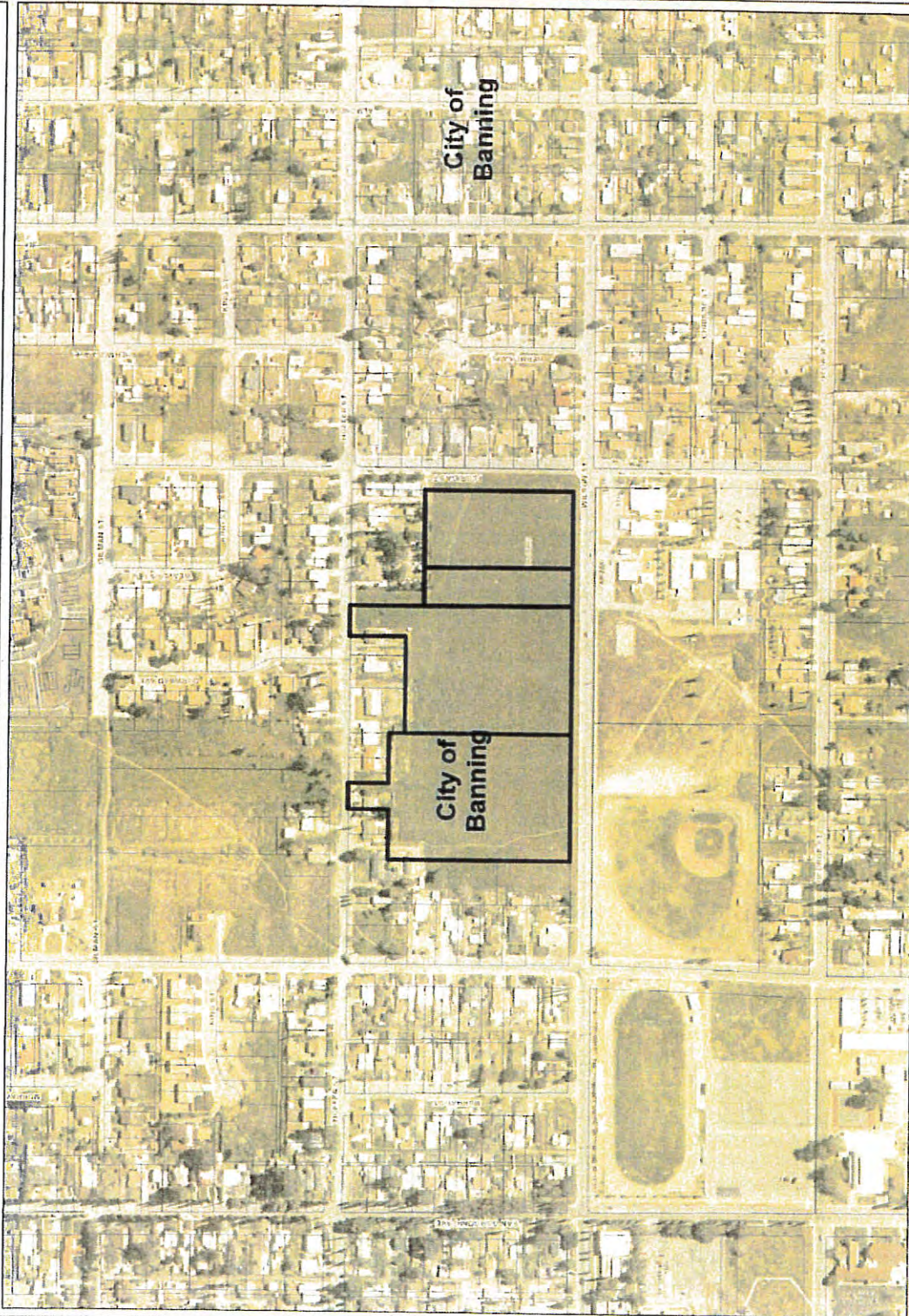
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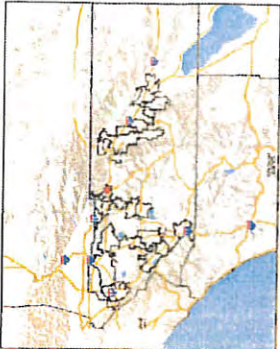
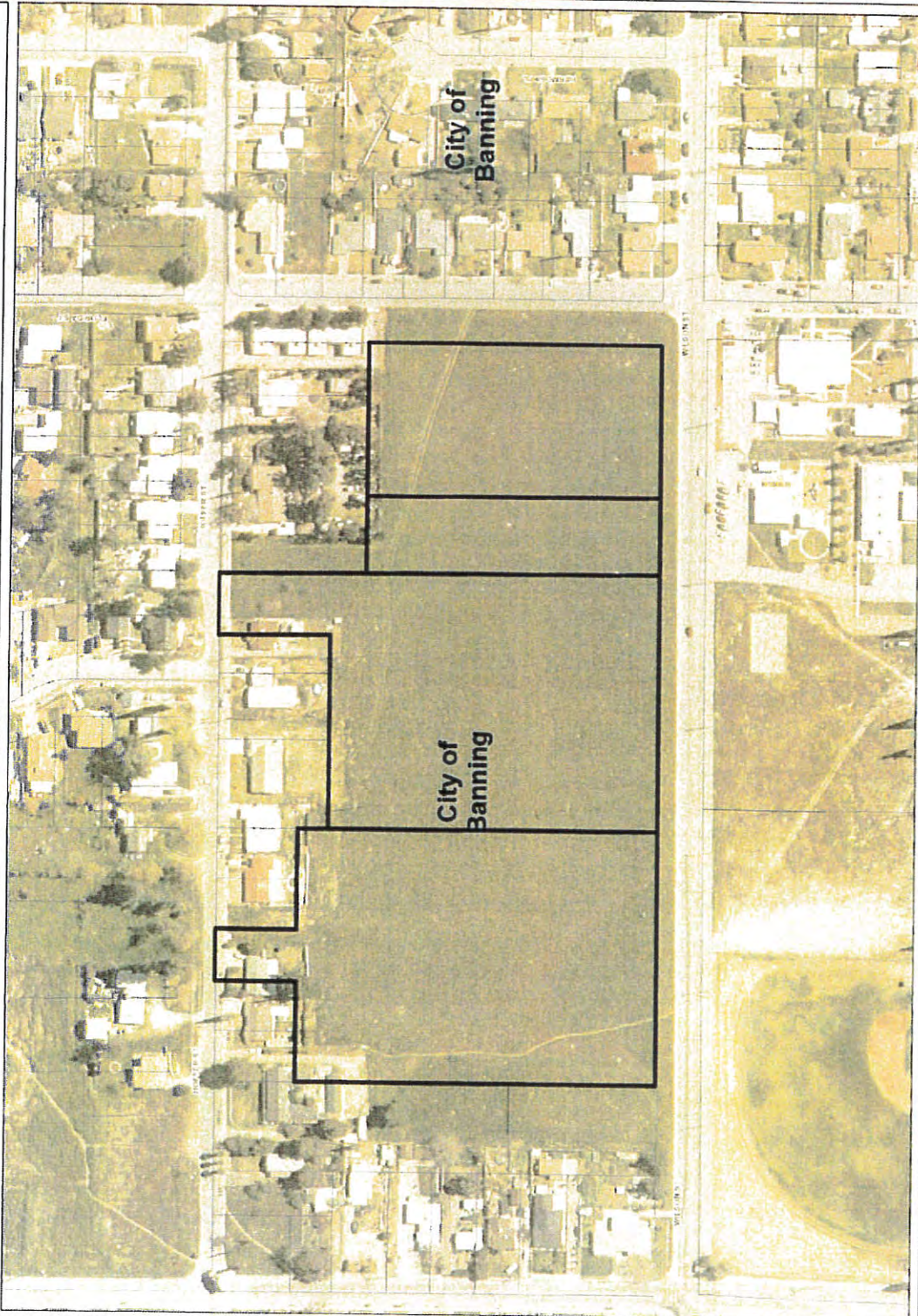
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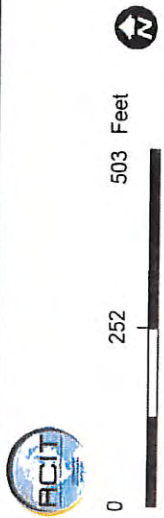
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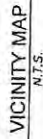
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IN THE CITY OF BANNING, STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF BLOCK 16 AND BLOCK 147, BANNING COLONY LANDS AS PER MAP RECORDED IN BOOK 3, PAGE 149 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND IN BOOK 5 PAGE 186 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

UNITED ENGINEERING GROUP CA., INC. SEPTEMBER 2016



① AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO THE SOUTHERN SERVICES POWER COMPANY BY DOCUMENTS RECORDED MARCH 18, 1914 IN BOOK 391, PAGE 137, AND IN BOOK 389, PAGE 274, BOTH OF DEEDS (PLATTED HEREON).

1. ASSESSOR'S PARCEL NUMBERS:
531-183-014, 534-200-004, 534-200-000 &
534-200-047

- [illegible]

[illegible]

THESE QUANTITIES ARE SUBJECT TO CHANGE.



WATER	CITY OF BIRMINGHAM BIRMINGHAM, CA 92270 PHONE 951-822-1105
SEWER	CITY OF BIRMINGHAM BIRMINGHAM, CA 92270 PHONE 951-822-1105
ELECTRIC	CITY OF BIRMINGHAM BIRMINGHAM, CA 92270 PHONE 951-822-1105
GAS	SOUTHERN CALIFORNIA GAS COMPANY 60 E. WALSH ST. BIRMINGHAM, CA 92270 PHONE 800-477-7700
TELEPHONE	3101 W. FORDA AVE. HIGHT CA #2545 PHONE 951-923-8108
CABLE	300 S. HIGHLAND SQUARE AVE #109 BIRMINGHAM, CA 92220
SCHOOLS DISTRICT	UNIFIED SCHOOL DISTRICT 181 WEST WILLIAMS ST.

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ueg
united engineering group

PREPARED UNDER THE DIRECT
SUPERVISION OF

9-09-2016

DEAN C. PHILLIPS DATE

1.S. NO. 0374

EXPIRES SEPTEMBER 30, 2017

LAND SURVEYOR

DEAN C. PHILLIPS

EXP. 9/30/17

NO. 0374

MISSISSIPPI

STATE OF

NO. 1 FT. ROCKY BLVD-23474 (JAWO 88) BRASS DSK IN
FOR CURVE IN LAMINGTON ST. 82.5 FT C/O CENTER
MAYOR GEORGE W. MC. 82.5 FT W/O CENTER OF ALLEY. 20
S/O CENTER OF LAMINGTON ST. IN THE CITY OF BIRMINGHAM.

[illegible]



WILSON AND FLORIDA
CITY OF BANNING
ARMING RESIDENTIAL 2010, LLP
3800 N. GAINES CENTER DR., STE 255, SCOTTSDALE
ARIZONA 85251
PHONE (480) 609-1200 FAX (480) 609-1191

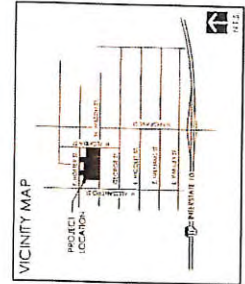
8800 N. GAINES CENTER DR., STE 255, SCOTTSDALE, AZ 85258
PHONE (480) 609-1200 FAX (480) 609-1191

LANDSCAPE MASTER PLAN

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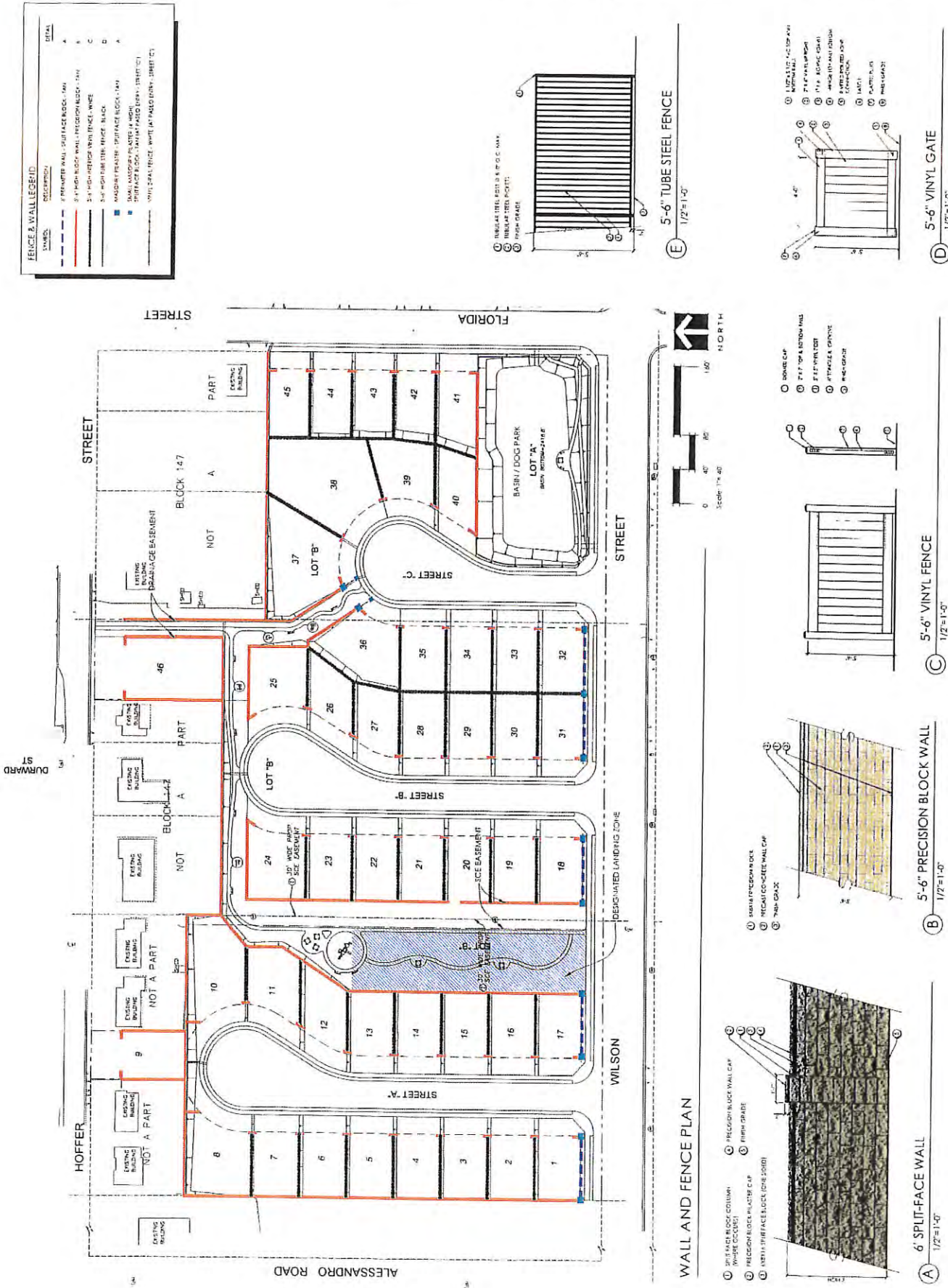
NOTE:
SEE SHEET L-2 FOR WALL AND FENCE LAYOUT



LANDSCAPE MASTER PLAN



PASEO ENTRY





Repplier Park Vistas

Additional Justification

3.3.1 Infill

This memo is being provided to the County of Riverside Airport Land Use Commission as supplemental justification to the originally submitted Developer's Statement for Repplier Park Vistas. After additional review of ALUC's Countywide Policies, the applicant feels the project is also eligible for a Special Conditions consideration under Section 3.3.1 for infill projects. Per this section:

3.3.1a) A parcel can be considered for *infill* development if it meets *all* of the following criteria plus the applicable provisions of either Sub-policy (b) or (c) below:

- 1) The parcel size is no larger than 20.0 acres

Justification: The subject site is 10.67 acres gross.

- 2) At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed.

Justification: The subject property is surrounded by existing single family development to the north, east and west. These existing developments are all similar in size (5,000-7,000sf lots) to those being proposed on TTM 36710. To the south of there is an existing Child Care consortium building and an empty lot next to a baseball field. In total, the project perimeter measures 3,476.96' of which 1,997.84 (57%) is adjacent to existing single family homes and another 659.12' (19%) is adjacent to existing commercial development, totaling 76%. See Exhibit A attached

- 3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.

Justification: The subject project is on the boundary between Zone D and Zone E of the Banning Municipal Airport, with the existing development north of the property being in Zone E. Residential development in Zone E does not carry the requirement for 5du/ac therefore those developments are in conformance with the Banning Municipal Airports Land Use Plan.

- 4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics are prohibited.

Justification: The proposed density of project is 4.53 du/ac which is compatible if not less intense than the existing surrounding development in the area.



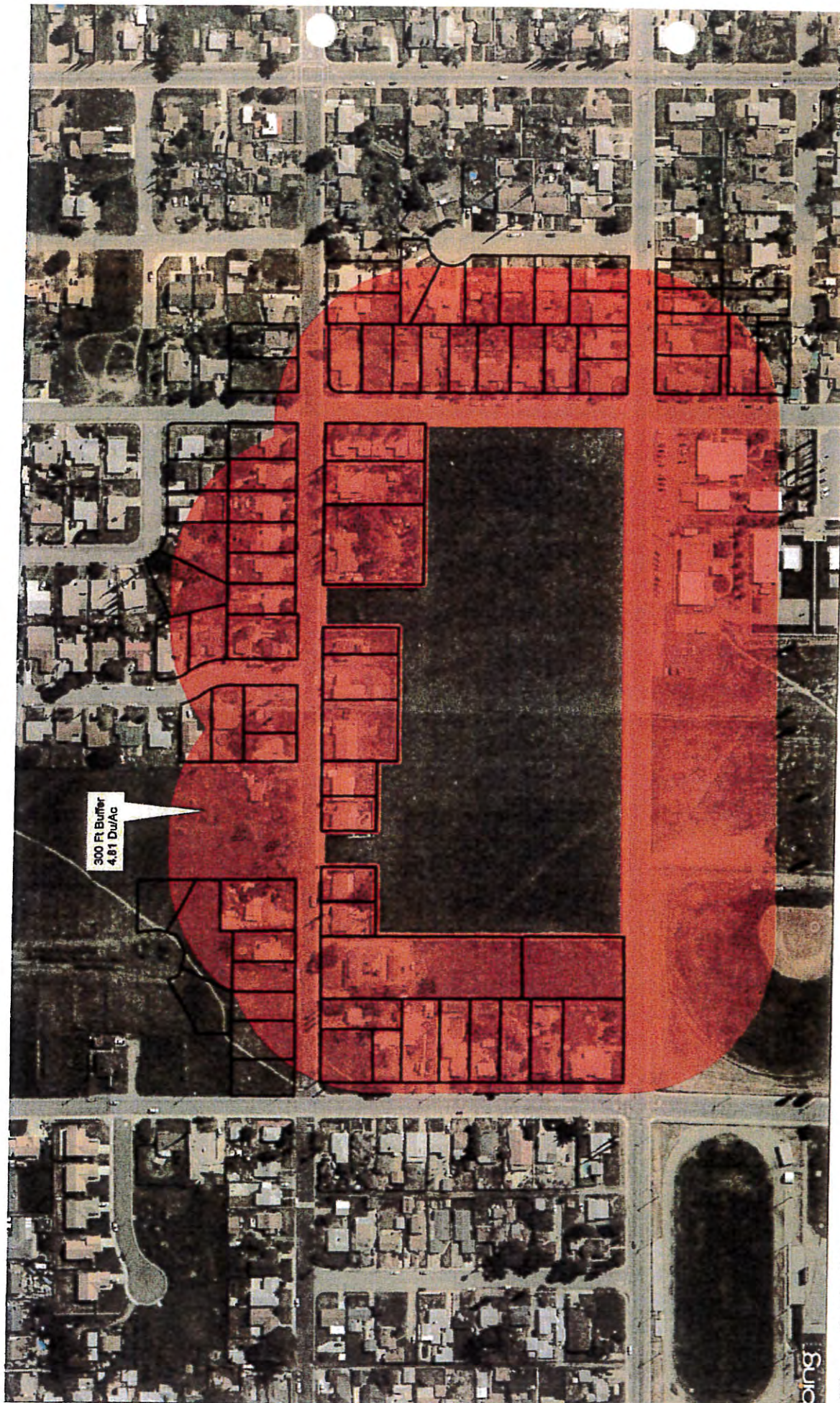
- 5) The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this *Plan* unless replacement open land is provided within the same compatibility zone.

Justification: The subject property is zoned for single family residential development by the City of Banning and is privately owned. All the existing surrounding development took place prior to the adoption of the ALUC Land Use Compatibility Plan, therefore making it highly unlikely to be a part of any open space dedications.

- b) For residential development, the average development density of the site shall not exceed the lesser of:
- 1) The average density represented by all existing lot that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided; or
 - 2) Double the density permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 2A.

Justification: The proposed project has a density of 4.53 du/ac net. The average density of the surrounding lots within 300' is 4.81 du/ac net. (This density calculation excludes the large parcel in Zone E to the north and the commercial zoned properties to the south.) See "Exhibit B" attached

Table 2A of the Compatibility Criteria Matrix, indicates a target density of 5 du/ac gross. The proposed density is well under 10 du/ac.



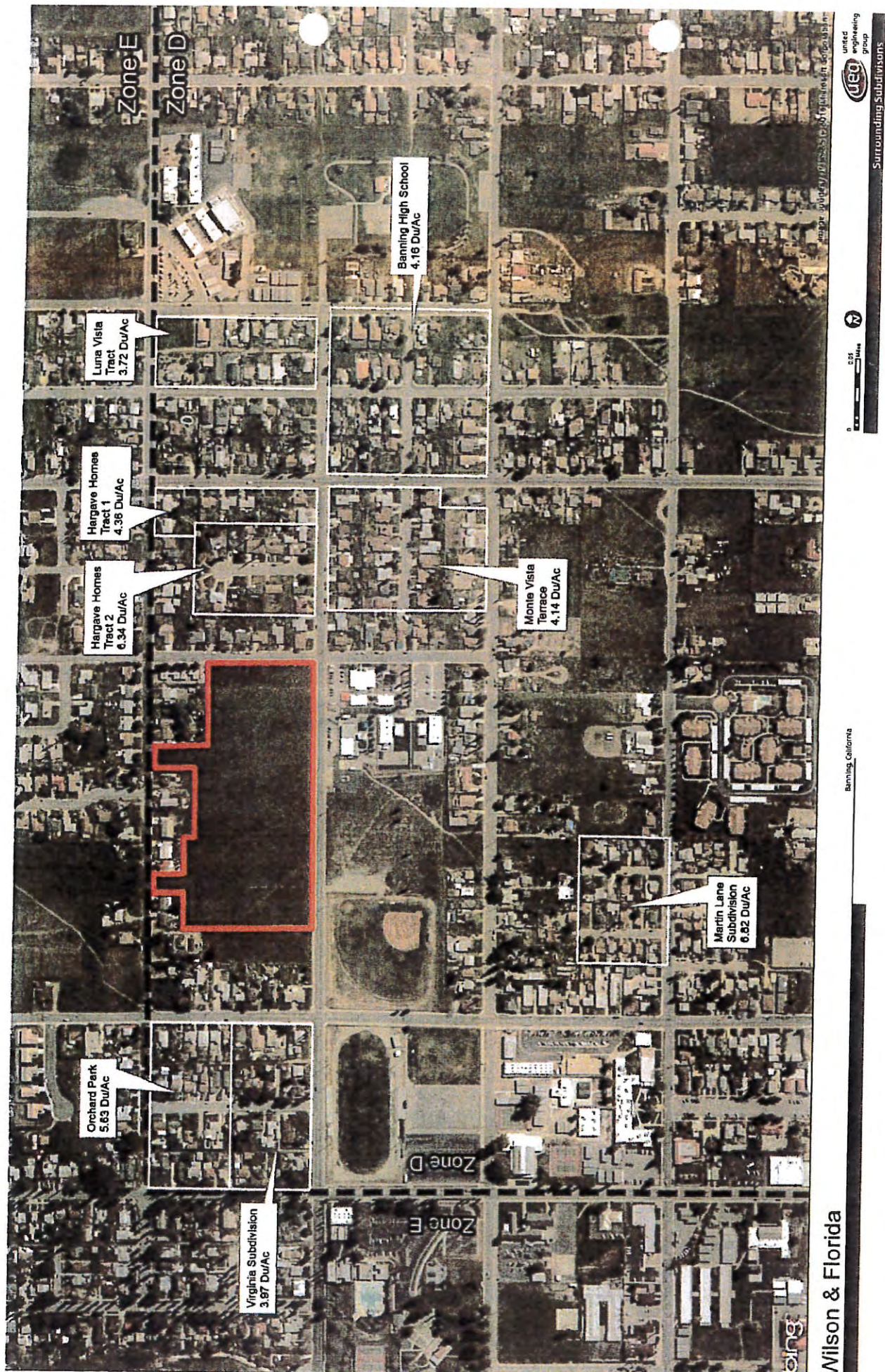
United Engineering Group, Inc.



0 200 400 Feet

Banning, California

Wilson & Florida



Wilson & Florida

Banning, California

ueq united engineering group
Surrounding Subdivisions

UNITED ENGINEERING GROUP

Repplier Park Vistas (Tract 36710)

Developer's Statement

County of Riverside
Airport Land Use Commission

September 2016

Prepared for



RMG Residential 2010, LLLP
8800 N. Gainey Center Drive
Suite 255
Scottsdale, AZ 85258

10602 TRADEMARK PKWY., SUITE 509 | RANCHO CUCAMONGA, CA 91730
909-466-9240

Repplier Park Vistas

Submitted to

County of Riverside
Airport Land Use Commission

September 2016

PROPERTY OWNER

RMG Residential 2010, LLLP
8800 N. Gainey Center Dr.
Suite 255
Scottsdale, AZ 85258
(480) 609-1200
Contact: Randall Andrus

AGENT/ENGINEER

UNITED ENGINEERING GROUP
10602 Trademark Pkwy
Suite 509
Rancho Cucamonga, CA 91730
(909) 466-9240
Contact: Beau Cooper

UEG Project No. 16809

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2.0	PROJECT SUMMARY	6
3.0	CLOSING	7

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Appendix B - Tentative Tract Map	
Appendix C - Landscape Plans	
Appendix D - FAA Determination of No Hazard to Air Navigation	

1.0 PURPOSE OF REQUEST

Repplier Park Vistas (the *Project*) is a property containing 10.68 acres and is located on the north side of Wilson Street, west of Florida Street and south of Hoffer Street in the City of Banning. (See Figure 1 – Project Vicinity) The assessor's parcel numbers for this project are: 534-183-014; 534-200-004, -008 & -047.

The property is zoned LDR in the City of Banning (See Figure 2 – Banning General Plan/Zoning), which allows for a density of 0-5du/ac and has minimum lot sizes of 7,000 square feet. The property is also located within Zone D of the Banning Municipal Airport's Land Use Map. (See Figure 3 – Airport Land Use) Zone D requires proposed projects to contain a density of 5du/acre in infill areas and also requires open space areas within the project to be utilized as potential emergency landing areas.

In order to comply with both the City and Airport Land Use Commission's (ALUC) requirements, the Repplier Park Vistas project is proposing a Planned Unit Development (PUD) and Tentative Tract Map (TTM) containing single family residential lots with a minimum lot size of 5,000 square feet. The proposed TTM contains 46 lots on 10.22 net acres, giving it a density of 4.50du/ac. The PUD contains approximately 3.27 acres (30.6%) of usable open space area, including a neighborhood park, walking trails, picnic area and dogpark.



Figure 1 – Project Vicinity

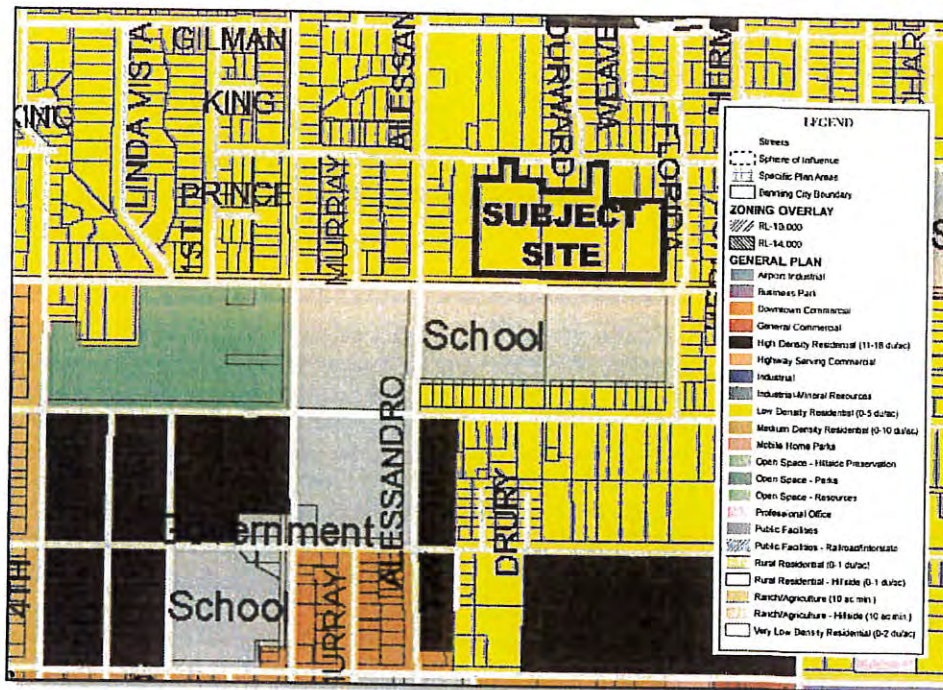


Figure 4- Banning General Plan/Zoning

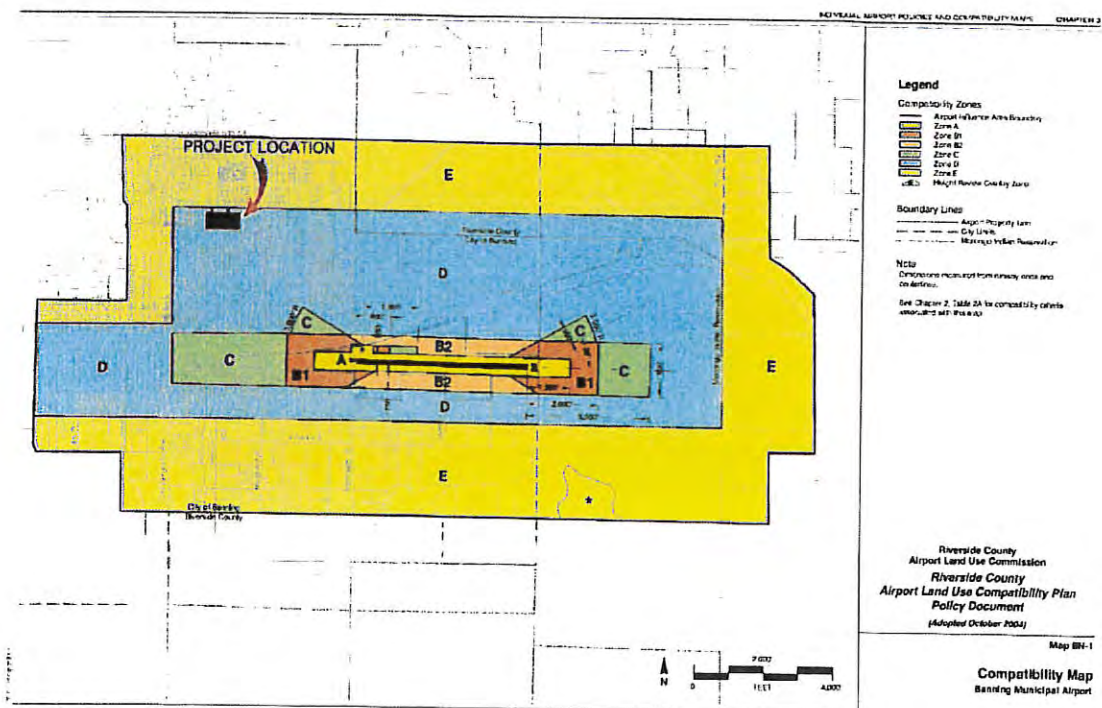


Figure 3 - Airport Land Use Map

2.0 PROJECT SUMMARY

The Repplier Park Vistas project is seeking approval of a Tentative Tract Map and Planned Unit Development for 46 lots on 10.67 gross acres (4.31du/ac). The minimum lot size in this proposed project is 5,000 square feet, as allowed in Section 17.08.170 of Banning's Zoning Ordinance.

Also, part of Banning's PUD ordinance is the requirement for 30% of the project area to be open space & amenities. The Repplier Park Vistas project has combine this requirement with ALUC's requirements for open space in developing the project's layout.

Although the project meets the open space requirements for ALUC, it cannot reach the density criteria of 5du/ac as set forth in the ALUC Compatibility Plan. Furthermore, it is important for the project to remain compatible to the surrounding development and character of the neighborhood. A vast majority of this neighborhood was built well before the adoption of Banning Airport's Compatibility Plan. In a study done by UEG of the surrounding area, none of the subdivisions meet the current 5du/ac requirement nor do they provide the open space required. (See *Figure 4 & Appendix A*)

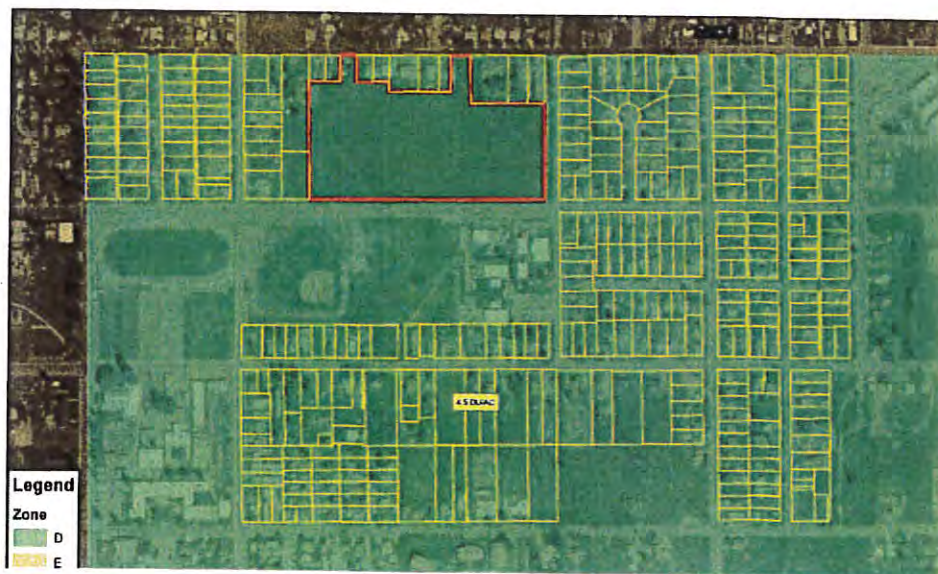


Figure 4 – Surrounding Density

In order to reach the density goal of 5du/acre, the site would need to process a re-zone through the City of Banning and would need to propose a cluster development consisting of townhomes or duplexes. This type of use would be incompatible with the rest of the surrounding neighborhood and likely not supported by the City of Banning.

Lastly, the project has made its application to the FAA and has received a "Determination of No Hazard to Air Navigation" from the FAA.

3.0 CLOSING

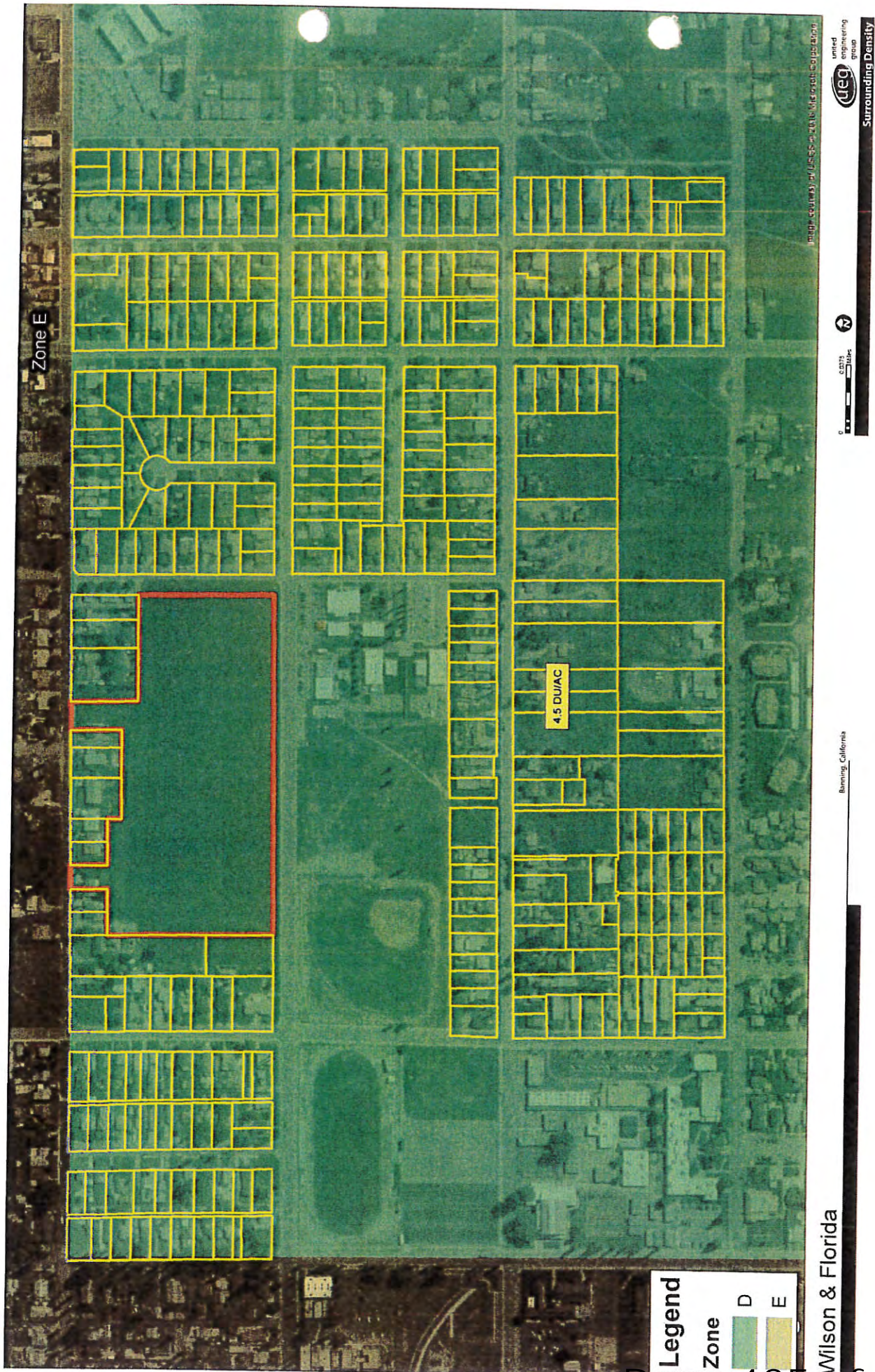
In an effort to remain compatible with the existing land uses surrounding this property, the Repplier Park Vistas project is seeking a determination of compatibility from the Riverside County Airport Land Use Commission, as allowed in Section 3.3.6 – Other Special Conditions of the Compatibility Plan, to allow for this 46 lot infill development, on 10.67 acres.

APPENDIX A

Developers
Statement

United Engineering Group

Repplier Park Vistas
TTM 36710



ATTACHMENT 5

Public Hearing Notice



City of Banning

99 E. Ramsey Street • P.O. Box 998 • Banning, CA 92220-0998 • (951) 922-3125 • Fax (951) 922-3128

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR TENTATIVE TRACT MAP (TTM) 36710, A PROPOSAL TO SUBDIVIDE 10.6 ACRES OF VACANT LAND INTO 46 SINGLE-FAMILY RESIDENTIAL LOTS AND FIVE LETTERED LOTS; AND, APPROVING PLANNED UNIT DEVELOPMENT PERMIT 17-9507 AND DESIGN REVIEW 15-7004; APN'S 534-183-014, 534-200-004, 534-200-008, AND 534-200-047

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council to be held on Tuesday, September 26, 2017, at 5:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Tentative Tract Map 36710 to create 46 single-family residential lots and five lettered lots, Planned Unit Development Permit 17-9507 to modify required lot sizes and setbacks, and Design Review 15-7004 to develop the lots with two-story single family homes. The subject parcels are located generally north of East Wilson Street and west of North Florida Street in the City of Banning. The review period on the proposed Mitigated Negative Declaration was August 11, 2017, through August 31, 2017.

Information regarding the Mitigated Negative Declaration, Tentative Tract Map 36710, Planned Unit Development and Design Review can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition to this item are invited to attend the hearing, or to send their written comments to the Community Development Department, City of Banning at 99 E. Ramsey Street, P.O. Box 998, Banning, California, 92220.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the City Council makes its recommendation on the proposal; or, you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF
BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: September 12, 2017
Publish: September 15, 2017

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director

MEETING DATE: September 26, 2017

SUBJECT: DISCUSS AND CONSIDER AMENDING CHAPTER 15 OF THE BANNING MUNICIPAL CODE TO ADD SECTION 15.12.110 SETTING FORTH EXPEDITED PROCEDURES FOR PERMITTING ELECTRIC VEHICLE CHARGING SYSTEMS

RECOMMENDATION:

That the City Council:

1. Adopts Ordinance 1515 amending Chapter 15 of the Banning Municipal Code to set forth expedited procedures for permitting electric vehicle charging systems consistent with State law.

JUSTIFICATION:

In 2015, the State of California adopted Assembly Bill 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations on or before September 30, 2017.

An electric vehicle charging station is any level of electric vehicle supply equipment station which deliver electricity from a source outside an electric vehicle into a plug-in electric vehicle. AB 1236 may refer to the recommendations in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research.

BACKGROUND:

Assembly Bill 1236, which amended Government Code Section 65850.7 to require jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process on or before September 30, 2017. The ordinance shall include the requirement that a jurisdiction adopt a checklist of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review.

This process includes the establishment of a checklist containing objective requirements for the installation of an electric vehicle charging station and a process for electronic submittal of permit applications. The content of the checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, connected or calculated load, spare capacity in amperes, voltage and ampere rating of the electric vehicle supply equipment, circuit rating of the electric vehicle supply equipment, location of the electric vehicle supply equipment, if ventilation is/or is not required, and clearances of the charging equipment to comply with all applicable building and fire safety laws. The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the City's Zoning Ordinance. Section 65850.7 requires that the City's checklist may be based on the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" of the Governor's Office of Planning and Research.

Assembly Bill 1236 (2015) also clarifies that a jurisdiction shall not condition approval of a permit for an electric vehicle charging station based on the approval of an association as defined in California Civil Code, Section 4080.

ANALYSIS:

Most of the procedures, such as electronic submittal of plans are currently in place and comply with the requirements of the Assembly Bill. Concurrent with Council's adoption of the ordinance, staff is taking the measures to meet all requirements of Assembly Bill 1236 (2015) by September 30, 2017. This includes finalizing the application checklist in conjunction with the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook", measures for electrical compliance, and standard items for fire prevention safety. Building and Fire inspection staff are also developing procedures for expedient and thorough inspection of the electric vehicle charging stations.

FISCAL IMPACT:

There is no immediate financial impact or budget action necessary as a result of the recommended action.

PUBLIC COMMUNICATION:

The proposed Municipal Code Amendment was advertised in the Record Gazette newspaper on September 15, 2017. As of the date of this report, staff has not received any verbal or written comments for or against the proposal.

ATTACHMENTS:

1. Ordinance 1515
2. Public Hearing Notice

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

Ordinance 1515

ORDINANCE 1515

AN ORDINANCE OF THE CITY OF BANNING AMENDING CHAPTER 15 OF THE BANNING MUNICIPAL CODE TO ADD SECTION 15.12.110 SETTING FORTH EXPEDITED PROCEDURES FOR PERMITTING ELECTRIC VEHICLE CHARGING SYSTEMS

WHEREAS, the State of California and the City of Banning has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California recent adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's reliance on environmentally damaging fossil fuels.

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

SECTION 1. TITLE, WORDS AND PHRASES

This Ordinance shall be known as the City of Banning Electric Vehicle Charging Station Permit Expediting Ordinance. The terms, phrases, and words used in this Ordinance shall be construed in compliance with the definitions set forth by California Government Code Section 65850.7.

SECTION 2. Section 15.12.110 of the City of Banning Municipal is hereby added to read as follows:

15.12.110 Expedited Electric Vehicle Charging Station Permitting

Electric Vehicle Charging Stations which qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in the City's Electric Vehicle Charging Station Permit Expediting Ordinance.

A. Expedited Review Process

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the

"Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research. The City's / County's adopted checklist shall be published on the City's / County's website.

B. Electronic Submittals

Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

C. Association Approval

Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

C. Permit Application Processing

A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist, and is consistent with all applicable laws, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

D. Technical Review

It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in Government Code 65850.7, the City may require the applicant to apply for a use permit.

SECTION 3. Effect.

Any provision of the City of Banning Municipal Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any 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 passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause this Ordinance, or a summary thereof to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective on September 30, 2016.

SECTION 6. Effective Date.

This Ordinance shall take effect on October 1, 2017.

PASSED, APPROVED, AND ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

John C. Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance 1515 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 26th day of September, 2017, and was duly adopted at a regular meeting of said City Council on the 10th day of October, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

ATTACHMENT 1

Public Hearing Notice

NOTICE OF PUBLIC HEARING FOR MUNICIPAL CODE AMENDMENT (MCA) 17-9506 AMENDING CHAPTER 15 OF THE BANNING MUNICIPAL CODE TO ADD SECTION 15.12.110 REGARDING ELECTRIC VEHICLE CHARGING SYSTEMS

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council to be held on Tuesday, September 26, 2017, at 5:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Municipal Code Amendment 17-97506 to add Section 15.12.110 setting forth expedited procedures for electric vehicle charging system permitting consistent with state law.

Information regarding the proposed Municipal Code Amendment can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition of this item are invited to attend said hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the City Council makes its decision on the proposal; or, you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: September 12, 2017
Publish: September 15, 2017



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director

MEETING DATE: September 26, 2017

SUBJECT: ZONING TEXT AMENDMENT 17-97503 TO AMEND VARIOUS SECTIONS OF THE ZONING ORDINANCE (TITLE 17 OF THE BANNING MUNICIPAL CODE) RELATED TO ACCESSORY DWELLING UNITS

RECOMMENDED ACTION:

Staff recommends that the City Council:

- I. Adopt a Notice of Exemption for Zone Text Amendment 17-97503; and
- II. Adopt Ordinance 1512 approving Zone Text Amendment 17-97503.

COMMITTEE RECOMMENDATION:

At its September 6, 2017 meeting, the Planning Commission recommended to the City Council approval of proposed Zoning Text Amendment 17-97503.

BACKGROUND:

The California legislature, in an attempt to address housing unaffordability, has spent time prioritizing several proposals to create a greater supply of more affordable housing. Assembly Bills ("AB") 2299 and 2406, and Senate Bill ("SB") 1069 collectively and significantly impact local authority to regulate accessory dwelling units.

Commonly referred to as "second units," accessory dwelling units ("ADUs") are additional living quarters on single-family lots that are independent of the primary

dwelling unit. Also known as accessory apartments, accessory dwellings, mother-in-law units, or granny flats. ADUs are either attached to or detached from the primary dwelling unit and provide complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. AB 2299 and SB 1069 effectively render the term “second units” obsolete by replacing that term with “accessory dwelling units”. For this reason, all references to either second units, accessory apartments, accessory dwellings, mother-in-law units, or granny flats shall hereafter be collectively referred to as “accessory dwelling units” or ADUs.

Prior to the adoption of these bills, local governments were authorized to adopt ordinances for the creation of second units in single-family zones; however, they were not required to do so. In 2006, the City enacted Section 17.08.100 to regulate the procedures and standards for the development of second units in certain residential zones.

However, because the legislature has determined that ADUs can provide for additional rental housing stock, such prohibitions have now been invalidated regardless of the sufficiency of the City’s findings in support thereof. SB 1069 and AB 2299 apply a clear standard for the ADU permit review process, regardless of whether a local government has an adopted ordinance or not.¹ The legislature has now eliminated the ability of cities to exempt ADUs within their jurisdictions and has required that every city in the state accommodate the creation of ADUs.

It should be noted that the state has also created provisions for junior accessory dwelling units; the City is not required to develop junior accessory dwelling unit ordinance and has not, however minimum state law provisions will apply.

PROPOSAL / ANALYSIS:

SB 1069 and AB 2299 require the creation of ADUs in single-family residential zones on lots that contain an existing single-family dwelling.² Specifically, the amendments enacted pursuant to AB 2299 and SB 1069 include specified provisions regarding (among other things) parking, types and size of units, approval process and timelines and water and sewer utility fees. Signed by the Governor on September 27, 2016, SB 1069 and AB 2299 created a state-mandated local program that took effect on January 1, 2017 and which supercedes any local ordinance that does not comply with the requirements of these bills.³

Below are the suggested changes to the City of Banning Development Code (Title 17). All text that has a strikethrough, such as ~~Second Unit~~, is to be deleted and all text that is underlined, such as Accessory Dwelling, is to be included in the development code. Notes in *italics* describe significant changes for the Council’s benefit in reviewing the changes.

¹ If a local government has an ADU ordinance, that ordinance must include specified provisions for standards such as parking, setback and zoning requirements. If a local agency has not adopted an ordinance, it must review the application pursuant to these same standards. An application must be ministerially reviewed and approved or disapproved within 120 days after receipt.

² See Government Code section 65852.2 (a) (1) (D) (ii)

³ While AB 2299 differed in some aspects from SB 1069, because both SB 1069 and AB 2299 were approved by the Governor, the reconciliation language of the two bills provides that the language of SB 1069 prevails.

1. Section 17.04.070 – Definitions.

~~**Accessory Dwelling Unit/Second Unit** is a fully self-contained residential dwelling unit located on the same lot as a single family residence, which meets all the development standards for such a structure as enumerated in Section 17.07.050.~~

Dwelling Unit, Accessory means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Living area means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

Primary Unit shall mean a single-family residential unit constructed and intended as the principal building on a lot.

~~**Second Dwelling Unit** is a fully self-contained residential dwelling unit located on the same lot as a single-family residence, which meets all the development standards for such a structure as enumerated in Section 17.08.100. See, Dwelling Unit, Accessory.~~

Note: Two of the above definitions with strikethroughs are to be removed and three of the underlined will be inserted into the definitions section of Chapter 17.04 Basic Provisions

2. Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses

	R/A	R/A/ H	RR	RR/ H	VLD R	LDR	MDR	HDR *	MH P
Accessory Second Dwelling Unit	P	P	P	P	P	P	P	P	X

3. Table 17.08.040 – Use Specific Development Standards

	R/A	R/A/ H	RR	RR/ H	VLD R	LDR	MDR	HDR *	MH P
F. <u>Second Accessory Dwelling Units</u>	*	*	*	*	*	*	*	*	

Note: The above tables allow Accessory Dwelling Units in all Single-Family and Multi-Family Residential zones.

4. 17.08.100 – Second Accessory dwelling unit standards

- A. These standards are adopted pursuant to California Government Code Section 65852.2. The purpose of these standards is to establish procedures and standards for the development of residential second accessory dwelling units in a manner that preserves the integrity of single-family and multi-family residential areas, avoids adverse impacts on such areas and ensures a safe and attractive residential environment. It is not the intent of this chapter to override private, lawful use restrictions as may be set forth in conditions, covenants and restrictions (CC&Rs) or similar instruments.
- B. An application for an accessory dwelling unit shall be considered ministerially without discretionary review or a hearing within 120 days after receiving the application.
- ~~B. Residential second units shall be permitted in the R/A (Ranch Agriculture), R/A/H (Ranch/Agriculture Residential Hillside), RR (Rural Residential), RR/H (Rural Residential Hillside), VLDR (Very Low Density Residential), LDR (Low Density Residential), MDR (Medium Density Residential), and (HDR) High Density Residential zone districts.~~

Note: Item B. above is being removed as it is a development standard which is described in Table 17.08.020 above.

- ~~C. For the purpose of these development standards, the following definitions shall apply unless the context clearly indicates or requires a different meaning:~~

~~**Primary Unit** shall mean a single-family or multi-family residential unit constructed and intended as the principal building on a lot.~~

~~**Second Unit.** In accordance with Government Code Section 65852.2(i)(4), Second Unit shall mean:~~

- ~~1. An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. A second unit also includes the following:~~

- a. ~~An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.~~
- b. ~~A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

Note: The definitions under item G above have been moved to Chapter 17.04 Basic Provisions.

~~C.D~~ The following standards shall apply to residential ~~second~~ accessory dwelling units:

- 1. ~~An~~ residential ~~second~~ accessory dwelling unit shall be consistent with the provisions of the applicable zoning district and the goals and policies of the general plan.
- ~~26.~~ The lot shall contain an existing primary unit at the time an application for an residential ~~second~~ accessory dwelling unit is submitted, or the application for the ~~second~~ accessory dwelling unit may be made in conjunction with the development of the primary unit.
- ~~32.~~ No more than one residential ~~second~~ accessory dwelling unit shall be permitted on any one lot.

Note: The requirement that only one accessory dwelling be permitted on any lot is contained within existing City requirements related to second units. It is more stringent than the state requirement, which does not expressly limit the number of accessory dwelling units that may be permitted, and has been retained in order to preserve residential neighborhood character and to serve as a safety measure.

- ~~3.~~ ~~The minimum lot size on which an attached residential second unit may be located shall be seven thousand square feet. The minimum lot size on which a detached residential second unit may be located shall be ten thousand square feet.~~

Note: Item D, 3. above has been removed to be compliant with State Law.

- ~~4.~~ The minimum gross floor area of an accessory dwelling unit shall be 500 square feet.
- ~~54.~~ The increased floor area of ~~an~~ attached ~~second~~ accessory dwelling unit shall not exceed thirty 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
- ~~65.~~ The total area of the floor space for a detached ~~second~~ accessory dwelling unit shall not exceed one thousand two hundred 1,200 square feet.
- ~~7.~~ A residential ~~second~~ unit shall comply with all development standards for the applicable zoning district, including, but not limited to, standards for front, rear

~~and side yard setback requirements for a primary unit under the regulations of the applicable zoning district.~~

Note: Item D. 7. above is being removed because it is the same as item C. 1. Above.

- ~~78.~~ The owner of the lot shall reside on the lot, either in the primary unit or in the residential second accessory dwelling unit. Prior to issuance of a building permit approval, the property owner shall enter into a restrictive covenant with the city regarding such owner-occupancy requirement on a form prepared by the city, which shall be recorded against the property, ~~and that a minimum of one off-street parking space shall be provided per bedroom of the residential second unit.~~ Such covenant shall further provide that the residential second accessory dwelling unit shall not be sold, or title thereto transferred separate from that of the property. If the owner ceases to reside on the property, use of the residential second accessory dwelling unit shall be discontinued and (a) if it is an attached residential second accessory dwelling unit, the unit converted into a portion of the primary unit, or (b) if it is a detached residential second accessory dwelling unit, the unit removed or converted to a legal use. The director may grant temporary relief from this owner-occupancy requirement.

Note: The requirement that the property owner enter into a restrictive covenant is contained within existing City requirements related to second units. It is more stringent than the state requirement and has been retained in order to preserve residential neighborhood character as well as to provide enhanced safety measures.

- ~~89.~~ An attached residential second accessory dwelling unit shall share at least one common wall with the living area of the primary unit. The floor area of the garage shall be included in the calculation of existing living area if the garage is to be converted to living area as part of the same permit to allow the attached residential second accessory dwelling unit.

- ~~10.~~ The minimum gross floor area of an attached residential second unit shall be four hundred square feet.

Note: Item D. 10. above has been moved to C. 4. to be grouped with similar standards.

- ~~914.~~ The total gross floor area of all covered structures, including an attached residential second accessory dwelling unit, shall not exceed the lot coverage area as prescribed by the applicable zoning district.

- ~~102.~~ No attached residential second accessory dwelling unit shall cause the height of the primary unit to exceed the height limitation for the applicable zoning district. If the attached second accessory dwelling residential second unit is not

located above any portion of the existing primary unit, the maximum height of such unit shall not exceed the height of the primary dwelling unit.

~~113. An attached residential second accessory dwelling unit may shall have a separate entrance; ~~provided~~, however, in no event shall any external stairwell be placed within the side yard setback.~~

~~14. An residential second unit shall not be permitted on a lot where there is a guest house or other dwelling or structure used for habitation in addition to the primary unit. If an residential second unit exists or is currently approved on a lot, a guest house or other dwelling may not be approved unless the residential second unit is removed or converted into a portion of the primary unit.~~

Note: Item D. 14. Is being removed as it is the same as item C. 3.

~~15. A residential second unit shall contain separate kitchen and bathroom facilities, and shall be metered separately from the primary dwelling for gas, electricity, communications, water, and sewer services.~~

Note: Item 15. above is being removed as it is already described in the definition of an Accessory Dwelling Unit and E. 1. b. below.

~~16. All attached residential second units shall be equipped with approved smoke detectors conforming to the latest building code standards as adopted by the State of California, mounted on the ceiling or wall at a point centrally located in an area giving access to rooms used for sleeping purposes.~~

Note: Item 16. above is being removed as it is a Building and Safety and Fire Department requirement.

~~127. In addition to the required parking for the primary unit, a minimum of one off-street parking space shall be provided on the same lot that the residential second accessory dwelling unit is located on for (a) each bedroom in the residential second accessory dwelling unit and (b) for each studio unit. Additional parking shall be provided in accordance with the applicable parking regulations of the base zoning district. This paragraph shall not apply to a unit described in item 13.~~

~~a. Off street parking shall be permitted in setback areas in locations determined by the Planning Department or through tandem parking. This paragraph shall not apply to a unit described in item 13.~~

~~b. When an accessory dwelling unit garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and those off street parking spaces are required to be replaced, the replacement spaces may be located in any configuration on the same lot as the~~

accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This paragraph shall not apply to a unit described in item 13 or to the required covered parking for the primary structure in accordance with Chapter 17.28.

Note: Items C. 12. a. and b., 13., 15., D. and E. are new requirements included with this Text Amendment to be compliant with State Law.

13. No parking requirements shall be imposed on the proposed accessory dwelling unit if the unit satisfies any of the following;

- a. The accessory dwelling unit is located within one-half mile of public transit.
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
- c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
- d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or
- e. When there is a car share vehicle located within one block of the accessory dwelling unit.

~~148. A residential second unit shall have no more than two bedrooms.~~

~~149.~~The design of an second accessory dwelling unit shall be architecturally compatible with the primary unit on the same parcel with the predominant architecture of the area.

~~2015.~~No setback shall be required for a legally constructed existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

D. Within 120 days of a complete application, the Director of Community Development, or designee, shall approve an application for an accessory dwelling unit if all of the following requirements are met: (1) the accessory dwelling unit is located within a single-family residential zone; (2) there is only one accessory dwelling unit per single-family lot and the unit is contained within the existing space of a single-family residence or accessory structure; (3) the accessory dwelling unit has independent exterior access from the existing residence; and (4) the side and rear setbacks are sufficient for fire safety.

E. Fees charged for accessory dwelling units.

1. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.

- a. For an accessory dwelling unit described in item D., the applicant shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.
- b. For an accessory dwelling unit that is not described in item D., the applicant shall be required to install a new or separate utility connection directly between the accessory dwelling unit and the utility.
- FE. Upon approval of an residential second accessory dwelling unit on a lot, the lot shall not be further divided unless there is adequate land area to divide the lot consistent with the general plan and zoning designation.
- GF. All construction, structural alterations or additions made to create an residential second accessory dwelling unit shall comply with current building, electrical, fire, plumbing and zoning code regulations.
- HG. In the event of any conflicts between the standards set forth in this chapter and those set forth in the regulations of the applicable zoning district, the provisions of this chapter shall prevail.
- IH. The applicant shall pay to the city all applicable fees imposed on such new development, including, but not limited to, park and recreational facility fees.
- JJ. Decisions of the director approving or denying an application for an residential second accessory dwelling unit shall be subject to an appeal to the Planning Commission in accordance with procedures set forth in chapter 17.68, hearings and appeals. To maintain the nondiscretionary review required under Government Code Section 65852.2, the issues on appeal shall be limited to the applications compliance with the regulations in this chapter.

5. 17.08.250 Single-family architecture

H. Ancillary Structures. Ancillary structures such as guest houses, accessory dwelling units, barns, storage sheds, cabanas, and the like, should be designed to be architecturally compatible with the main structure through the use of walls, roofs, trellises, fences, wall connections, and/or landscaping.

6. Table 17.12.020 – Permitted, Conditional and Prohibited Commercial and Industrial Uses

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Residential Uses								
Second <u>Accessory</u> Dwelling Unit	PX	PX	PX	PX	PX	PX	PX	X

Note: Table 17.12.020 no longer allows Accessory Dwelling Units in the Commercial and Industrial zones.

ENVIRONMENTAL DETERMINATION:

California Environmental Quality Act (CEQA)

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Planning Commission has analyzed proposed Zone Text Amendment 17-97503 and has determined that it is Exempt from CEQA pursuant to 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, 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. Therefore, it can be seen with certainty that there is no possibility that Zone Text Amendment 17-97503 may have a significant adverse effect on the environment, and thus the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

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 that may be 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.

FISCAL IMPACT:

None.

OPTIONS:

1. Approve as recommended
2. Do not approve and provide alternative direction

ATTACHMENTS:

1. Ordinance 1512
2. Planning Commission Resolution 2017-10
3. Public Hearing Notice

Approved by:


Alejandro Diaz
Interim City Manager

ATTACHMENT 1

Ordinance 1512

ORDINANCE 1512

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING A NOTICE OF EXEMPTION AND APPROVING ZONING TEXT AMENDMENT 17-97503 AMENDING VARIOUS SECTIONS OF THE ZONING CODE (TITLE 17 OF THE BANNING MUNICIPAL CODE) RELATED TO ACCESSORY DWELLING UNITS

WHEREAS, the City of Banning has enacted procedural regulations as part of the adopted Municipal Code; and

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

WHEREAS, as of January 1, 2017, amendments to Section 65852.2 of the California Government Code became effective that regulate Residential Second Units which are now defined as Accessory Dwelling Units; and

WHEREAS, text within the Zoning Code, Title 17, of the City of Banning Municipal Code requires amending to become compliant with California Government Code Section 65852.2; and

WHEREAS, on September 6, 2017, during a duly noticed public hearing, the Planning Commission adopted Resolution 2017-10 recommending to the City Council the adoption of Ordinance 1512 approving a Notice of Exemption and Zoning Text Amendment 17-97503; and

WHEREAS, on the 15th day of September, 2017 the City gave public notice as required under Chapter 17.68 (Hearings and Appeals) of the City of Banning Municipal Code by advertising in the Record Gazette newspaper of the holding of a public hearing at which the Notice of Exemption and Zoning Text Amendment would be considered; and

WHEREAS, on the 26th day of September, 2017 the City Council held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to the proposed amendments, and at which time the City Council considered the Notice of Exemption and Zoning Text Amendment 17-97503; 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 26th day of September, 2017;

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. The City Council has reviewed and considered the information included in the General Plan, Zoning Code and Staff Report for the public hearing and public testimony prior to taking action on the proposed Zoning Text Amendment and Ordinance. This information is on file and available at the Community development Department at the City Hall of the City of Banning.

SECTION 3. The City Council finds that the Zoning Text Amendment is consistent with the goals and policies of the General Plan and is internally consistent with the Zoning Ordinance.

SECTION 4. The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act and finds and determines that the adoption of Ordinance 1512 and Zoning Text Amendment 17-97503 is exempt pursuant to Section 15061 (b)(3), Review for Exemption, of the California Environmental Quality Act (CEQA) as the project will not have a significant effect on the environment.

SECTION 5. The City Council hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in Sections 65850 thru 65863.12 of the California Government Code.

SECTION 6. The City Council of the City of Banning hereby adopts Ordinance 1512, adopting Zoning Text Amendment 17-97503, amending various sections of the Development Code, Title 17 as described below:

Section 17.04.070 – Definitions.

Dwelling Unit, Accessory means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Living area means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

Primary Unit shall mean a single-family residential unit constructed and intended as the principal building on a lot.

Second Dwelling Unit See, Dwelling Unit, Accessory.

Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses

	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR*	MH P
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	X

Table 17.08.040 – Use Specific Development Standards

	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR*	MH P
F. Accessory Dwelling Unit	*	*	*	*	*	*	*	*	

17.08.100 – Accessory dwelling unit standards

- A. These standards are adopted pursuant to California Government Code Section 65852.2. The purpose of these standards is to establish procedures and standards for the development of accessory dwelling units in a manner that preserves the integrity of single-family and multi-family residential areas, avoids adverse impacts on such areas and ensures a safe and attractive residential environment. It is not the intent of this chapter to override private, lawful use restrictions as may be set forth in conditions, covenants and restrictions (CC&Rs) or similar instruments.
- B. An application for an accessory dwelling unit shall be considered ministerially without discretionary review or a hearing within 120 days after receiving the application.
- C. The following standards shall apply to accessory dwelling units:
1. An accessory dwelling unit shall be consistent with the provisions of the applicable zoning district and the goals and policies of the general plan.
 2. The lot shall contain an existing primary unit at the time an application for an accessory dwelling unit is submitted, or the application for the accessory dwelling unit may be made in conjunction with the development of the primary unit.
 3. No more than one accessory dwelling unit shall be permitted on any one lot.
 4. The minimum gross floor area of an accessory dwelling unit shall be 500 square feet.
 5. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

6. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet.
7. The owner of the lot shall reside on the lot, either in the primary unit or in the accessory dwelling unit. Prior to issuance of a building permit approval, the property owner shall enter into a restrictive covenant with the city regarding such owner-occupancy requirement on a form prepared by the city, which shall be recorded against the property. Such covenant shall further provide that the accessory dwelling unit shall not be sold, or title thereto transferred separate from that of the property. If the owner ceases to reside on the property, use of the accessory dwelling unit shall be discontinued and (a) if it is an attached accessory dwelling unit, the unit converted into a portion of the primary unit, or (b) if it is a detached accessory dwelling unit, the unit removed or converted to a legal use. The director may grant temporary relief from this owner-occupancy requirement.
8. An attached accessory dwelling unit shall share at least one common wall with the living area of the primary unit. The floor area of the garage shall be included in the calculation of existing living area if the garage is to be converted to living area as part of the same permit to allow the attached accessory dwelling unit.
9. The total gross floor area of all covered structures, including an attached accessory dwelling unit, shall not exceed the lot coverage area as prescribed by the applicable zoning district.
10. No attached accessory dwelling unit shall cause the height of the primary unit to exceed the height limitation for the applicable zoning district. If the attached accessory dwelling unit is not located above any portion of the existing primary unit, the maximum height of such unit shall not exceed the height of the primary dwelling unit.
11. An attached accessory dwelling unit shall have a separate entrance; however, in no event shall any external stairwell be placed within the side yard setback.
12. In addition to the required parking for the primary unit, a minimum of one off-street parking space shall be provided on the same lot that the accessory dwelling unit is located on for (a) each bedroom in the accessory dwelling unit and (b) for each studio unit. This paragraph shall not apply to a unit described in item 13.
 - a. Off street parking shall be permitted in setback areas in locations determined by the Planning Department or through tandem parking. This paragraph shall not apply to a unit described in item 13.
 - b. When an accessory dwelling unit garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and those off street

parking spaces are required to be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This paragraph shall not apply to a unit described in item 13 or to the required covered parking for the primary structure in accordance with Chapter 17.28.

13. No parking requirements shall be imposed on the proposed accessory dwelling unit if the unit satisfies any of the following;
 - a. The accessory dwelling unit is located within one-half mile of public transit.
 - b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.
 14. The design of an accessory dwelling unit shall be architecturally compatible with the primary unit on the same parcel with the predominant architecture of the area.
 15. No setback shall be required for a legally constructed existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
- D. Within 120 days of a complete application, the Director of Community Development, or designee, shall approve an application for an accessory dwelling unit if all of the following requirements are met: (1) the accessory dwelling unit is located within a single-family residential zone; (2) there is only one accessory dwelling unit per single-family lot and the unit is contained within the existing space of a single-family residence or accessory structure; (3) the accessory dwelling unit has independent exterior access from the existing residence; and (4) the side and rear setbacks are sufficient for fire safety.
- E. Fees charged for accessory dwelling units.
1. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.
 - a. For an accessory dwelling unit described in item D., the applicant shall not be required to install a new or separate utility connection

directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

- b. For an accessory dwelling unit that is not described in item D., the applicant shall be required to install a new or separate utility connections directly between the accessory dwelling unit and the utility.
- F. Upon approval of an accessory dwelling unit on a lot, the lot shall not be further divided unless there is adequate land area to divide the lot consistent with the general plan and zoning designation.
- G. All construction, structural alterations or additions made to create an accessory dwelling unit shall comply with current building, electrical, fire, plumbing and zoning code regulations.
- H. In the event of any conflicts between the standards set forth in this chapter and those set forth in the regulations of the applicable zoning district, the provisions of this chapter shall prevail.
- I. The applicant shall pay to the city all applicable fees imposed on such new development, including, but not limited to, park and recreational facility fees.
- J. Decisions of the director approving or denying an application for an accessory dwelling unit shall be subject to an appeal to the Planning Commission in accordance with procedures set forth in chapter 17.68, hearings and appeals. To maintain the nondiscretionary review required under Government Code Section 65852.2, the issues on appeal shall be limited to the applications compliance with the regulations in this chapter.

17.08.250 Single-family architecture

H. Ancillary Structures. Ancillary structures such as guest houses, accessory dwelling units, barns, storage sheds, cabanas, and the like, should be designed to be architecturally compatible with the main structure through the use of walls, roofs, trellises, fences, wall connections, and/or landscaping.

Table 17.12.020 – Permitted, Conditional and Prohibited Commercial and Industrial Uses

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Residential Uses								
Accessory Dwelling Unit	X	X	X	X	X	X	X	X

SECTION 7. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provision to the other persons or circumstances shall not be affected thereby.

SECTION 8. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard and this Ordinance shall take effect thirty days after its final passage.

PASSED, APPROVED, AND ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

John C. Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION:

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that Ordinance 1512 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 26th day of September, 2017, and was duly adopted at a regular meeting of said City Council on the _____ day of _____, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

Planning Commission Resolution 2017-10

RESOLUTION 2017-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A NOTICE OF EXEMPTION AND ZONING TEXT AMENDMENT 17-97503 AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE (TITLE 17 OF THE BANNING MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS WITHIN THE TEXT

WHEREAS, January 1, 2017 amendments to Section 65852.2 of the California Government Code became effective that regulate Residential Second Units which will now be defined as Accessory Dwelling Units; and

WHEREAS, Staff has identified areas within the text of the Development Code, Title 17, of the City of Banning Municipal Code that require amending to become compliant with California Government Code 65852.2; and

WHEREAS, staff has identified the need to amend Section 17.04.040 Definitions of the City of Banning Municipal Code; and

WHEREAS, Staff has identified the need to amend Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses, Table 17.08.040 Use Specific Development Standards, 17.08.100 Second unit standards, 17.08.250 Single-family architecture of the City of Banning Municipal Code; and

WHEREAS, staff has identified the need to amend Table 17.12.020 Permitted, Conditional and Prohibited Commercial and Industrial Uses of the City of Banning Municipal Code; and

WHEREAS, the Planning Commission has authority pursuant to Section 17.116.030 (Planning Commission Action on Amendments) of the City of Banning Municipal Code to make a written recommendation to the City Council to approve, approve with modifications, or disapprove amendments to the Zoning Ordinance; and

WHEREAS, the City has reviewed the proposed Zoning Text Amendment for compliance with the California Environmental Quality Act (CEQA) and it is determined that Zone Text Amendment 17-97503 is not a 'project' under CEQA Guidelines 15061(b)(3); and

WHEREAS, on June 23, 2017, the City gave public notice by advertisement in the Record Gazette newspaper of a public hearing concerning the project, which included a Notice of Exemption and Zone Text Amendment 17-97503; and

WHEREAS, on July 5, 2017, the Planning Commission held the noticed public hearing at which time the Planning Commission continued the project to the, August 2, 2017 meeting where it was continued again to the September 6, 2017 meeting; and

WHEREAS, on September 6, 2017, the Planning Commission held the duly noticed meeting where interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the Planning Commission considered the Notice of Exemption and Zone Text Amendment 17-97503.

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

SECTION 1. ENVIRONMENTAL FINDINGS.

The following environmental findings are made and supported by substantial evidence on the record before the Planning Commission, including and incorporating all evidence in the staff report and attendant attachments thereto:

California Environmental Quality Act (CEQA)

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Planning Commission has analyzed proposed Zone Text Amendment 17-97503 and has determined that it is Exempt from CEQA pursuant to 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, 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. Therefore, it can be seen with certainty that there is no possibility that Zone Text Amendment 17-97503 may have a significant adverse effect on the environment, and thus the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

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 that may be 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 FOR ZONE TEXT AMENDMENT 17-97503.

The California Government Code and Section 17.116.050 (Findings) of the City of Banning Municipal Code require that Zone Text Amendments meet certain findings prior to recommendation of approval by the Planning Commission and approval by the City Council. The Planning Commission hereby makes the following findings, as supported by substantial evidence on the record including and incorporating all facts and evidence

in the staff report and its attendant attachments, in support of the recommendation for approval of the Zone Text Amendment 17-97503:

Finding A: Proposed Zone Text Amendment 17-97503 is consistent with the goals and policies of the General Plan.

Findings of Fact: Proposed Zone Text Amendment 17-97503 is consistent with the goals and policies of the General Plan, insofar as the General Plan designations and Zoning designations within the City will not change, and the text amendments will result in clarifying the implementation of the goals, policies and programs of the General Plan. The primary General Plan Land Use Goals state “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” and “Preserve and enhance the City’s Neighborhoods.” The proposed amendments are intended to establish consistency between regulations within the Zoning Ordinance.

Finding B: Proposed Zone Text Amendment 17-97503 is internally consistent with the Zoning Ordinance.

Findings of Fact: Proposed Zone Text Amendment 17-97503 is consistent with the existing provisions of the Zoning Ordinance in accordance with Chapter 17.116 that allow amendments for public health, environmental protection, safety, general welfare and the aesthetic harmony of the City. The proposed amendments to the Development Code are necessary to bring the City of Banning Municipal Code in compliance with recent legislation amending California Government Code 65852.2 that became effective, January 1, 2017 regarding Accessory Dwelling Units.

Finding C: The Planning Commission has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact: In accordance with the requirements of the California Environmental Quality Act (CEQA), the Planning Commission has analyzed proposed Zone Text Amendment 17-97503 and has determined that it is Exempt from CEQA pursuant to 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, 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. Therefore, it can be seen with certainty that there is no possibility that Zone Text Amendment 17-97503 may have a significant adverse effect on the environment, and thus the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 3. PLANNING COMMISSION ACTION.

The Planning Commission hereby takes the following action:

Adoption of Planning Commission Resolution 2017-10:

1. Recommending to the City Council the adoption of a Notice of Exemption for Zone Text Amendment 17-97503; and
2. Recommending to the City Council the adoption of Ordinance 1512 approving Zone Text Amendment 17-97503.


PASSED, APPROVED AND ADOPTED this 6th day of September, 2017.


Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:


Gregg C. Kettles
Interim Assistant City Attorney
City of Banning, California

ATTEST:


Sandra Calderon, Recording Secretary
City of Banning, California

CERTIFICATION:

I, Sandra Calderon, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, 2017-10, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 6th day of September, 2017, by the following vote, to wit:

AYES: Ellis, Krick, Price, Schuler, Shaw

NOES: None

ABSENT: None

ABSTAIN: None



Sandra Calderon, Recording Secretary
City of Banning, California



ORDINANCE 1512

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING A NOTICE OF EXEMPTION AND APPROVING ZONING TEXT AMENDMENT 17-97503 AMENDING VARIOUS SECTIONS OF THE ZONING CODE (TITLE 17 OF THE BANNING MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS WITHIN THE TEXT

WHEREAS, the City of Banning has enacted procedural regulations as part of the adopted Municipal Code; and

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

WHEREAS, as of January 1, 2017, amendments to Section 65852.2 of the California Government Code became effective that regulate Residential Second Units which are now defined as Accessory Dwelling Units; and

WHEREAS, text within the Development Code, Title 17, of the City of Banning Municipal Code require amending to become compliant with California Government Code Section 65852.2; and

WHEREAS, on September 6, 2017, during a duly noticed public hearing, the Planning Commission adopted Resolution 2017-10 recommending to the City Council the adoption of Ordinance 1512 approving the Notice of Exemption and Zoning Text Amendment 17-97503; and

WHEREAS, on the _____th day of _____ 2017 the City gave public notice as required under Chapter 17.68 (Hearings and Appeals) of the City of Banning Municipal Code by advertising in the Record Gazette newspaper of the holding of a public hearing at which the Notice of Exemption and Zoning Text Amendment would be considered; and

WHEREAS, on the _____nd day of _____ 2017 the City Council held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to the proposed amendments, and at which time the City Council considered the Notice of Exemption and Zoning Text Amendment 17-97503; 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 ____nd day of _____ 2017;

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. The City Council has reviewed and considered the information included in the General Plan, Zoning Code and Staff Report for the public hearing and public testimony prior to taking action on the proposed Zoning Text Amendment and Ordinance. This information is on file and available at the Community development Department at the City Hall of the City of Banning.

SECTION 3. The City Council finds that the Zoning Text Amendment is consistent with the goals and policies of the General Plan and is internally consistent with the Zoning Ordinance.

SECTION 4. The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act and finds and determines that the adoption of Ordinance 1512 and Zoning Text Amendment 17-97503 is exempt pursuant to Section 15061 (b)(3), Review for Exemption, of the California Environmental Quality Act (CEQA) as the project will not have a significant effect on the environment.

SECTION 5. The City Council hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in Sections 65850 thru 65863.12 of the California Government Code.

SECTION 6. The City Council of the City of Banning hereby adopts Ordinance 1512, adopting Zoning Text Amendment 17-97503, amending various sections of the Development Code, Title 17 as described below:

Section 17.04.070 – Definitions.

Dwelling Unit, Accessory means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Living area means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

Primary Unit shall mean a single-family residential unit constructed and intended as the principal building on a lot.

Second Dwelling Unit See, Dwelling Unit, Accessory.

Table 17.08.020 Permitted, Conditional and Prohibited Residential Uses

	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR*	MH P
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	X

Table 17.08.040 – Use Specific Development Standards

	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR*	MH P
F. Accessory Dwelling Unit	*	*	*	*	*	*	*	*	

17.08.100 – Accessory dwelling unit standards

- A. These standards are adopted pursuant to California Government Code Section 65852.2. The purpose of these standards is to establish procedures and standards for the development of accessory dwelling units in a manner that preserves the integrity of single-family and multi-family residential areas, avoids adverse impacts on such areas and ensures a safe and attractive residential environment. It is not the intent of this chapter to override private, lawful use restrictions as may be set forth in conditions, covenants and restrictions (CC&Rs) or similar instruments.
- B. An application for an accessory dwelling unit shall be considered ministerially without discretionary review or a hearing within 120 days after receiving the application.
- C. The following standards shall apply to accessory dwelling units:
 1. An accessory dwelling unit shall be consistent with the provisions of the applicable zoning district and the goals and policies of the general plan.
 2. The lot shall contain an existing primary unit at the time an application for an accessory dwelling unit is submitted, or the application for the accessory dwelling unit may be made in conjunction with the development of the primary unit.
 3. No more than one accessory dwelling unit shall be permitted on any one lot.

4. The minimum gross floor area of an accessory dwelling unit shall be 500 square feet.
5. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
6. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet.
7. The owner of the lot shall reside on the lot, either in the primary unit or in the accessory dwelling unit. Prior to issuance of a building permit approval, the property owner shall enter into a restrictive covenant with the city regarding such owner-occupancy requirement on a form prepared by the city, which shall be recorded against the property. Such covenant shall further provide that the accessory dwelling unit shall not be sold, or title thereto transferred separate from that of the property. If the owner ceases to reside on the property, use of the accessory dwelling unit shall be discontinued and (a) if it is an attached accessory dwelling unit, the unit converted into a portion of the primary unit, or (b) if it is a detached accessory dwelling unit, the unit removed or converted to a legal use. The director may grant temporary relief from this owner-occupancy requirement.
8. An attached accessory dwelling unit shall share at least one common wall with the living area of the primary unit. The floor area of the garage shall be included in the calculation of existing living area if the garage is to be converted to living area as part of the same permit to allow the attached accessory dwelling unit.
9. The total gross floor area of all covered structures, including an attached accessory dwelling unit, shall not exceed the lot coverage area as prescribed by the applicable zoning district.
10. No attached accessory dwelling unit shall cause the height of the primary unit to exceed the height limitation for the applicable zoning district. If the attached accessory dwelling unit is not located above any portion of the existing primary unit, the maximum height of such unit shall not exceed the height of the primary dwelling unit.
11. An attached accessory dwelling unit shall have a separate entrance; however, in no event shall any external stairwell be placed within the side yard setback.
12. In addition to the required parking for the primary unit, a minimum of one off-street parking space shall be provided on the same lot that the accessory dwelling unit is located on for (a) each bedroom in the accessory dwelling unit and (b) for each studio unit. This paragraph shall not apply to a unit described in item 13.
 - a. Off street parking shall be permitted in setback areas in locations determined by the Planning Department or through tandem parking. This paragraph shall not apply to a unit described in item 13.

- b. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and those off street parking spaces are required to be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This paragraph shall not apply to a unit described in item 13 or to the required covered parking for the primary structure.
- 13. No parking requirements shall be imposed on the proposed accessory dwelling unit if the unit satisfies any of the following:
 - a. The accessory dwelling unit is located within one-half mile of public transit.
 - b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or
 - e. When there is a car share vehicle located within one block of the accessory dwelling unit.
- 14. The design of an accessory dwelling unit shall be architecturally compatible with the primary unit on the same parcel with the predominant architecture of the area.
- 15. No setback shall be required for a legally constructed existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
- D. Within 120 days of a complete application, the Director of Community Development, or designee, shall approve an application for an accessory dwelling unit if all of the following requirements are met: (1) the accessory dwelling unit is located within a single-family residential zone; (2) there is only one accessory dwelling unit per single-family lot and the unit is contained within the existing space of a single-family residence or accessory structure; (3) the accessory dwelling unit has independent exterior access from the existing residence; and (4) the side and rear setbacks are sufficient for fire safety.
- E. Fees charged for accessory dwelling units.
 - 1. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.
 - a. For an accessory dwelling unit described in item D., the applicant shall not be required to install a new or separate utility connection directly between the

- accessory dwelling unit and the utility or impose a related connection fee or capacity charge.
- b. For an accessory dwelling unit that is not described in item D., the applicant shall be required to install a new or separate utility connections directly between the accessory dwelling unit and the utility.
 - F. Upon approval of an accessory dwelling unit on a lot, the lot shall not be further divided unless there is adequate land area to divide the lot consistent with the general plan and zoning designation.
 - G. All construction, structural alterations or additions made to create an accessory dwelling unit shall comply with current building, electrical, fire, plumbing and zoning code regulations.
 - H. In the event of any conflicts between the standards set forth in this chapter and those set forth in the regulations of the applicable zoning district, the provisions of this chapter shall prevail.
 - I. The applicant shall pay to the city all applicable fees imposed on such new development, including, but not limited to, park and recreational facility fees.
 - J. Decisions of the director approving or denying an application for an accessory dwelling unit shall be subject to an appeal to the Planning Commission in accordance with procedures set forth in chapter 17.68, hearings and appeals. To maintain the nondiscretionary review required under Government Code Section 65852.2, the issues on appeal shall be limited to the applications compliance with the regulations in this chapter.

17.08.250 Single-family architecture

H. Ancillary Structures. Ancillary structures such as guest houses, accessory dwelling units, barns, storage sheds, cabanas, and the like, should be designed to be architecturally compatible with the main structure through the use of walls, roofs, trellises, fences, wall connections, and/or landscaping.

Table 17.12.020 – Permitted, Conditional and Prohibited Commercial and Industrial Uses

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Residential Uses								
Accessory Dwelling Unit	X	X	X	X	X	X	X	X

SECTION 7. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provision to the other persons or circumstances shall not be affected thereby.

SECTION 8. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard and this Ordinance shall take effect thirty days after its final passage.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2017.

George Moyer, Mayor
City of Banning

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

John C. Cotti, Interim City Attorney
Jenkins & Hugin, LLC

ATTEST:

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

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Ordinance 1512 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the _____ day of _____, 2017, and was duly adopted at a regular meeting of said City Council on the _____ day of _____, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTACHMENT 3

Public Hearing Notice

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A NOTICE OF EXEMPTION FOR ZONE TEXT AMENDMENT (ZTA) 17-97503 AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE (TITLE 17 OF THE BANNING MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council, to be held on Tuesday, September 26, 2017, at 5:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Zone Text Amendment 17-97503 pursuant to Chapter 17.116 (Zoning Ordinance Amendments) of the City of Banning Municipal Code.

The proposal consists of amending Section 17.04.070 Definitions; amending Chapter 17.08, Residential Districts, various sections relating to Accessory Dwelling Units and amending Table 17.12.020, Permitted, Conditional and Prohibited Commercial and Industrial Uses.

Information regarding the Notice of Exemption and Zone Text Amendment 17-97503 can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition of this item are invited to attend said hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the City Council makes its decision on the proposal; or, you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: September 11, 2017
Publish: September 15, 2017



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Alejandro Diaz, Chief of Police

MEETING DATE: September 26, 2017

SUBJECT: Animal Control Ad-Hoc Committee Update Report

RECOMMENDED ACTION:

Receive and file.

BACKGROUND:

On May 10, 2016, the Animal Control Ad-Hoc Committee scheduled a series of community forum meetings to gather information on the best course of action with matters related to the animal shelter/animal control services program.

Items discussed during the community forum meetings ranged from the re-inception of the animal shelter (consideration of cost for repairing), review of the current contract with Beaumont for animal control services, a presentation by Riverside County Animal Control Services, and a community survey.

ISSUES/ANALYSIS:

None.

FISCAL IMPACT:

None.

ALTERNATIVES:

None.

ATTACHMENTS:

None.

Approved by:



Alejandro Diaz
Interim City Manager



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Art Vela, Public Works Director/City Engineer

MEETING DATE: September 26, 2017

SUBJECT: Selection of an Entry Monument Sign

RECOMMENDED ACTION:

That the City Council discuss the conceptual plans for the City of Banning entry monument sign and consider the selection of one of them to be installed with the City's Ramsey Street and Hathaway Street improvement project.

BACKGROUND:

City Council awarded a professional services contract to Stantec Consulting (Stantec) to prepare plans and specifications for street improvements along Ramsey Street and Hathaway Street at the easterly entrance of the City which also includes the replacement of an existing monument sign along Ramsey Street. Stantec is required to provide the City with conceptual drawings of possible monument signs for the City's consideration prior to incorporating a monument sign into the construction documents.

Several concepts were presented to the Public Works Advisory Committee, who provided comments that have been incorporated into the concepts attached hereto.

JUSTIFICATION:

Staff requests that City Council review the conceptual monument sign drawings and provide staff direction regarding which concept to use. By choosing a sign Stantec will be able to move forward with the development of construction details for a monument sign, which will be incorporated into the overall project plans and specifications.

FISCAL IMPACT:

Not applicable

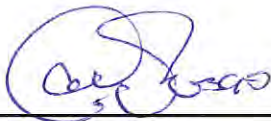
OPTIONS:

1. Select one sign to be included with project.
2. Provide staff with alternative direction.

ATTACHMENTS:

1. Monument Sign Concepts

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

(Monument Sign Concepts)



3-D LETTERS



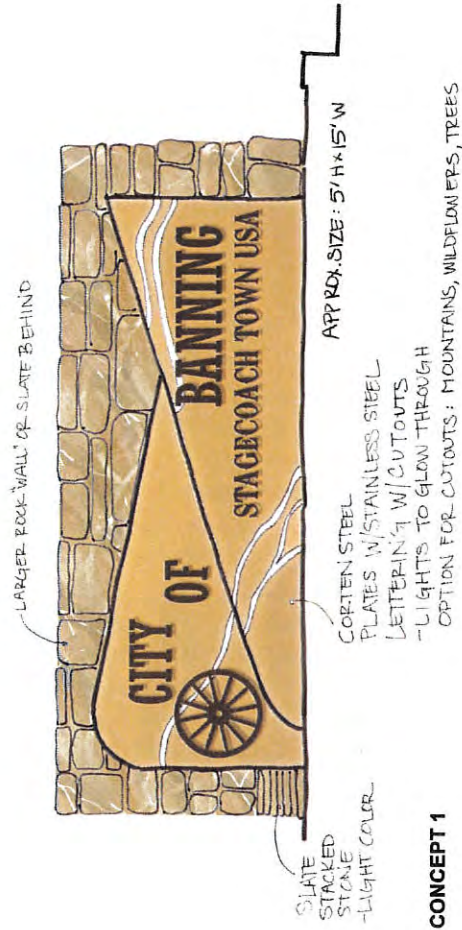
SLATE STACKED STONE - LIGHT COLOR



CORTEN STEEL LETTERS CUTOUT



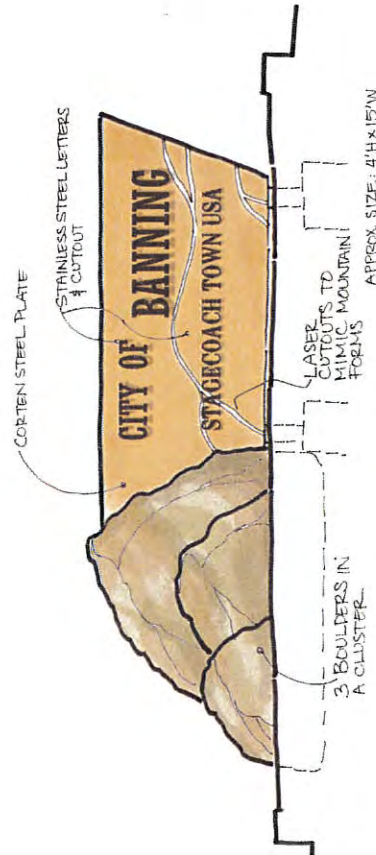
ILLUMINATED LETTERS WITH LED LIGHTS



CONCEPT 1



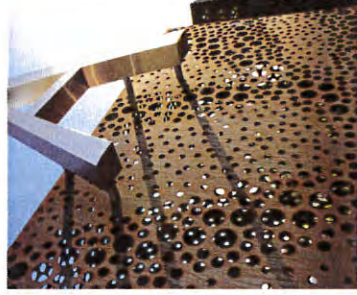
CONCEPT 2



CONCEPT 3



CORTEN STEEL PLATE



CORTEN STEEL PLATE WITH CUTOUTS



STAINLESS STEEL LETTERS ON COTREN STEEL PLATE



CORTEN STEEL PLATE WITH CUTOUTS

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Fred Mason, Electric Utility Director
Jim Steffens, Power Resource & Revenue Administrator

MEETING DATE: September 26, 2017

SUBJECT: Discuss and Consider Adopting Resolution 2017-84,
“Accepting the Recommendations of the Banning Electric
Utility Energy Storage Three-Year Reevaluation Study
Determining that it is Still Not Cost Effective for the Electric
Utility to Adopt Energy Storage Targets.”

RECOMMENDED ACTION:

Adopt Resolution 2017-84, accepting the recommendations of the Banning Electric Utility energy storage three-year reevaluation study determining that it is still not cost effective for the Electric Utility to adopt energy storage targets.

BACKGROUND:

Assembly Bill 2514 (AB 2514) was signed by the Governor on September 29, 2010, and required the governing boards of local publicly owned electric utilities to open a proceeding by March 2012 to determine appropriate targets, if any, for procuring technically viable and cost-effective energy storage systems. Accordingly, on March 27, 2012 the City Council adopted Resolution 2012-29, opening the proceeding to determine if it was appropriate for the Banning Electric Utility to set energy storage targets.

Under AB 2514, the City Council was required by October 1, 2014 to adopt an initial energy storage system procurement target, if determined to be appropriate, to be achieved by December 31, 2016, with a second target to be achieved by December 31, 2021. To comply with this requirement, on September 23, 2014 the City Council adopted

Resolution 2014-65, determining that it was not cost effective for the Banning Electric Utility to adopt energy storage targets at that time.

AB 2514 requires electric utilities to reevaluate their energy storage target determinations every three years, and make any modifications to the previously adopted determinations if it is deemed appropriate. Accordingly, by October 1, 2017 the Banning Electric Utility must report to the California Energy Commission on the findings of its reevaluation study.

An energy storage system must be cost-effective and reduce emissions of greenhouse gases, reduce demand for peak electrical generation, defer or substitute for an investment in generation, transmission or distribution assets, or improve the reliable operation of the electrical transmission or distribution grid.

In order to assist its members to comply with the three-year reevaluation required by AB 2514, the Southern California Public Power Authority ("SCPPA") hired Navigant Consulting, Inc. ("Navigant") to perform a reevaluation study on the costs and benefits of energy storage. SCPPA had previously hired Navigant to perform the initial study on the energy storage determinations in 2014. For the three-year reevaluation study, Navigant updated its framework and decision making tool for identifying, quantifying, and monetizing the benefits of energy storage projects. In the framework, potential benefits are realized differently depending on the system characteristics (e.g., location on the grid, regulatory structure, owner, and application of the energy storage).

In order to document its compliance with AB 2514, the Banning Electric Utility participated in the SCPPA / Navigant reevaluation project. The Electric Utility utilized the Navigant modeling tool to determine if it would be cost effective at this time to adopt energy storage targets. The results of this study indicated that it is still **not** cost effective for the Banning Electric Utility to adopt energy storage targets. In fact, the result of the study indicated that the current financial impact of purchasing an energy storage system is a **negative** net present value of \$4,271,000 over the 10-year life of the study. The output of the Navigant model tool is attached herewith as Exhibit "A" of Attachment 1.

Staff will continue to monitor the energy storage industry for technological breakthroughs that may make energy storage systems cost-effective in the future.

JUSTIFICATION:

California legislation requires publicly owned electric utilities, such as the Banning Electric Utility, to perform specific activities pertaining to energy storage. AB 2514 requires that utilities reevaluate their energy storage target determinations every three years, and that their City Councils accept and approve the findings of the reevaluation.

FISCAL IMPACT:

None.

OPTIONS:

1. Approve as recommended.
2. Do not accept the recommendations of the Banning Electric Utility energy storage three-year reevaluation study determining that it is still not cost effective for the Electric Utility to adopt energy storage targets, resulting in the Electric Utility not being in compliance with AB 2514.

ATTACHMENTS:

1. Resolution 2017-84.

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

RESOLUTION 2017-84

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ACCEPTING THE RECOMMENDATIONS OF THE BANNING ELECTRIC UTILITY ENERGY STORAGE THREE-YEAR REEVALUATION STUDY DETERMINING THAT IT IS STILL NOT COST EFFECTIVE FOR THE ELECTRIC UTILITY TO ADOPT ENERGY STORAGE TARGETS

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

WHEREAS, Assembly Bill 2514 (AB 2514) required by October 1, 2014 that the governing board of a publicly owned electric utility adopt an initial energy storage system procurement target, if determined to be appropriate, to be achieved by December 31, 2016, with a second target to be achieved by December 31, 2021; and

WHEREAS The City Council of the City of Banning adopted Resolution 2014-65 on September 23, 2014 determining that it was not cost effective for the Electric Utility to adopt energy storage targets; and

WHEREAS, AB 2514 requires that electric utilities reevaluate their energy storage target determinations every three years; and

WHEREAS, the Banning Electric Utility, in conjunction with other Southern California Public Power Authority (SCPPA) members, obtained the services of Navigant Consulting (Navigant) for the purpose of reevaluating the cost benefits of energy storage; and

WHEREAS, Navigant created a framework and decision making tool for identifying, quantifying, and monetizing the benefits of energy storage projects; and

WHEREAS, The Banning Electric Utility utilized the Navigant tool to perform an energy storage reevaluation study. The study determined that it was still not cost effective, and therefore not appropriate, for the Banning Electric Utility to adopt energy storage targets at this time. The output of the Navigant decision making tool is attached herewith as Exhibit "A".

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

SECTION 1. Adopt Resolution 2017-84 accepting the recommendations of the Banning Electric Utility energy storage three-year reevaluation study determining that it is still not cost effective for the Electric Utility to adopt energy storage targets.

SECTION 2. The Electric Utility will reevaluate this energy storage procurement target determination within another three years as required by AB 2514.

PASSED, APPROVED AND ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

John C. Cotti, Interim City Attorney
Jenkins & Hugin, LLP

CERTIFICATION:

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2017-84, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of September, 2017, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

Exhibit “A”

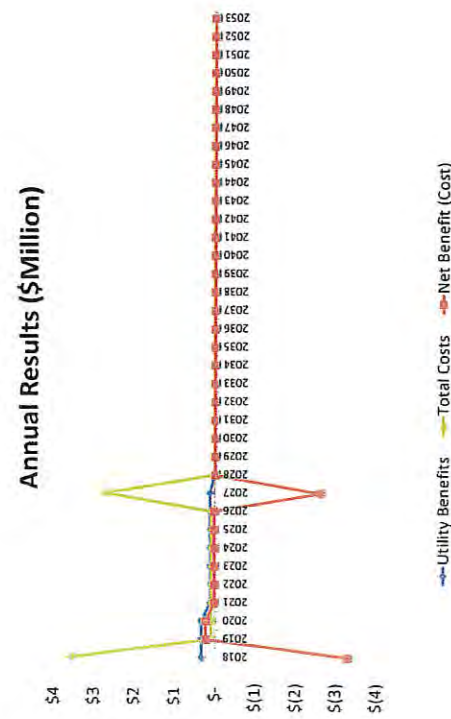
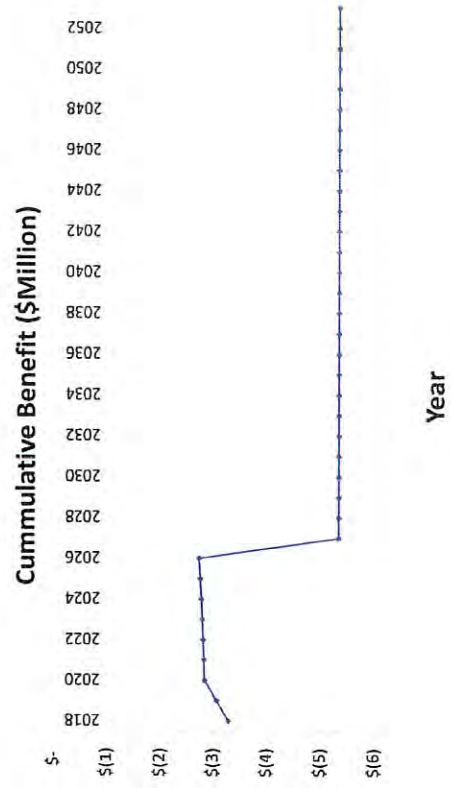
N/A
(\$4,271,000)

Return to the Introduction

Data Input Module

Computational Module

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Fred Mason, Electric Utility Director
Art Vela, Public Works Director

MEETING DATE: September 26, 2017

SUBJECT: Resolution 2017-88, Establishing Vendor List and Blanket Purchase Orders for the Purchase of Inventory Supplies and Commodities Not to Exceed an Annual Aggregate of \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.

RECOMMENDED ACTION:

The City Council discuss and consider adopting Resolution 2017-88:

1. Establishing a pre-approved vendor list through existing utility inventory usage and authorize the purchase of utility inventory supplies and commodities from competitively bid cooperative organizations for the remainder of FY 2018 and for FY 2019 concurrent approved budgets.

Electric Vendors:

Anixter Inc.
McAvoy & Markham Engineering & Sales Co.
One Source Distributors
Wesco Distribution

Water/Wastewater Vendors:

All American Sewer Tools
Core & Main (Formally HD Waterworks Supply)
Dangelo Co.
Haaker
Inland Water Works Supply Co.
Plumbers Depot Inc
Zenner Performance Meters

2. Establishing Fiscal Year 2018 blanket purchase orders for the purchase of inventory supplies and commodities for an annual aggregate amount not to exceed \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.
3. Authorizing the City Manager to renew blanket purchase orders for Fiscal Years 2019, 2020, 2021 and 2022 upon satisfactory annual review for an annual aggregate not to exceed \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.

BACKGROUND:

The Electric Utility and the Public Works Department, Water/Wastewater Division, procures inventory supplies and commodities throughout the year to maintain the infrastructure necessary to provide these utility services to the citizens of the City. It is projected that the overall expenditure for Fiscal Year 2018 will reach an aggregate of \$300,000 for the Electric Utility, and \$300,000 for the Water/Wastewater Utility. The funding for these commodities is available in the Fiscal Year 2018 prospective budgets.

While budgets have been approved for all of the departments during the regular budget process, specific commodity sources have not been approved for cumulative annual spending. The vendors listed have previously been competitively bid through the City's bidding process and have been the commodity sources for many years.

ISSUES/ANALYSIS:

Based on previous bid responses and past expenditures for inventory commodities, it is anticipated that the vendors listed above will best meet the inventory needs of the City's utilities. The procurement process will entail requesting a minimum of three quotes from the approved vendor list to purchase inventory supplies and commodities. Specific vendors will be selected for individual purchases based on price, availability and lead time.

Staff requests that the City Manager, under approval of this resolution, be given the authority to approve blanket purchase orders for Fiscal Years 2019, 2020, 2021 and 2022 upon annual satisfactory review utilizing this bid process for an annual aggregate of \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.

FISCAL IMPACT:

The Electric Utility's and the Public Works Department, Water/Wastewater Division's operational budget will fund the acquisition of inventory supplies and commodities.

ALTERNATIVE:

1. Reject Resolution 2017-88 and provide direction.

ATTACHMENTS:

1. Resolution 2017-88
2. Previous Vendor Expenditures

Approved by:

A handwritten signature in blue ink, appearing to read 'Alejandro Diaz', is written over a horizontal line.

Alejandro Diaz
Interim City Manager

ATTACHMENT 1

(Resolution 2017-88)

RESOLUTION 2017-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ESTABLISHING A VENDORS LIST AND BLANKET PURCHASE ORDERS FOR THE PRUCHASE OF INVENTORY SUPPLIES AND COMMODITIES "NOT TO EXCEED" AN ANNUAL AGGREGATE OF \$300,000 FOR THE ELECTRIC UTILITY AND \$300,000 THE WATER/WASTEWATER UTILITY.

WHEREAS, The Electric Utility and the Public Works Department, Water/Wastewater Division, procures inventory supplies and commodities throughout the year to maintain infrastructure necessary to provide these utility services to the citizens of the City; and

WHEREAS, staff requests that the City Council establish a pre-approved vendor list for purchase of inventory supplies and commodities from competitively bid cooperative organizations including; Anixter Inc., McAvoy & Markham Engineering & Sales Co., OneSource Distributors, Wesco Distribution, All American Sewer Tools, Core & Main, Dangelo Co., Haaker Equipment Co., Inland Water Works Supply Co., Plumbers Depot Inc., and Zenner Performance Meters; and

WHEREAS, staff requests that not to exceed aggregate dollar amounts be set based on historical values, which have been approximately \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility; and

WHEREAS, funding for these commodity purchases is available in Electric Utility and the Water/Wastewater Utility's operational budget; and

WHEREAS, vendors for specific commodity purchases will be selected from the approved vendor's list based upon price, availability and lead time; and

WHEREAS, allocations for each vendor may be adjusted to be increased or decreased as deemed necessary so long as the aggregate for inventory supplies and commodities does not exceed \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility respectively; and

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

SECTION 1. The Banning City Council adopts Resolution 2017-88 establishing Fiscal Year 2018 blanket purchase orders for the purchase of inventory supplies and commodities for an annual aggregate amount "not to exceed" \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.

SECTION 2. The City Manager is authorized to renew blanket purchase order for Fiscal Years 2019, 2020, 2021 and 2022 upon satisfactory annual review for an annual aggregate of \$300,000 for the Electric Utility and \$300,000 for the Water/Wastewater Utility.

PASSED, APPROVED AND ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

John C. Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION:

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2017-88 was duly adopted by the City Council of the City of Banning, California, at a Regular Meeting thereof held on the 26th day of September 2017, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonja De La Fuente, Deputy City Clerk
City of Banning

ATTACHMENT 2

Fiscal Year 2017

Vendor	Expenditures
Anixter Power Solutions	\$62,470
McAvoy & Markham	\$66,000
OneSource Distributors	\$70,360
Wesco Distributors	\$33,100
All American Sewer Tools	N/A
Core & Main	\$20,900
Dangelo	\$570
Haaker Equipment Co	\$2,000
Inland Water Works	\$16,230
Plumber's Depot Inc.	\$2,740
Zenner Performance Meters	\$21,680

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Ted Shove, Economic Development Manager

MEETING DATE: September 26, 2017

SUBJECT: Discuss and Consider Adopting Resolution 2017-92, Accepting Community Development Block Grant Funds for Fiscal Year 2017-2018 in the Amount of \$172,516 for the Lion's Park Expansion Project (5.BN.36-17)

RECOMMENDED ACTION:

The City Council adopt Resolution 2017-92:

1. Accepting Community Development Block Grant ("CDBG") Funds for Fiscal Year 2017-2018 in the amount of \$172,516 for the Lion's Park Expansion Project (5.BN.36-17);
2. Authorizing the Administrative Services Director to make necessary budget adjustments, appropriations, and transfers related to the 2017-2018 CDBG funds in the amount of \$172,516; and
3. Authorizing the Mayor to execute the Supplemental Agreement for the 2017-2018 CDBG Program.

BACKGROUND:

The submittal of the Lion's Park Expansion Project application for CDBG 2017/2018 program funding was approved by City council on October 25, 2016 under Resolution 2016-105. The execution of the 2017-2018 CDBG Supplemental Agreement is required in order for the City to obtain and utilize the CDBG funds.

JUSTIFICATION:

On an annual basis, the City of Banning has participated in the federally funded CDBG program. On October 25, 2016, the City Council adopted Resolution 2016-105 approving the Lion's Park Expansion Project and application submittal to the Riverside County Economic Development Agency ("EDA") for consideration.

The City received a letter dated August 23, 2017 from the EDA confirming approval of the project and funding. In order to utilize Fiscal Year 2017-2018 CDBG program funds, the City is required to execute a Supplemental Agreement attached hereto by reference. The CDBG FY 2017-2018 funding will be allocated to the Lion's Park Expansion Project (5.BN.36-17), in the amount of \$172,516.

The scope of work for the expansion project includes developing an additional 7.36 acres owned by the City. CDBG funds will specifically be used for the design and construction of two multipurpose fields, additional parking, lighting, landscaping, other park amenities, and project administration.

FISCAL IMPACT:

By approving the CDBG Supplemental Agreement, Fiscal Year 2017-2018, the City anticipates receiving \$172,516 to fund a portion of the Lion's Park Expansion Project. Acceptance of these funds are restricted exclusively for this project.


OPTIONS:

1. Approve as recommended.
2. City Council may choose to take no action resulting in the loss of available funding.

ATTACHMENTS:

1. Resolution 2017-92
2. 2017-2018 CDBG Supplemental Agreement

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

Resolution 2017-92

RESOLUTION 2017-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ACCEPTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2017-2018 IN THE AMOUNT OF \$172,516 FOR THE LIONS PARK EXPANSION PROJECT (5.BN.36-17)

WHEREAS, the City of Banning has been submitting applications for projects/activities under the Community Development Block Grant ("CDBG") program to the Riverside County Economic Development Agency ("EDA") annually; and

WHEREAS, the submittal of the Lion's Park Expansion project application for CDBG 2017-2018 program funding was approved by City Council on October 25, 2016 under Resolution 2016-105; and

WHEREAS, the project submitted herein meets the CDBG program guidelines and/or requirements; and

WHEREAS, the scope of work for the expansion project includes developing an additional 7.36 acres owned by the City. CDBG funds will specifically be used for the design and construction of two multipurpose fields, additional parking, lighting, landscaping, other park amenities, and project administration; and

WHEREAS, it is necessary that the project be approved by the City Council through resolution in order for the City and its residents to obtain and utilize the federally funded CDBG grant funds.

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

SECTION 1. The Banning City Council adopts Resolution 2017-92, accepting Community Development Block Grant Program Funds for Fiscal Year 2017-2018 in the amount of \$172,516 for the Lion's Park Expansion Project (5.BN.36-17).

SECTION 2. The City Manager is authorized to submit one City Project Fiscal Year 2017-2018 Community Development Block Grant program application to Riverside Economic Development Agency for approval by their Board.

SECTION 3. The Mayor is authorized to execute the Supplemental Agreement for the 2017-2018 Community Development Block Grant program.

PASSED, ADOPTED AND APPROVED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

John Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2017-92, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of September, 2017, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

2017-2018 CDBG Supplemental Agreement

**SUPPLEMENTAL AGREEMENT FOR THE USE OF
2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

This Supplemental Agreement ("Agreement") is entered into this _____ day of _____, 2017, by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California, herein called, "COUNTY," and the CITY OF **BANNING**, herein called "CITY." COUNTY and CITY are collectively referred to as "Parties" and individually as "Party."

The COUNTY and CITY mutually agree as follows:

1. GENERAL. COUNTY and CITY have executed a Cooperation Agreement, dated July 15, 2015 ("Cooperation Agreement"), whereby CITY elected to participate with COUNTY, which has qualified as an "Urban County" for purposes of receiving Community Development Block Grant (CDBG) funds ("CDBG"), and to assist and undertake essential community development and housing assistance activities pursuant to the Housing and Community Development Act of 1974, Title 1, as amended, Public Law 93-383 hereinafter referred to as "Act." Said Cooperation Agreement, dated July 15, 2015, is incorporated herein by reference and made a part of this Agreement as if each and every provision was set forth herein.

2. PURPOSE. CITY promises and agrees to undertake and assist with the community development activities, within its jurisdiction, by utilizing the sum of **\$172,516**, CDBG Entitlement Funds, as specifically identified in Exhibit(s) A, attached hereto, and are incorporated herein by this reference, for the following project(s) (collectively, the "Projects"):

A. 5.BN.36-17 Lions Park Expansion Project \$172,516

3. TERM OF AGREEMENT. The term of this Agreement for the implementation of the Project(s) shall be for a period of one (1) year from July 1, 2017 to termination on June 30, 2018. City shall proceed consistent with the completion schedule set forth in Exhibit(s) A, attached hereto and incorporated herein. In the event the Project(s) are not substantially completed by the time set forth in the applicable completion schedules due to a force majeure

1 event (See Section 24 below), the COUNTY may consider extending the schedule for the
2 completion of the project(s). Times of performance for other activities may also be extended in
3 writing by COUNTY. If substantial progress toward completion in conformance with the
4 completion schedule, as determined by COUNTY in its discretion, of the project(s) are not made
5 during the term of this Supplemental Agreement, COUNTY may suspend or terminate this
6 Supplemental Agreement pursuant to the termination procedures set forth in the section titled
7 "Termination," and the entitlement funds associated with the Project(s) may be reprogrammed by
8 the COUNTY after appropriate notice is provided to the City.

9 4. DISPOSITION OF FUNDS.

10 A. COUNTY's Board of Supervisors shall determine the final disposition and
11 distribution of all funds received by COUNTY under the Act consistent with Sections 2 and 3 of
12 this Supplemental Agreement. COUNTY, through its Economic Development Agency, shall
13 make payment of the CDBG funds to CITY as set forth in the attached Exhibit(s) A. It is the
14 CITY's responsibility to monitor all project activities set forth in the attached Exhibit(s) A,
15 and to ensure compliance with applicable federal regulations and the terms of this Supplemental
16 Agreement.

17 B. CITY shall comply with timely drawdown of CDBG Entitlement funding
18 by expeditiously implementing and completing the COUNTY-approved, CDBG-funded Projects.
19 CITY acknowledges that CITY's drawdown performance directly impacts the COUNTY's overall
20 program drawdown rate. If the CITY's unobligated CDBG fund balance, as of January 31, 2018,
21 exceeds one hundred and seventy-five percent (175%) of the CITY's 2017-2018 CDBG allocation,
22 the COUNTY may, in its sole discretion, take the necessary administrative actions to reduce the
23 CITY's CDBG fund balance. Necessary actions include, but are not limited to, reprogramming the
24 excess CDBG fund balance to other eligible activities as selected by COUNTY. COUNTY may,
25 in its sole and absolute discretion, authorize CITY in writing, prior to January 31, 2018, to exceed
26 the CDBG fund balance requirement.

27 C. CITY shall comply with timely drawdown of CDBG funds by submitting
28

1 monthly requests for reimbursement or other COUNTY approved reimbursement schedules. All
2 disbursements of CDBG funds will be on a reimbursement basis and made within thirty (30) days
3 after the COUNTY has received the CITY's reimbursement request including documentation
4 supporting expenditures.

5 D. All authorized obligations incurred in the performance of the Supplemental
6 Agreement for projects eligible under the following CDBG regulations must be reported in writing
7 to COUNTY no later than June 1, 2017:

- 8 1. Acquisition [24 Code of Federal Regulations (CFR) 570.201 (a)]
- 9 2. Clearance Activities [24 CFR 570.201 (d)]
- 10 3. Interim Assistance [24 CFR 570.201 (f)]
- 11 4. Code Enforcement [24 CFR 570.202 (c)]

12 All public service activities [24 CFR 570.201 (e)] and other eligible activities under this
13 Supplemental Agreement must be implemented, completed, and obligations reported in writing to
14 the COUNTY by the CITY no later than the completion schedules set forth in the attached Exhibits
15 to this Supplemental Agreement. "CFR" as used herein refers to the Code of Federal Regulations.
16 CITY shall cooperate with COUNTY in undertaking essential community development and
17 housing assistance activities, specifically urban renewal and public assistance housing, and shall
18 assist COUNTY in implementing and undertaking the goals and strategies identified in the 2014-
19 2019 Five Year Consolidated Plan, pursuant to 24 CFR Part 91 and other requirements of the
20 Community Development Block Grant Program.

21 6. LEAD AGENCY FOR COMPLIANCE WITH THE CALIFORNIA
22 ENVIRONMENTAL QUALITY ACT (CEQA). Pursuant to Section 15051(d) of Title 14 of the
23 California Administrative Code, the CITY is designated as the lead agency for the projects that
24 are the subject matter of this Supplemental Agreement.

25 7. HOLD HARMLESS AND INDEMNIFICATION. In contemplation of the
26 provisions of Section 895.2 of the California Government Code imposing certain tort liability
27 jointly upon public entities solely by reason of such entities being parties to an agreement as
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1 defined by Section 895 of the Code, the Parties hereto, pursuant to the authorization contained in
2 Section 895.4 and 895.6 of the Code, agree that each Party shall be liable for any damages
3 including, but not limited to, claims, demands, losses, liabilities, costs and expenses including
4 reasonable attorneys' fees, resulting from the negligent or wrongful acts or omissions of their
5 employees or agents in the performance of this Agreement, and each Party shall indemnify, defend
6 and hold harmless the other Parties from such claims, demands, damages, losses or liabilities for
7 their negligence

8 8. INSURANCE. Without limiting or diminishing the CITY obligation to indemnify
9 or hold the COUNTY harmless, CITY shall procure and maintain or cause to be maintained, at its
10 sole cost and expense, the following insurance coverage's during the term of this Agreement.

11 a. Workers' Compensation:

12 If the CITY has employees as defined by the State of California, the CITY shall
13 maintain statutory Workers' Compensation Insurance (Coverage A) as prescribed by the laws of
14 the State of California. Policy shall include Employers' Liability (Coverage B) including
15 Occupational Disease with limits not less than \$1,000,000 per person per accident. The policy shall
16 be endorsed to waive subrogation in favor of the County of Riverside.

17 b. Commercial General Liability:

18 Commercial General Liability insurance coverage, including but not limited to,
19 premises liability, contractual liability, products and completed operations liability, personal and
20 advertising injury, and cross liability coverage, covering claims which may arise from or out of
21 CITY'S performance of its obligations hereunder. Policy shall name the County of Riverside as
22 Additional Insured. Policy's limit of liability shall not be less than \$1,000,000 per occurrence
23 combined single limit. If such insurance contains a general aggregate limit, it shall apply
24 separately to this agreement or be no less than two (2) times the occurrence limit.

25 c. Vehicle Liability:

26 If vehicles or mobile equipment are used in the performance of the obligations
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1 under this Agreement, then CITY shall maintain liability insurance for all owned, non-owned or
2 hired vehicles so used in an amount not less than \$1,000,000 per occurrence combined single limit.
3 If such insurance contains a general aggregate limit, it shall apply separately to this agreement or
4 be no less than two (2) times the occurrence limit. Policy shall name the County of Riverside as
5 Additional Insured.

6 d. General Insurance Provisions - All lines:

7 (i). Any insurance carrier providing insurance coverage hereunder shall
8 be admitted to the State of California and have an A M BEST rating of not less than A: VIII (A:8)
9 unless such requirements are waived, in writing, by the County Risk Manager. If the County's
10 Risk Manager waives a requirement for a particular insurer such waiver is only valid for that
11 specific insurer and only for one policy term.

12 (ii). The CITY'S insurance carrier(s) must declare its insurance self-
13 insured retentions. If such self-insured retentions exceed \$500,000 per occurrence such retentions
14 shall have the prior written consent of the County Risk Manager before the commencement of
15 operations under this Agreement. Upon notification of self-insured retention unacceptable to the
16 COUNTY, and at the election of the Country's Risk Manager, CITY'S carriers shall either; 1)
17 reduce or eliminate such self-insured retention as respects this Agreement with the COUNTY, or
18 2) procure a bond which guarantees payment of losses and related investigations, claims
19 administration, and defense costs and expenses.

20 (iii). CITY shall cause CITY'S insurance carrier(s) to furnish the County
21 of Riverside with either 1) a properly executed original Certificate(s) of Insurance and certified
22 original copies of Endorsements effecting coverage as required herein, and 2) if requested to do so
23 orally or in writing by the County Risk Manager, provide original Certified copies of policies
24 including all Endorsements and all attachments thereto, showing such insurance is in full force and
25 effect. Further, said Certificate(s) and policies of insurance shall contain the covenant of the
26 insurance carrier(s) that thirty (30) days written notice shall be given to the County of Riverside
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1 prior to any material modification, cancellation, expiration or reduction in coverage of such
2 insurance. In the event of a material modification, cancellation, expiration, or reduction in
3 coverage, this Agreement shall terminate forthwith, unless the County of Riverside receives, prior
4 to such effective date, another properly executed original Certificate of Insurance and original
5 copies of endorsements or certified original policies, including all endorsements and attachments
6 thereto evidencing coverage's set forth herein and the insurance required herein is in full force and
7 effect. *CITY shall not commence operations until the COUNTY has been furnished original*
8 *Certificate (s) of Insurance and certified original copies of endorsements and if requested, certified*
9 *original policies of insurance including all endorsements and any and all other attachments as*
10 *required in this Section. An individual authorized by the insurance carrier to do so on its behalf*
11 *shall sign the original endorsements for each policy and the Certificate of Insurance.*

12 (iv). It is understood and agreed to by the parties hereto that the CITY'S
13 insurance shall be construed as primary insurance, and the COUNTY'S insurance and/or
14 deductibles and/or self-insured retention's or self-insured programs shall not be construed as
15 contributory.

16 (v). If, during the term of this Agreement or any extension thereof, there
17 is a material change in the scope of services; or, there is a material change in the equipment to be
18 used in the performance of the scope of or, the term of this Agreement, including any extensions
19 thereof, exceeds five (5) years, the COUNTY reserves the right to adjust the types of insurance
20 required under this Agreement and the monetary limits of liability for the insurance coverage's
21 currently required herein, if, in the County Risk Manager's reasonable judgment, the amount or
22 type of insurance carried by the CITY has become inadequate.

23 (vi). CITY shall pass down the insurance obligations contained herein to
24 all tiers of subcontractors working under this Agreement.

25 (vii). The insurance requirements contained in this Agreement may be
26 met with a program(s) of self-insurance acceptable to the COUNTY.
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1 (viii). CITY agrees to notify COUNTY of any claim by a third party or
2 any incident or event that may give rise to a claim arising from the performance of this Agreement.

3 9. RECORDS AND INSPECTIONS.

4 A. CITY shall establish and maintain financial, programmatic, statistical, and
5 other supporting records of its operations and financial activities in accordance with the **Uniform**
6 **Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**
7 (2 CFR 200.333), and 24 CFR Part 84 and 85, as amended, and 24 CFR Section 570.502 (a), as
8 they relate to the acceptance and use of federal funds under this Agreement. Said records shall be
9 retained for a period of four (4) years from the date that the activity or program funded with the
10 CDBG Grant is closed out by the COUNTY and reported as complete in the Comprehensive
11 Annual Performance and Evaluation Report (CAPER). Exceptions to the four (4) year retention
12 period requirement, pursuant to 2 CFR 200.333 include the following:

13 i. if any litigation, claim, or audit is started prior to the expiration of
14 the four (4) year period;

15 ii. when the CITY is notified in writing by the COUNTY, HUD, or
16 other Federal agency to extend the retention period;

17 iii. records for real property and equipment acquired with CDBG funds
18 must be retained for four (4) years after final disposition;

19 iv. when the records are transferred by the CITY to the COUNTY,
20 HUD, or other Federal agency, the four (4) year period is not applicable.

21 B. CITY shall obtain an external audit in accordance with the **Uniform**
22 **Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**
23 (2 CFR 200.500). Audits shall usually be performed annually but not less frequently than every
24 two years. Nonprofit institutions and government agencies that expend less than \$750,000 a year
25 in Federal awards are exempt from Federal audit requirements, but records must be available for
26 review by appropriate officials of the Federal grantor agency or subgranting entity. The audit report
27 shall be submitted to the COUNTY within 180 days after the end of the COUNTY'S fiscal year.
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1 C. CITY shall maintain a separate account for the CITYS CDBG Entitlement
2 funds received as set forth in Exhibit(s) A, attached hereto.

3 D. Pursuant to 2 CFR 200.336, CITY shall, during the normal business hours,
4 make available to COUNTY, the U.S. Department of Housing and Urban Development (HUD),
5 or other authorized representative, for the examination and copying, all of its records and other
6 materials with respect to matters covered by this Agreement and provide reasonable access to
7 CITY staff for the purpose of interview and discussion related to the records and documents.

8 E. CITY shall not retain any program income as defined in 24 CFR 570.500
9 570.500. Said program income shall be used only for the activities that are the subject of this
10 Agreement. Further, all provisions of this Agreement shall apply to such activities.

11 F. The CITY shall ensure that at least fifty-one percent (51%) of the persons
12 benefiting from all CDBG-funded activities or projects designated as serving limited clientele [24
13 CFR 570.208(a)(2)(i)] are of low and moderate-income and meet the applicable household income
14 guidelines. The CITY shall provide the required income certification and direct benefit
15 documentation, in writing, to the COUNTY pursuant to the reporting requirement of each activity
16 as set forth in Exhibit(s) A, attached hereto. In the event that CITY engages the services of a sub-
17 contractor to implement CDBG-funded activities, the CITY must collect, in writing, all required
18 income certification and direct benefit documentation from subcontractors prior to submittal to the
19 COUNTY pursuant to the reporting requirement of each activity as set forth in Exhibit(s) A,
20 attached hereto.

21 10. COMPLIANCE WITH LAWS. CITY shall comply with all applicable federal,
22 state, and local laws, regulations, and ordinances and any amendments thereto and the federal
23 regulations and guidelines now or hereafter enacted pursuant to the Act. More particularly, CITY
24 is to comply with those regulations found in the **Uniform Administrative Requirements, Cost**
25 **Principles, and Audit Requirements for Federal Awards** (2 CFR Part 200), and 24 CFR Part
26 84 and 85, as amended, or any subsequent replacement. CITY is to abide by the provisions of the
27 Community Development Block Grant Manual, prepared by COUNTY and cited in the above-
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1 mentioned Cooperation Agreement. CITY shall comply, if applicable, with Section 3 of the
2 Housing & Urban Development Act of 1968, as amended, attached hereto as Exhibit "S" and
3 incorporated herein by this reference. CITY shall comply with the provisions of 24 CFR 570.200
4 (j), attached hereto as Exhibit "R," and incorporated herein by this reference, pertaining to
5 inherently religious activities. CITY shall comply with the Additional Federal Requirements, if
6 applicable, attached hereto as Exhibit "AFR," and incorporated herein by this reference.

7 11. INDEPENDENT CONTRACTOR. The CITY is, for purposes relating to this
8 Supplemental Agreement, an independent contractor and shall not be deemed an employee of the
9 COUNTY. It is expressly understood and agreed that the CITY (including its employees, agents
10 and subcontractor's) shall in no event be entitled to any benefits to which the COUNTY employees
11 are entitled, including but not limited to overtime, any retirement benefits, worker's compensation
12 benefits, and injury leave or other leave benefits. There shall be no employer-employee
13 relationship between the parties; and the CITY shall hold the COUNTY harmless from any and all
14 claims that may be made against the COUNTY based upon any contention by a third party that an
15 employer-employee relationship exists by reason of this Supplemental Agreement. It is further
16 understood and agreed by the parties that the CITY in the performance of this Supplemental
17 Agreement is subject to the control or direction of the COUNTY merely as to the results to be
18 accomplished and not as to the means and methods for accomplishing the results.

19 12. TERMINATION.

20 A. CITY. CITY may not terminate this Agreement except upon express written
21 consent of COUNTY, pursuant to 2 CFR 200.339 (a)(3).

22 B. COUNTY. Notwithstanding the provisions of Paragraph 12a above,
23 COUNTY may suspend or terminate this Supplemental Agreement upon a ten (10) day written
24 notice to CITY of action being taken and the reason for such action including, but not limited to,
25 the following reasons:

26 (1) In the event CITY fails to perform the covenants herein contained
27 at such times and in such manner as provided in this Supplemental Agreement; and
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1 (2) In the event there is a conflict with any federal, state or local law,
2 ordinance, regulation or rule rendering any of the provisions of this Supplemental Agreement
3 invalid or untenable; or

4 (3) In the event the funding from the Department of Housing and Urban
5 Development referred to in Sections 1 and 2 above is terminated or otherwise becomes unavailable.

6 C. This Agreement may be terminated and/or funding suspended, in whole or
7 in part, for cause in accordance with the **Uniform Administrative Requirements, Cost**
8 **Principles, and Audit Requirements for Federal Awards** (2 CFR 200.339). Cause shall be
9 based on the failure of the CITY to materially comply with either the terms or conditions of this
10 Agreement. Upon suspension of funding, the CITY agrees not to incur any costs related thereto,
11 or connected with, any area of conflict from which the COUNTY has determined that suspension
12 of funds is necessary. CITY acknowledges that failure to comply with Federal statutes, regulations,
13 or the terms and conditions of this Agreement may be considered by the COUNTY in evaluating
14 future CDBG and non-CDBG funding applications submitted by CITY.

15 D. Upon suspension or termination of this Supplemental Agreement, CITY
16 shall return any unencumbered funds which it has been provided by COUNTY. In accepting said
17 funds, COUNTY does not waive any claim or cause of action it may have against CITY for breach
18 of this Supplemental Agreement.

19 E. Reversion of Assets

20 1. Upon expiration or termination of this Supplemental Agreement, the
21 CITY shall transfer to the COUNTY any CDBG funds on hand at the time of expiration of the
22 Supplemental Agreement as well as any accounts receivable held by CITY which are attributable
23 to the use of CDBG funds awarded pursuant to this Supplemental Agreement.

24 2. Any real property under the CITY'S control that was acquired or
25 improved in whole or in part with CDBG funds (including CDBG funds provided to the CITY in
26 the form of a loan) in excess of \$25,000 is either:

27 (i) Used to meet one of the National Objectives pursuant to 24
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1 CFR 570.208 until five years after expiration of this agreement, or for such longer period of time
2 as determined to be appropriate by the COUNTY; or

3 (ii) Not used in accordance with Clause (i) above, in which event
4 the CITY shall pay the COUNTY an amount equal to the current market value of the property less
5 any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or
6 improvement to, the property.

7 13. NONDISCRIMINATION. CITY shall abide by 24 CFR 570.601 and 570.602 of
8 Title 24 of the Code of Federal Regulations which requires that no person in the United States shall
9 on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied
10 the benefits of, or be subjected to discrimination under any program or activity funded in whole or
11 in part with Community Development funds. CITY shall abide by and include in any subcontracts
12 to perform work under this Supplemental Agreement, the following clause:

13 "During the performance of this Supplemental Agreement, CITY and its subcontractors
14 shall not unlawfully discriminate against any employee or applicant for employment
15 because of race, religion, color, national origin, ancestry, physical handicap, medical
16 condition, marital status, age (over 40) or sex. CITY and subcontractors shall insure that
17 the evaluation and treatment of their employees and applicants for employment are free of
18 such discrimination. CITY and subcontractors shall comply with the provisions of the Fair
19 Employment and Housing Act (California Government Code Section 12900 et seq.). The
20 applicable regulations of the Fair Employment and Housing Commission are implementing
21 California Government Code Section 12990 et seq., set forth in Chapter 1 of Division 4.1
22 of Title 2 of the California Administrative Code are incorporated into this Agreement by
23 reference and made a part hereof as if set forth in full. CITY and its subcontractors shall
24 give written notice of their obligations under this clause to labor organizations with which
25 they have a collective bargaining or other agreement."

26 14. PROHIBITION AGAINST CONFLICTS OF INTEREST

27 A. CITY and its assigns, employees, agents, consultants, officers and elected
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1 and appointed officials shall become familiar with and shall comply with the **Uniform**
2 **Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**
3 (2 CFR Part 200) and the CDBG regulations prohibiting conflicts of interest contained in 24 CFR
4 570.611.

5 B. The Subrecipient shall maintain a written code or standards of conduct that
6 shall govern the performance of its officers, employees or agents engaged in the award and
7 administration of contracts supported by Federal funds.

8 C. No employee, officer or agent of the Subrecipient shall participate in the
9 selection, or in the award, or administration of, a contract supported by Federal funds if a conflict
10 of interest, real or apparent, would be involved.

11 D. No covered persons who exercise or have exercised any functions or
12 responsibilities with respect to CDBG-assisted activities, or who are in a position to participate in
13 a decision-making process or gain inside information with regard to such activities, may obtain a
14 financial interest in any contract, or have a financial interest in any contract, subcontract, or
15 agreement with respect to the CDBG-assisted activity, or with respect to the proceeds from the
16 CDBG-assisted activity, either for themselves or those with whom they have business or
17 immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes
18 of this paragraph, a "covered person" includes any person who is an employee, agent, consultant,
19 officer, or elected or appointed official of the Grantee, the Subrecipient, or any designated public
20 agency.

21 E. CITY understands and agrees that no waiver of exception can be granted to
22 the prohibition against conflict of interest except upon written approval of HUD pursuant to 24
23 CFR 570.611 (d). Any request by CITY for an exception shall first be reviewed by COUNTY to
24 determine whether such request is appropriate for submission to HUD in the COUNTY'S sole and
25 absolute discretion. In determining whether such request is appropriate for submission to HUD,
26 COUNTY will consider the factors listed in 24 CFR 570.611 (d)(2).

27 F. Prior to the distribution of any CDBG funding under this Supplemental
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1 Agreement, CITY shall provide COUNTY, in writing, a list of all employees, agents, consultants,
2 officers and elected and appointed officials who are in a position to participate in a decision making
3 process, exercise any functions or responsibilities, or gain inside information with respect to the
4 CDBG activities funded under this Agreement. CITY shall also promptly disclose to COUNTY
5 any potential conflict, including even the appearance of conflict that may arise with respect to the
6 CDBG activities funded under this Supplemental Agreement.

7 G. Any violation of this Section 14 shall be deemed a material breach of this
8 Supplemental Agreement, and the Supplemental Agreement shall be immediately terminated by
9 the COUNTY.

10 15. PROJECT ELIGIBILITY. As to CITY or its claimants, COUNTY shall bear no
11 liability for any later determination by the United States Government, the U.S. Department of
12 Housing and Urban Development, or any other person or entity that CITY is or is not eligible
13 under 24 CFR Part 570 to receive CDBG entitlement funds from the COUNTY.

14 16. USE OF PROPERTY. Whenever federal CDBG funds or program income are used,
15 in whole or in part, for the purchase of equipment or personal property, the property shall not be
16 transferred from its originally funded use, by CITY or the CITY'S subcontractor implementing
17 the CDBG-funded activity, for a period of five (5) years from the close-out date of the grant from
18 which CDBG assistance was provided. The CITY shall maintain a current inventory for COUNTY
19 monitoring and review.

20 17. EMPLOYMENT OPPORTUNITIES TO BE CAUSED BY PROJECT. CITY
21 agrees to notify in writing, and to cause any subcontractor implementing CDBG-funded Projects
22 to notify, in writing, the Riverside County Workforce Development Center of any and all job
23 openings that are caused by the CDBG-funded Projects under this Supplemental Agreement.

24 18. PUBLICITY. Any publicity generated by CITY for the Projects funded pursuant to
25 this Supplemental Agreement will make reference to the contribution of the COUNTY, the
26 Economic Development Agency, and the Community Development Block Grant Program in
27 making the project possible.

1 19. PROGRAM MONITORING AND EVALUATION. CITY and its subcontractors
2 shall be monitored and evaluated in terms of its effectiveness and timely compliance with the
3 provisions of this Supplemental Agreement and the effective and efficient achievement of the
4 CDBG National Objectives as set forth in Exhibit(s) A,
5 attached hereto. Quarterly reports shall be due on the last day of the month immediately following
6 the end of the quarter being reported. The quarterly written reports shall include, but shall not be
7 limited to, the following data elements:

8 A. Title of program, listing of components, description of activities/operations.

9 B. The projected goals, indicated numerically, and also the goals achieved (for
10 each report period). In addition, identify by percentage and description, the progress achieved
11 towards meeting the specified goals and identify any problems encountered in meeting goals.

12 C. If the CDBG-funded activity meets a National Objective under 24 CFR
13 570.208 (a)(2)(i), CITY will report the following:

14 1) Total number of direct beneficiaries (clientele served) with
15 household incomes at:

- 16 • Above 80% MHI
- 17 • Between 50% and 80% MHI (Low-Income)
- 18 • Between 30% and 50% MHI (Very Low-Income)
- 19 • Less than 30% MHI (Extremely Low-Income)

20 2) Total number and percent (%) of the clientele served that have
21 household incomes at or below 80% MHI

22 3) Racial ethnicity of clientele

23 4) Number of Female-Headed Households

24 D. CITY shall report, in writing, and cause its subcontractors to report, in
25 writing, beneficiary statistics monthly to the Economic Development Agency (EDA) on the pre-
26 approved *Direct Benefit Form* and *Self-Certification Form* (certifying income, family size, and
27 racial ethnicity) as required by HUD. Updated forms are to be provided to CITY by EDA should
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1 HUD implement changes during the term of this Supplemental Agreement. CITY and
2 subcontractors will collect and provide all necessary data required by HUD pertaining to the
3 Specific Outcome Indicators as identified in HUD's Community Planning and Development
4 (CPD) Outcome Performance Measurement System.

5 20. SOURCE OF FUNDING. CITY acknowledges that the source of funding pursuant
6 to this Supplemental Agreement is Community Development Block Grant funds (CFDA 14.218),
7 and the Grant Award Number is B-17-UC-06-0506.

8 21. ENTIRE AGREEMENT. This Supplemental Agreement, including any
9 attachments or exhibits hereto constitutes the entire Supplemental Agreement of the parties with
10 respect to its subject matter and supersedes all prior and contemporaneous representations,
11 proposals, discussions and communications, whether oral or in writing. No oral understanding or
12 agreement not incorporated herein shall be binding on any of the parties hereto. Each of the
13 attachments and exhibits attached hereto is incorporated herein by this reference.

14 22. MINISTERIAL ACTS. The Assistant County Executive Officer/EDA or
15 designee(s) are authorized to take such ministerial actions as may be necessary or appropriate to
16 implement the terms, provisions, and conditions of this Supplemental Agreement as it may be
17 amended from time-to-time by COUNTY.

18 23. PRIOR AUTHORIZATION. CITY shall obtain COUNTY's written approval
19 from the COUNTY'S Economic Development Agency prior to implementing the following "high
20 risk" activities funded with CDBG assistance:

- 21 A. Construction of public facilities (project plans and specifications);
- 22 B. Acquisition of real property;
- 23 C. Historic Preservation;
- 24 D. Relocation; and
- 25 F. Economic Development

26 24. FORCE MAJEURE.

- 27 A. Performance by either party hereunder shall not be deemed to be in default
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1 where delays or defaults are due to war, insurrection, strikes, lock-outs, riots, floods, earthquakes,
2 fires, casualties, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight
3 embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually
4 severe weather, inability to secure necessary labor, material or tools, delays of any contractor, sub-
5 contractor or supplier, acts of the other party, acts or failure to act of a public or governmental
6 agency or entity, or any causes beyond the control or without the fault of the party claiming an
7 extension of time to perform.

8 B. An extension of time for any such cause (a "Force Majeure Delay") shall be
9 for the period of the enforced delay and shall commence to run from the time of the commencement
10 of the cause, if notice by the party claiming such extension is sent to the other party within thirty
11 (30) calendar days of knowledge of the commencement of the cause. Notwithstanding the
12 foregoing, none of the foregoing events shall constitute a Force Majeure Delay unless and until
13 the party claiming such delay and interference delivers to the other party written notice describing
14 the event, its cause, when and how such party obtained knowledge, the date the event commenced,
15 and the estimated delay resulting therefrom. Any party claiming a Force Majeure Delay shall
16 deliver such written notice within thirty (30) calendar days after it obtains knowledge of the event.

17 25. JURISDICTION AND VENUE: Any action at law or in equity arising under this
18 Supplemental Agreement or brought by a party hereto for the purpose of enforcing, construing or
19 determining the validity of any provision of this Supplemental Agreement shall be filed in the
20 consolidated Courts of Riverside County, State of California, and the parties hereto waive all
21 provisions of law providing for the filing, removal or change of venue to any other court or
22 jurisdiction

23 26. SEVERABILITY. Each paragraph and provision of this Supplemental
24 Agreement is severable from each other provision, and if any provision or part thereof is declared
25 invalid, the remaining provisions shall remain in full force and effect.

26 27. WAIVER. Failure by a party to insist upon the strict performance of any of the
27 provisions of this Supplemental Agreement by the other party, or the failure by a party to exercise
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1 its rights upon the default of the other party, shall not constitute a waiver of such party's rights to
2 insist and demand strict compliance by the other party with the terms of this Supplemental
3 Agreement thereafter.

4 28. NOTICES. Each notice, request, demand, consent, approval or other
5 communication (hereinafter in this Section referred to collectively as "notices" and referred to
6 singly as a "notice") which the CITY or COUNTY is required or permitted to give to the other
7 party pursuant to this Agreement shall be in writing and shall be deemed to have been duly and
8 sufficiently given if: (a) personally delivered with proof of delivery thereof (any notice so delivered
9 shall be deemed to have been received at the time so delivered); or (b) sent by Federal Express (or
10 other similar national overnight courier) designating early morning delivery (any notice so
11 delivered shall be deemed to have been received on the next Business Day following receipt by
12 the courier); or (c) sent by United States registered or certified mail, return receipt requested,
13 postage prepaid, at a post office regularly maintained by the United States Postal Service (any
14 notice so sent shall be deemed to have been received two days after mailing in the United States),
15 addressed to the respective parties as follows:

<u>COUNTY</u>	<u>CITY</u>
Assistant County Executive Officer/EDA	Holly Stuart
Economic Development Agency	City of Banning
P.O. Box 1180	P.O. Box 908
Riverside, CA 92502	Banning, CA 92220

21 29. LOBBYING. CITY certifies to the best of its knowledge and belief, that:

22 a. No federally-appropriated funds have been paid or will be paid, by or on
23 behalf of the CITY, to any person for influencing or attempting to influence an officer or employee
24 of any agency, a member of Congress, an officer or employee of Congress, or an employee of a
25 member of Congress in connection with the awarding of any federal contract, the making of any
26 federal grant, the making of any federal loan, the entering into of any cooperative agreement, and
27 the extension, continuation, renewal, amendment, or modification of any federal contract, grant,
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1 loan, or cooperative agreement.

2 b. If any funds other than federally-appropriated funds have been paid or will
3 be paid to any person for influencing or attempting to influence an officer or employee of any
4 agency, a member of Congress, an officer or employee of Congress, or an employee of a member
5 of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the
6 CITY shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in
7 accordance with its instructions.

8 c. CITY shall require that the language of this certification be included in the
9 award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts
10 under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and
11 disclose accordingly. This certification is a material representation of fact upon which reliance
12 was placed when this transaction was made or entered into.

13 30. INTERPRETATION AND GOVERNING LAW. This Supplemental Agreement
14 and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws
15 of the State of California. This Supplemental Agreement shall be construed as a whole according
16 to its fair language and common meaning to achieve the objectives and purposes of the parties
17 hereto, and the rule of construction to the effect that ambiguities are to be resolved against the
18 drafting party shall not be employed in interpreting this Supplemental Agreement, all parties
19 having been represented by counsel in the negotiation and preparation hereof.

20 31. AUTHORITY TO EXECUTE. The persons executing this Supplemental
21 Agreement or exhibits attached hereto on behalf of the parties to this Supplemental Agreement
22 hereby warrant and represent that they have the authority to execute this Supplemental Agreement
23 and warrant and represent that they have the authority to bind the respective parties to this
24 Supplemental Agreement to the performance of its obligations hereunder.

25 32. EFFECTIVE DATE. The effective date of this Supplemental Agreement is the date
26 the parties sign the Supplemental Agreement. If the parties sign the Supplemental Agreement on
27 more than one date, then the last date the Supplemental Agreement is signed by a party shall be
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1 the effective date.

2 33. COUNTERPARTS. This Supplemental Agreement may be signed by the
3 different parties hereto in counterparts, each of which shall be an original but all of which together
4 shall constitute one and the same agreement.

5 34. LETTER TO PROCEED. CITY shall not initiate nor incur expenses for the CDBG-
6 funded Projects or activities covered under the terms of this Supplemental Agreement as set forth
7 in Exhibit(s) A, attached hereto, prior to receiving written authorization from COUNTY to
8 proceed.

9 35. ASSIGNMENT. The CITY shall not make any assignment or transfer in any form
10 with respect to this Supplemental Agreement, without prior written approval of the COUNTY.

11 36. MODIFICATION OF AGREEMENT. This Supplemental Agreement may be
12 modified or amended only by a writing signed by the duly authorized and empowered
13 representative of COUNTY and CITY respectively.

14
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16
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18 Remainder of Page Intentionally Blank

19 [Signatures on Following Page]
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1 IN WITNESS WHEREOF, the COUNTY and the CITY have executed this Agreement as
2 of the dates set forth below.

3
4 COUNTY OF RIVERSIDE,
5 a political subdivision of the
6 State of California

CITY OF BANNING,
a general law city

7 BY: _____
8 John Aguilar,
9 Deputy Director

BY: _____

10 Date: _____

Date: _____

11
12 APPROVED AS TO FORM:
13 Gregory P. Priamos, County Counsel

ATTEST:

14
15 By: _____
16 Jhaila R. Brown,
17 Deputy County Counsel

BY: _____
City Clerk

18 APPROVED AS TO FORM:

19 BY: _____
20 City Attorney

**SUPPLEMENTAL AGREEMENT
SCOPE OF WORK
(NON-PUBLIC SERVICE)**

I. GENERAL INFORMATION

CITY NAME: City of Banning DUNS #: 99169823

ADDRESS: P.O. Box 998
Banning, CA 92220

PROGRAM CONTACTS: Holly Stuart, Management Analyst

PHONE: (951) 922-3181 FAX: (951) 922-3174

E-MAIL: hstuart@ci.banning.ca.us

PROJECT NAME: Lions Park Expansion Project

PROJECT LOCATION: Lions Park, NW corner of Hargrave and Charles Streets

LEVEL OF ENVIRONMENTAL CLEARANCE: Categorical Exclusion 24 CFR 58.35

CDBG ELIGIBILITY CODE: 570.201 (c) Public Facilities

PROJECT FUNDING SUMMARY: **\$172, 516**

Project to be administered by County (EDA) on behalf of City: YES ☐ NO ☒

II. SCOPE OF SERVICE

A. Activities

City will be responsible for administering a **2017-2018** Community Development Block Grant for the **Lions Park Expansion Project** in a manner satisfactory to the County of Riverside and consistent with any standards required as a condition of providing these funds. Such program will include the following activities eligible under the Community Development Block Grant program:

Activity #1 *The City of Banning will use CDBG funds to complete the Lions Park Expansion project by developing an additional 7.36 adjacent acres owned by the City. CDBG funds will be used specifically for the design an construction of two multipurpose fields, additional parking, lighting, landscaping, other park amenities, and project administration. .*

B. National Objective

All activities funded with CDBG funds must comply with one of more of the CDBG program's National Objective Criteria as required under 24 CFR 570.200(a)(2). City certifies that the activity(ies) carried out under this Agreement will meet the following National Objective:

National Objective Criteria: 570.208 (a)(1)(i)

CFR Reference: Low Mod Area

C. Levels of Accomplishment – Goals and Performance Measures

The City agrees to implement and complete the following activity(ies):

Activity #1 Prepare design and specifications for facility improvements.

Activity #2 Implement and complete construction activities.

CPD OUTCOME PERFORMANCE MEASUREMENT

Objectives (select one): ☒ Creating Suitable Living Environments
☐ Providing Decent Affordable Housing
☐ Creating Economic Opportunities

Outcome (select one): ☒ Availability/Accessibility
☐ Affordability
☐ Sustainability (promoting livable or viable communities)

D. City Capacity

By executing this Supplemental Agreement, the City certifies that it has the appropriate number of trained and knowledgeable staff, adequate facilities, proper equipment, required licensing and permitting, and sufficient amount of financial resources necessary to implement and carry out the activities funded with CDBG funds.

City will immediately notify County of any significant changes in organizational management, assigned staff, change in facilities, loss or change in matching funds, or any other event that could potentially impact the City or subrecipient's performance under this Agreement.

Any changes in the above items are subject to the prior approval of the County.

E. Performance Monitoring

The County of Riverside will monitor the performance of the City and its subrecipients against goals and performance standards as stated above. Substandard performance as determined by the County will constitute noncompliance with this Agreement. If action to correct such substandard performance is not taken by the City within a reasonable period of time after being notified by the County, contract suspension or termination procedures will be initiated.

F. Program Budget

It is expressly agreed and understood that the total amount to be paid by the County under this Agreement shall not exceed **\$172,516**. Drawdowns for the payment of eligible expenses shall be made against the line item budgets specified in this Section and in accordance with performance. Payments may be contingent upon certification of the Subrecipient's financial management system in accordance with the **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** (2 CFR Part 200), and 24 CFR Part 84 and 85, as amended.

The County may require a more detailed budget breakdown than the one contained herein, and the City shall provide such supplementary budget information in a timely fashion in the form and content prescribed by the County. Any amendments to the budget must be approved in writing by both the County and City.

Line Item	CDBG Granted Funds	Total of Non-CDBG Funds	Total Activity/Project Budget	Notes
Design/Engineering Costs		80,000	80,000	
Project Administration Costs				
Construction Costs	170,516	247,484	418,000	
Acquisition Costs				
Relocations Costs				
Capital Equipment Costs				
Code Enforcement				
Clearance				
Interim Assistance				
Indirect Costs:				
Other: Public Notices, Project Management, Soft Costs	2,000		2,000	
TOTAL CDBG BUDGET	\$ 172,516	\$327,484	\$500,000	

G. Total Amount of Non- CDBG Leveraging

TYPE	SOURCE	AMOUNT	SOURCE	AMOUNT	TOTAL
FEDERAL					
STATE/LOCAL	City Parkland	\$125,000-	Roberson's	\$200,000	\$325,000-
	Development Fund	\$150,000	Fund		\$350,000
PRIVATE					
OTHER					

TOTAL: \$325,000-\$350,000

III. ADMINISTRATIVE REQUIREMENTS

A. Accounting Standards

The City agrees to comply with the **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** (2 CFR Part 200), and 24 CFR Part 84 and 85, as amended, and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.

B. Cost Principles

The City shall administer its program in conformance with the **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** (2 CFR Part 200), and 24 CFR Part 84 and 85, as amended. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.

C. Documentation and Record Keeping

1. Records to be Maintained

The Subrecipient shall maintain all records required by the Federal regulations specified in 24 CFR 570.506, that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

- I Records providing a full description of each activity undertaken;
- ii. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
- iii. Records required to determine the eligibility of activities;
- iv. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- v. Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
- vi. Financial records as required by 24 CFR 570.502, and 2 CFR 200; and
- vii. Other records necessary to document compliance with Subpart K of 24 CFR Part 570.

2. Records Retention

The City shall retain all CDBG-related financial records, supporting documents, contracts, and agreements for a period of four (4) years. The retention period begins on the date of the submission of the County's annual performance and evaluation report to HUD in which the activities assisted under the Agreement are reported for the final time. The City will retain all National Objective documentation, including low-moderate income certification, ethnicity, and other pertinent data for a period of four (4) years after submission of the County's annual performance and evaluation report to HUD. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the four-year period, then such records must be retained until completion of the actions and resolution of all issues.

3. Client Data

The City shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility, and description of service provided. Such information shall be made available to County monitors or their designees for review upon request.

4. Disclosure

The City understands that client information collected under this contract is private and the use or disclosure of such information, when not directly connected with the administration of the County's or City's responsibilities with respect to services provided under this contract, is prohibited by applicable federal and State law unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent/guardian.

5. Close-outs

The City's obligation to the County shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the County), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the City has control over CDBG funds, including program income.

6. Audits & Inspections

All City records with respect to any matters covered by this Agreement shall be made available to the County, HUD, and the Controller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the City within 30 days after receipt by the City. Failure of the City to comply with the above audit requirements will constitute a violation of this contract and may result in the withholding of future payments. The City hereby agrees to have an annual agency audit conducted in accordance with current County policy concerning subrecipient audits and **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** (2 CFR Part 200.500) and HUD's single audit regulations (24 CFR Part 44.6).

IV. PROJECT IMPLEMENTATION AND SCHEDULE

Unless pre-approved by County, City will perform and complete the activities described in Section II in conformance with the schedule of tasks and milestones listed below:

<u>Tasks / Milestone</u>	<u>Start Date</u>	<u>Completion Date</u>
Complete Online Training	June 2017	July 2017
Implement Project Activities	Upon Notification from EDA	July 2018
Execute Supplemental Agreement & Notice to Incur Cost	August 2017	September 2017

<u>Tasks / Milestone</u>	<u>Start Date</u>	<u>Completion Date</u>
Submit Quarterly Performance Reports to County		October 15, 2017 January 15, 2018 April 15, 2018 July 15, 2018 August 31, 2018

County Monitoring of City Program/Performance To be determined by Program Manager

Specific Project Activities

1. City executes Supplemental Agreement; receives Authorization to Incur Cost letter
2. City prepares final construction documents (incorporating Special Federal Provisions) for EDA review and approval
3. EDA authorizes City to advertise for bids
4. EDA reviews and approves bidding process
5. City awards construction contract
6. Sponsor and EDA conduct "pre-construction meeting"
7. EDA authorizes Sponsor to issue "Notice to Proceed"

City Submits Reimbursement Requests

Monthly Submittal ☐

Other Schedule ☒: As Progress Payments are made to contractor, and other project related costs are incurred. No less than once a month.

August 31, 2018

CDBG-funded Project Complete July 31, 2018

City Submits Monthly Direct Benefit Reports N/A

V. SPECIAL CONDITIONS /PERFORMANCE REQUIREMENTS

City is not authorized to proceed with bidding or contracting, for design or construction services, prior to contacting the County to obtain Special Federal Provisions for bidding and contract procurement. EDA must review and approve (in writing) all RFPs and/or construction bid documents prior to issuing any RFP or notice inviting bids.

EXHIBIT "R"

In accordance with First Amendment Church/State Principles, as a general rule, CDBG/ESG assistance may not be used for religious activities or provided to primarily religious entities for any activities, including secular activities. The following restrictions and limitations therefore apply to the use of CDBG/ESG funds.

(1) CDBG/ESG funds may not be used for the acquisition of property or the construction or rehabilitation (including historic preservation and removal of architectural barriers) of structures to be used for religious purposes or which will otherwise promote religious interests. This limitation includes the acquisition of property for ownership by primarily religious entities and the construction or rehabilitation (including historic preservation and removal of architectural barriers) of structures owned by such entities (except as permitted under paragraph (j) (2) of this section with respect to rehabilitation and under paragraph (j) (4) of this section with respect to repairs undertaken in connection with public services) regardless of the use to be made of the property or structure. Property owned by primarily religious entities may be acquired with CDBG/ESG funds at no more than fair market value for a non-religious use.

(2) CDBG/ESG funds may be used to rehabilitate buildings owned by primarily religious entities to be used for a wholly secular purpose under the following conditions:

(i) The building (or portion thereof) that is to be improved with the CDBG/ESG assistance has been leased to an existing or newly-established wholly secular entity (which may be an entity established by the religious entity);

(ii) The CDBG/ESG assistance is provided to the lessee (and not the lessor) to make the improvements;

(iii) The leased premises will be used exclusively for secular purposes available to persons regardless of religion;

(iv) The lease payments do not exceed the fair market rent of the premises as they were before the improvements are made;

(v) The portion of the cost of any improvements that also serve a non-leased part of the building will be allocated to and paid for by the lessor;

(vi) The lessor enters into a binding agreement that unless the lessee, or a qualified successor lessee, retains the use of the leased premises for a wholly secular purpose for at least the useful life of the improvements, the lessor will pay to the lessee an amount equal to the residual value of the improvements

EXHIBIT "R"

(vii) The lessee must remit the amount received from the lessor under subparagraph (2)(vi) of this section to the recipient or subrecipient from which the CDBG/ESG funds were derived.

The lessee can also enter into a management contract authorizing the lessor religious entity to use the building for its intended secular purpose, e.g., homeless shelter, provision of public services. In such case,

the religious entity must agree in the management contract to carry out the secular purpose in a manner free from religious influences in accordance with the principles set forth in paragraph (j)(3) of this section.

(3) As a general rule, CDBG/ESG funds may be used for eligible public services to be provided through a primarily religious entity, where the religious entity enters into an agreement with the recipient or subrecipient from which the CDBG/ESG funds are derived that, in connection with the provision of such services:

(i) It will not discriminate against any employee or applicant for employment on the basis of religion and will not limit employment or give preference in employment to persons on the basis of religion.

(ii) It will not discriminate against any person applying for such public services on the basis of religion and will not limit such services or give preference to persons on the basis of religion;

(iii) It will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of such public services;

(iv) The portion of a facility used to provide the public services shall contain no religious symbols or decorations, other than those permanently affixed to or part of the structure.

(4) Where the public services provided under paragraph (j)(3) of this section are carried out on property owned by the primarily religious entity, CDBG/ESG funds may also be used for minor repairs to such property which are directly related to carrying out the public services where the cost constitutes in dollar terms only an incidental portion of the CDBG/ESG expenditure for the public services.

EXHIBIT "S"

Economic Opportunities for Section 3 Residents and Section 3 Business Concerns

Sec. 135.38 Section 3 clause.

All section 3 covered contracts shall include the following clause (referred to as the section 3 clause):

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

EXHIBIT "S"

A. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

B. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

C. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

EXHIBIT "AFR"

Additional Federal Requirements

Whereas, the work under this Agreement is subject to applicable Federal, State, and local laws and regulations, including but not limited to the regulations pertaining to the Community Development Block Grant (24 CFR Part 570) and the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR 200). All contractors, sub-contractors, consultants, and sub-consultants agree to comply with, and are subject to, the following Federal requirements (if applicable):

1. **Equal Employment Opportunity:** Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity", as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor Regulations (41 CFR chapter 60). The SUBRECIPIENT will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. SUBRECIPIENT will ensure that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin. The SUBRECIPIENT will take affirmative action to ensure that applicants are employed and the employees are treated during employment, without regard to their race color, religion, sex, or national origin. Such actions shall include, but are not limited to, the following: employment, up-grading, demotion, or transfer; recruitment or recruitment advertising; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The SUBRECIPIENT agrees to post in a conspicuous place, available to employees and applicants for employment, notices to be provided by the County setting forth the provisions of this non-discrimination clause;
2. **Copeland "Anti-Kickback" Act (18 U.S.C. Section 874 and 40 U.S.C. Section 3145):** All contracts and subgrants in excess of \$2,000 for construction or repair awarded by recipients and subrecipients shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. Section 874), as supplemented by Department of Labor Regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States") ("ACT"). The Act provides that each contractor or subrecipient shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The recipient shall report all suspected or reported violations to HUD.
3. **Davis-Bacon Act, as amended (40 U.S.C.A. Section 3141):** When required by Federal program legislation, all construction contracts awarded by the recipients and subrecipients of more than \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C.A. Section 3148) and as supplemented by Department of Labor Regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and

EXHIBIT "AFR"

1. Assisted Construction"). Under the Davis Bacon Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the U.S. Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the U.S. Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to HUD.
2. **Contract Work Hours and Safety Standards Act (40 U.S.C.A. 3701-3708):** Where applicable, all contracts awarded by SUBRECIPIENT in excess of \$2,000 for construction contracts and in excess of \$2,500 for other contracts that involve the employment of mechanics or laborers shall include a provision for compliance with the Contract Work Hours and Safety Standards (40 U.S.C.A. 3701-3708), as supplemented by Department of Labor Regulations (29 CFR Part 5). Under Section 40 U.S.C.A. 3702, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. 40 U.S.C.A. 3704 is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
3. **Rights to Inventions Made Under a Contract or Agreement:** Contracts or agreements for the performance of experimental, developmental, or research work shall provide for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by HUD.
4. **Rights to Data and Copyrights:** Contractors and consultants agree to comply with all applicable provisions pertaining to the use of data and copyrights pursuant to 48 CFR Part 27.4, Federal Acquisition Regulations (FAR).
5. **Air Pollution and Control (formally known as the Clean Air Act) (42 U.S.C.A. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C.A. Section 1251 et seq.), as**
 1. **amended:** Contracts and subgrants of amounts in excess of \$100,000 shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the *Clean Air Act* (42 U.S.C.A. 7401 et seq.) and the *Federal Water Pollution Control Act*

EXHIBIT "AFR"

as amended (33 U.S.C.A. Section 1251 et seq.). Violations shall be reported to HUD and the Regional Office of the Environmental Protection Agency (EPA).

2. **Anti-Lobbying Certification (31 U.S.C. 1352):** The language of the certification set forth in this paragraph below shall be included in all contracts or subcontracts entered into in connection with this grant activity and all SUBRECIPIENTS shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who files to file the required certification shall be subject to a civil penalty of not less than \$10,000 and no more than \$100,000 for such failure.

"The undersigned certifies, to the best of his or her knowledge or belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant loan or cooperative agreement, he/she will complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions."

9. **Debarment and Suspension (Executive Orders (E.O.) 12549 and 12689):** No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension," as set forth at 2 CFR Part 2424. This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.
10. **Drug-Free Workplace Requirements:** The Anti-Drug Abuse Act of 1988 (42 U.S.C. Section 8103) requires grantees (including individuals) of federal agencies, as a prior condition of being awarded a grant, to certify that they will

EXHIBIT "AFR"

provide drug-free workplaces. Each potential recipient must certify that it will comply with drug-free workplace requirements in accordance with the Act and with HUD's rules at 2 CFR Part 2424.

11. **Access to Records and Records Retention:** The Consultant or Contractor, and any sub-consultants or sub-contractors, shall allow all duly authorized Federal, State, and/or County officials or authorized representatives access to the work area, as well as all books, documents, materials, papers, and records of the Consultant or Contractor, and any sub-consultants or sub-contractors, that are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts, and transcriptions. The Consultant or Contractor, and any sub-consultants or sub-contractors, further agree to maintain and keep such books, documents, materials, papers, and records, on a current basis, recording all transactions pertaining to this agreement in a form in accordance with generally acceptable accounting principles. All such books and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter periods of retention, all books, records, and supporting detail shall be retained for a period of at least four (4) years after the expiration of the term of this Agreement.
10. **Federal Employee Benefit Clause:** No member of or delegate to the congress of the United States, and no Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit to arise from the same.
11. **Energy Efficiency:** Mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94 - 163, 89 Stat. 871).
12. **Procurement of Recovered Materials (2 CFR 200.322.):** A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with 42 U.S.C. Section 6962 of the Solid Waste Disposal Act (42 U.S.C. Section 6901, et seq.), as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Alejandro Diaz, Interim City Manager

PREPARED BY: Art Vela, Public Works Director/City Engineer
Kevin Sin, Senior Civil Engineer

MEETING DATE: September 26, 2017

SUBJECT: Discuss and Consider Adopting Resolution 2017-93, Amending the 2017-18 Fiscal Year Budget to Incorporate a List of Projects Funded by SB 1 "The Road Repair and Accountability Act"

RECOMMENDED ACTION:

That the City Council Adopt Resolution 2017-93, amending the 2017-18 Fiscal Year Budget to incorporate a list of projects funded by SB 1, the Road Repair and Accountability Act.

BACKGROUND:

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation shortfalls statewide.

SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year. The City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

The City will receive and estimated \$136,118 in RMRA funding in Fiscal Year 2017-18 from SB 1. The City used a Pavement Management System to develop the SB 1 project

list to ensure revenue are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment.

JUSTIFICATION:

Local agencies are required to submit a list of projects to be funded by RMRA funds to the California Transportation Commission (CTC) by October 16, 2017 in order to receive funding for the current Fiscal Year 2017-18. The list of projects must also be included in the City's adopted budget as funded by SB 1.

FISCAL IMPACT:

The State Department of Finance estimates that the City of Banning will receive \$136,118 in RMRA funding in FY 2017-18 from the SB 1, the new Road Repair and Accountability Act of 2017. Said funding represents only a partial year of funding. It is estimated that in FY 2018-19, the City will received approximately \$522,614.

OPTIONS:

1. Approve as recommended
2. The City Council may choose not to adopt Resolution No. 2017-93 at this time, which as a result the City will not be eligible to receive SB 1 funding for the current fiscal year.

ATTACHMENTS:

1. Resolution No. 2017-93
2. FY 2017-18 SB 1 Projects List

Approved by:



Alejandro Diaz
Interim City Manager

ATTACHMENT 1

(Resolution No. 2017-93)

RESOLUTION 2017-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AMENDING THE 2017-18 FISCAL YEAR BUDGET TO INCORPORATE A LIST OF PROJECTS FUNDED BY SB 1 "THE ROAD REPAIR AND ACCOUNTABILITY ACT"

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City/County are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive and estimated \$136,118 in RMRA funding in Fiscal Year 2017-18 from SB 1; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate streets, add active transportation infrastructure throughout the City this year and hundreds of similar projects into the future; and

WHEREAS, maintaining and preserving the local street and road system in good condition will increase safety and reliability for emergency response agencies, reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

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

SECTION 1. City Council adopts Resolution 2017-93, Amending the 2017-18 Fiscal Year Budget to Incorporate a List of Projects Funded by SB 1: The Road Repair and Accountability Act.

SECTION 2. City Council authorizes the Interim City Manager or his designee to make necessary budget adjustments and to receive and record SB 1 funding in a manner necessary to comply with the requirements of SB 1.

PASSED, APPROVED and ADOPTED this 26th day of September, 2017.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk

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

John C. Cotti, Interim City Attorney
Jenkins & Hogin, LLP

CERTIFICATION:

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2017-93 was duly adopted by the City Council of the City of Banning at a Regular Meeting thereof held on the 26th of September, 2017.

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

(FY 17/18 SB 1 Proposed Project List)

City of Banning
Public Works Department
Engineering Division
FY 2017-2018 SB 1 Projects

9/6/2017

Project Description	Location	Schedule for Completion	Estimated Useful Life of Improvement	Cost Estimate
Hargrave Avenue AC Overlay - Grind and construct 2" asphalt concrete (AC); adjust water valves and sewer manhole covers.	Hargrave Avenue from Hoffer Street to Indian School Lane in the City of Banning	June 1, 2018	10 years	\$ 55,000
First Street AC Overlay - Grind and construct 2" AC; adjust water valves and sewer manhole covers.	First Street from Livingston Street to Williams Street in the City of Banning	June 1, 2018	10 years	\$ 69,000
Second Street AC Overlay - Grind and construct 2" AC; adjust water valves and sewer manhole covers.	Second Street from Hays Street to Williams Street in the City of Banning	June 1, 2018	10 years	\$ 11,000
Total				\$ 135,000



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Alejandro Díaz, Interim City Manager

PREPARED BY: Philip Southard, Public Information Officer

MEETING DATE: September 26, 2017

SUBJECT: Consider Formal Positions on Pending State Legislation

RECOMMENDED ACTION:

Consider formally taking positions on legislation currently being reviewed by Governor Jerry Brown including SB 2, SB 3, SB 35, and AB 890.

BACKGROUND:

At the September 11, 2017 City Council Meeting, the City Council requested that several bills be reviewed and presented for consideration. Below is a summary of the bills that were requested for analysis:

- **SB 2 – Building Homes and Jobs Act**

Summary: This urgency bill establishes the Building Homes and Jobs Act and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real estate sales, to provide funding for affordable housing. Amendments from the Assembly require half of the funds collected in the first year to be spent towards persons experiencing homelessness and the remaining half to be made available to localities to update planning document and zoning ordinances. In year two and beyond, 70% of the funds will be distributed directly to locals and 30% will go to the state to be spent for the following purposes: farmworker housing, state incentive programs, and mixed income multifamily residential housing affordable to lower and moderate income housing.

Status: Passed by the Legislature, awaiting consideration by Governor Brown

League of Cities Recommendation: Support

- **SB 3 – Veterans and Affordable Housing Bond Act of 2018**

Summary: This bill enacts the Veterans and Affordable Housing Bond Act of 2018 and authorizes the issuance of \$4 billion in general obligation (GO) bonds for affordable housing programs and a veteran's home ownership program, subject to approval by the voters in the November 6, 2018 election. The breakdown of the funding is as follows:

1. Multi-family Rental Housing - \$1.5 billion to the existing Multifamily Housing Program
2. Transit Oriented Development Rental Housing - \$0.15 billion to the existing Transit-Oriented Development Implementation Program
3. Infill Incentive Grant Program - \$0.3 billion
4. Joe Serna, Jr. Farmworker Housing Grant Fund - \$0.3 billion.
5. Local Housing Trust Fund Matching Grant Program - \$0.3 billion.
6. CalHome Program - \$0.3 billion
7. Self-Help Housing Fund - \$0.15 billion
8. CalVet Home Loan Program - \$1.0 billion

Status: Passed by the Legislature, awaiting consideration by Governor Brown

League of Cities Recommendation: Support

- **SB 35 – Planning and Zoning: Affordable Housing: Streamlined Approval Process**

Summary: This bill creates a streamlined, ministerial approval process for infill developments in localities that have failed to meet their regional housing needs assessment (RHNA) numbers. Amendments from the Assembly state that this bill applies to a site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster or a site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. Requires in specified circumstances that a skilled and trained workforce be utilized.

Status: Passed by the Legislature, awaiting consideration by Governor Brown

League of Cities Recommendation: Opposed

- **SB 421 – Sex Offenders: Registration: Criminal Offender Record Info. Systems**

Summary: This bill would recast the California sex offender registry scheme, effective January 1, 2021, into a three-tiered registration system for periods of 10

years (tier one), 20 years (tier two) or life (tier three), for a conviction in adult court of specified sex offenses, and five years, 10 years, and possibly life, for an adjudication as a ward of the juvenile court for specified sex offenses.

Status: Passed the Senate, currently held in committee and under submission in the Assembly Appropriations Committee (will not move forward this year).

Recommendation: Reevaluate bill during the next legislative session and consider taking a formal position at that time

- **AB 890 – Land Use: Planning and Zoning: Initiatives**

Summary: This bill provides that a city council of a city or a board of supervisors of a county shall have exclusive authority to adopt or amend the general plan, to adopt or amend a specific plan, or to amend a zoning ordinance or any other similar document, that would do one of the following: a) Convert any discretionary land use approval necessary for a project, as defined, to a ministerial approval; b) Change the land use designation on a parcel or parcels to a more intensive land use designation; or, c) Authorize more intensive land uses within an existing land use designation.

Status: Passed by the Legislature, awaiting consideration by Governor Brown

League of Cities Recommendation: No Position (Riverside Split, Moreno Valley opposed)

JUSTIFICATION:

SB 2, 3, and 35 are part of a package of bills that the Legislature and the Governor developed to address affordable housing issues in California. While SB 2 and 3 create new funding sources to develop affordable housing projects, SB 35 is designed to help projects bypass municipal development restrictions. The California League of Cities, along with several municipalities, has supported SB 2 and 3. SB 35 remains opposed by the California League of Cities and several municipalities as it takes away local control from cities in making land use decisions regarding affordable housing. All three of these bills have passed the Legislature and are now being considered by Governor Jerry Brown. He is expected to sign all three bills.

SB 421 creates a new three-tiered registry for all sex offenders. The proposed three-tiered system of supervision is based on the seriousness of the offense, the individual risk of recidivism, and the individual's criminal history. The League of Cities supported the legislation, but SB 421 was held in committee and will not move forward this year. Staff would recommend waiting until next year's legislative session before considering a position in case any substantial changes are made to the bill at that time.

AB 890 was designed to prevent developers from accelerating the approval of large land use development projects. By using the ballot initiative process, developers have been able to bypass public review and the California Environmental Quality Act (CEQA). Supporters argue that this bill will close a loophole by removing the inconsistencies between CEQA and the Elections Code, and prevent the use of the petition process to avoid crucial environmental review. Opposition argues that this bill unconstitutionally eliminates citizens' right to local land use initiatives and contains a significant shift of power from the people to local elected officials. The California League of Cities has taken no position on this bill.

FISCAL IMPACT:

None

OPTIONS:

1. Adopt support or oppose positions on proposed legislation and direct staff to draft letters accordingly to be sent to the Office of Governor Jerry Brown.
2. Take no position on proposed legislation.

ATTACHMENTS:

None

Approved by:


Alejandro Diaz
Interim City Manager