

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

May 8, 2018  
**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.*

*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 – Elder Ralph Bobik, Church of Jesus Christ of Latter Day Saints
- Pledge of Allegiance
- Roll Call – Council Members Andrade, Franklin, Peterson, Welch, Mayor Moyer

**II. REPORT ON CLOSED SESSION**

**III. 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 Council Committee Reports
- Report by City Attorney
- Report by City Manager

#### IV. CONSENT ITEMS

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

**Motion: Approve Consent items 1 through 11: Items \_\_\_\_, \_\_\_\_, \_\_\_\_, to be pulled for discussion.** *(Resolutions require a recorded majority vote of the total membership of the City Council)*

1.	Minutes – Regular Meeting –4/10/2018 .....	1
2.	Minutes – Special Meeting – 4/10/2018 (Closed Session).....	17
3.	Minutes – Special Meeting – 4/10/2018 (Workshop) .....	19
4.	Minutes – Special Meeting – 4/11/2018 (Town Hall).....	37
5.	Minutes – Special Meeting – 4/19/2018 .....	73
6.	Approval and Ratification of Accounts Payable and Payroll Warrants for March 2018 .....	75
7.	Contracts Approved Under City Manager Authority .....	117
8.	Resolution 2018-56, Approving the Tentative Agreement for a Successor Memorandum of Understanding (MOU) Between the City of Banning and the Banning Police Management Association (BPMA) .....	121
9.	Resolution 2018-50, Authorizing a Letter of Opposition to Assembly Bill (AB) 2065.....	165
10.	Resolution 2018-51, Approving the Third Amendment to the Landscape Maintenance Services Agreement with Artistic Maintenance, Inc. for the Landscape Maintenance of City Facilities for Fiscal Year 2018/2019.....	175
11.	Resolution 2018-55, Approving the Renewal of the Landscape Maintenance Contract with Artistic Maintenance, Inc. for Landscape Maintenance District No. 1 for Fiscal Year 2018/2019.....	187

- Open Consent Items for Public Comments
- Make Motion

#### V. REPORTS OF OFFICERS

1.	Review of Draft Municipal and Zoning Code Amendments to Allow, Regulate, and Zone for Certain Commercial Cannabis Uses: Indoor Commercial Cultivation, Manufacturing Level 1, and Testing Laboratories; and Review of a Draft Ballot Measure to Impose a Municipal Tax on Such Activities .....	211
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*(Staff Report – Patty Nevins, Community Development Director)*

**Recommendation: 1) Discuss the draft Municipal and Zoning Code amendments (Regulatory Permit and Conditional Use Permit) recommended by the Cannabis Ad Hoc Committee, and provide direction to staff regarding any desired modifications to the draft regulations created to allow, regulate, and zone for indoor commercial cannabis cultivation, cannabis manufacturing level 1, and cannabis laboratory testing uses. 2) Discuss the recommended ballot measure to impose a municipal tax on such activity and provide direction to staff regarding any desired modifications to the ballot measure.**



2. Ordinance 1521, Amending the Banning Municipal Code, Section 8.20.070 (Fireworks Violation) and Resolution 2018-59, Establishing a Fine..... **279**  
(Staff Report – Robert Fisher, Interim Police Chief)

Recommendation: **1) Adopt Resolution 2018-59, establishing a fine for Violation of prohibition of fireworks in the amount of one hundred dollars (\$100). 2) Adopt Ordinance 1521, amending the Banning Municipal Code, Section 8.20-070 to allow for officer discretion in citing for an infraction or administrative citation.**

**Mayor asks the City Clerk to read the title of Ordinance 1521**

*“An Ordinance of the City of Banning, California, Amending Section 8.20.070 of the Banning Municipal Code to Establish Additional Penalties for Violating the Citywide Prohibition on Fireworks.”*

**Motion: I move to waive further reading of Ordinance 1521**  
(Requires a majority vote of the Council)

**Motion: I move that Ordinance No. 1521 pass its first reading.**

3. Pavement Rehabilitation of North Hargrave Street..... **291**  
(Staff Report – Art Vela, Public Works Director)

Recommendation: **Informational only; receive and file.**

4. Resolution 2018-45, Declaring the Intention to Levy and Collect Assessments, Approving the Engineer’s Report and Setting the Date for the Public Hearing for Landscape Maintenance District No. 1 ..... **293**  
(Staff Report – Art Vela, Public Works Director)

Recommendation: **Adopt Resolution 2018-45, declaring the Intention to Levy and Collect Assessments, approving the Engineer’s Report, and setting the date for the Public Hearing for Landscape Maintenance District No. 1.**

5. Resolution 2018-44, Adopting the Water Supply Assessment (WSA) for Banning Distribution Center..... **305**  
(Staff Report – Art Vela, Public Works Director)

Recommendation: **Adopt Resolution 2018-44, approving the WSA prepared by Albert A. Webb Associates for Banning Distribution Center.**

6. Status of the Public Information Officer (PIO) Recruitment..... **411**  
(Staff Report – Rochelle Clayton, Interim City Manager)

Recommendation: **Review and discuss the status and process of recruitment for a PIO for the City of Banning.**

**BANNING UTILITY AUTHORITY (BUA) – no meeting**

**BANNING FINANCING AUTHORITY (BFA) – no meeting.**

**VI. ITEMS FOR FUTURE AGENDAS**

New items –

Pending Items – City Council

1. Information Technology – Media Room/Production Set
2. Update on Armory Lease
3. Mills Act – Additional Information
4. WRCOG HERO Program
5. Highland Home Road Interchange
6. Fee Waiver Update (November)

**VII. 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.*

MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

04/10/18  
REGULAR MEETING

A regular meeting of the Banning City Council was called to order by Mayor Moyer on April 10, 2018, at 5:00 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT Rochelle Clayton, Interim City Manager  
Kevin Ennis, City Attorney  
Jim Barrett, Building Official  
Norma Barrett, Senior Building & Safety Technician  
Tim Chavez, Fire Battalion Chief  
Heidi Meraz, Community Services Director  
Tom Miller, Electric Utility Director  
Patty Nevins, Community Development Director  
Art Vela, Public Works Director/City Engineer  
Robert Fisher, Police Lieutenant  
Mike Bennett, Police Sergeant  
Robert Meteau, Deputy HR Director  
Jennifer McCoy, Purchasing Manager  
Ted Shove, Economic Development Manager  
Jim Steffens, Power Resource & Revenue Administrator  
Sonja De La Fuente, Deputy City Clerk  
Laurie Sampson, Executive Assistant  
Leila Lopez, Office Specialist

The Invocation was given by Banning Police Chaplain Merle Malland. Mayor Moyer led the audience in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

City Attorney Ennis listed the items on the Closed Session Agenda as follows: 1) PUBLIC EMPLOYEE APPOINTMENT: City Manager – Pursuant to Government Code Section 54957. A status report was provided regarding the recruitment for the position of City Manager. 2) CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6. Agency Designated Representatives: Rochelle Clayton, Interim City Manager and Robert Meteau, Deputy Human Resources Director. Unrepresented

Employee: Interim Police Chief. Direction was given to Rochelle Clayton. 3) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: San Gorgonio Pass Water Agency v. Beaumont Basin Watermaster, Case No. RIC 1716346. A report was provided that the case has been concluded and a summary of the case provided. 4) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one case). A status report was provided regarding the matter. 5) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 532-130-012, 532-130-018, 541-250-009, and 532-130-011, Banning Municipal Airport. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: O3 Worldwide, LLC., Tariq S. Hasan; Under Negotiation: Price and Terms. A status report was provided regarding potential negotiations with O3 Worldwide, LLC. Direction was given to Mr. Shove regarding price and terms and potential conveyance of the property. 6) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 532-190-022 & 023, 532-180-034 – 037, located in the general vicinity of east and south of the intersection of Scott Road and Westward Avenue, including Smith Creek Park. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Jeffrey M. Doolittle; Under Negotiation: Price and Terms. Direction was provided to the City's negotiators. 7) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 419-120-021, 023, 024, & 025, located in the general vicinity of the northeast corner of Highland Springs Avenue and Joshua Palmer Way. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Corners, Inc., Carlos Trejo, and BMW Management; Under Negotiation: Price and Terms. A status report was provided regarding negotiations. 8) 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: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Mark Sandoval with Mark Development Inc.; Under Negotiation: Price and Terms. Direction was given to Mr. Shove.

## PRESENTATION

### 1. Proclamation – DMV Donate Life Month

Mayor Moyer and the City Council presented a proclamation prepared declaring April 2018 as DMV Donate Life Month to Barbara Dacuto. Ms. Dacuto shared some words of appreciation. She encouraged people to become an organ donor through the DMV and invited the Council and audience to attend the 16<sup>th</sup> Annual Donate Life Run/Walk on Saturday, April 28<sup>th</sup>.

## PUBLIC COMMENTS / CORRESPONDENCE / ANNOUNCEMENTS & REPORTS

### PUBLIC COMMENTS

John Hagan expressed his disappointment in the Proposition 218 Notice. He felt the envelope should have read "Proposed Rate Increase" instead of "Proposition 218 Notice" so people would know what was in the envelope. He would like clarification sent out.

Inge Schuler shared a prepared statement (Exhibit "A").

Ellen Carr informed everyone the Animal Action League will be at the Community Center with their mobile spay and neuter clinic and a low cost shot clinic from 10:00 a.m. until 2:00 p.m. on April 18-19, 2018. If anyone is interested in getting their pet spayed or neutered call (760) 366-1100 as soon as possible to get on the May schedule. In regard to the Proposition 218 Notice, she did not feel a lot of people would know what it is because of the envelope and believes it should have been more specific.

Kenneth King, owner of Ava Security is interested in providing security for the City parks. He bid on the contract in October and nothing has happened. Mayor Moyer advised Mr. King it will be going to the Finance Committee next week then on a future City Council Meeting Agenda for consideration.

Jerry Westholder expressed his disappointment in the envelope the Proposition 218 Notice was sent in. He believes it should be sent out in Spanish. Also, he would like to see the City sell its property and get out of the real estate business.

Rick Pippinger explained that he owns three properties and only received the Proposition 218 Notice for two of them.

### CORRESPONDENCE

There was no correspondence received.

### ANNOUNCEMENTS & REPORTS

Council Member Franklin reported on the following:

- Attended the WRCOG Executive Committee Meeting where they had a presentation regarding RivCo Connect which is the County of Riverside working to have broadband available for all residents in the County. They are working with providers in the County.
- The Healthy City Committee will hold a Health Fair on May 19<sup>th</sup> at Repplier Park with a 5K Run and Cooking Classes. They will also work with the Public Health Department to meet with community members in a focus group and/or obtain completed surveys regarding what is important to them and what they would like to see.



- The Downtown Ad Hoc Committee will hold a Community Meeting regarding Downtown on Tuesday, May 1<sup>st</sup> at 5:30 p.m. until 7:00 p.m. at the Boys and Girls Club to receive input from the community.
- Attended the Water Alliance Meeting a week ago. They are looking at water needs, availability and how to pay for it throughout the region. A recommendation should come back to the Council in the next few months.
- Attended the 2x2 with the City of Beaumont with the Mayor.
- The Disaster Survival Expo will be on April 28<sup>th</sup> from 10:00 a.m. until 2:00 p.m. at Banning City Hall.

Council Member Andrade explained that she sits on a couple of Committees with Council Member Franklin and she provided the reports. She was unable to attend the last RCA meeting.

Council Member Peterson had nothing to report.

Council Member Welch reminded everyone to attend the I-10 Bypass Project Town Hall Meeting Wednesday, April 11<sup>th</sup> from 6:00 p.m. until 8:00 p.m. in the Council Chamber.

Mayor Moyer reported on the following:

- Waste Management will hold a Community Clean-Up Day at Dysart Park on April 14<sup>th</sup> from 8:00 a.m. until 1:00 p.m. There will be shredding services available. They will not take medications or hazardous materials.
- He attended the 2x2 with the City of Beaumont to discuss transit fare issues and the left hand turn pocket on Highland Springs into the Albertson's shopping center.
- He attended the League of California Cities on April 9<sup>th</sup> where proposed bills were discussed, which included some that support local control and some that don't. He encouraged the public to keep an eye on what Sacramento is doing.
- Effective July 1<sup>st</sup>, the City of Beaumont will no longer provide Animal Control services. There will be a meeting on Tuesday, April 17<sup>th</sup> at 6:00 p.m. at the Police Department to discuss alternatives.

#### REPORT BY CITY ATTORNEY

City Attorney Ennis did not have anything to report.

#### REPORT BY CITY MANAGER

Interim City Manager Clayton did not have anything to report.

#### CONSENT ITEMS

Mayor Moyer indicated that Item 4 was being pulled from the Consent Calendar for separate consideration.

1. Minutes – Special Meeting – 3/27/18 (Closed Session)

Recommendation: Approve the Minutes from the March 27, 2018 Special Meeting of the Banning City Council (Closed Session)

2. Minutes – Regular Meeting 3/27/18

Recommendation: Approve the Minutes from the March 27, 2018 Regular Meeting of the Banning City Council

3. 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.

4. Notice of Completion for Project 2017-14, "Lions Park Ballfield Fencing"

Recommendation: Accept Project 2017-14 "Lions Park Ballfield Fencing" as complete and authorize the Interim City Manager or her designee to sign the Notice of Completion and direct the Deputy City Clerk to record the Notice of Completion.

5. Easement Dedications from APN 541-330-002 and 532-130-033 for Road and Drainage Purposes

Recommendation: Accept the easement dedications from APN 541-330-002 and 532-130-003 for road and drainage purposes and direct the City Clerk to sign the certificates of acceptance and record said dedications.

6. Resolution 2018-34, Authorizing the Approval of National Interest Letter of Support for 03 Worldwide, LLC

Recommendation: Adopt Resolution 2018-34, approving the Letter of Support and authorize the Mayor to execute same.

7. Resolution 2018-37, Termination of License to Graze Cattle on City Property

Recommendation: Adopt Resolution 2018-37: 1) approving termination of license to graze cattle on City property; and 2) authorizing the Interim City Manager to execute a termination letter to the Licensee on the form approved by the City Attorney.

8. Resolution 2018-42, Accepting California Office of Emergency Services/California Transportation Security Grant Program Funds

Recommendation: Adopt Resolution 2018-42, authorizing the City Manager or her designee to execute for and on behalf of the City of Banning any action necessary for the purpose of obtaining financial assistance provided by the California Governor's Office of Emergency Services under the California Transit Security Grant Program.

9. Resolution 2018-43, Adopting a Criminal Background and Live Scan Policy for all City Employees

Recommendation: Adopt Resolution 2018-43, authorizing the City to access State and Federal level summary criminal history information through the California Department of Justice for employment and volunteer purposes and establishing a City Criminal Background Check and Live Scan Policy.

10. Resolution 2018-28, Authorizing the City Manager or Her Designee to Execute any Necessary Documents Required to Obtain Funds from the California Department of Transportation Low Carbon Transit Operations Program (LCTOP)

Recommendation: Adopt Resolution 2018-28, authorizing the City Manager or her designee to execute for and on behalf of the City of Banning any documents necessary for the purpose of obtaining financial assistance for FY2017/18 through the California Department of Transportation LCTOP to eliminate the additional zone fare charged to travel to and from Cabazon.

The Mayor opened Consent Items 1 through 10 for public comment. Seeing none, closed public comment.

**Motion Peterson/Welch to approve Consent Items 1 through 10. Motion carried, 5-0.**

#### REPORTS OF OFFICERS

1. Purchasing Division's Performance Utilizing the Current e-Procurement System with PlanetBids Compared to Previous Manual Process

Purchasing Manager Jennifer McCoy presented the Staff Report as contained in the Agenda packet.

Council Member Franklin clarified that the decreased percentage in the number of bids received was because there are more projects being bid on now. Purchasing Manager McCoy confirmed.

Council Member Welch thanked the Purchasing Division for the improvement in the process.

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

This item was for informational purposes only with no action required.

2. Resolution 2018-46, Authorizing the Interim City Manager to Execute a Professional Services Agreement to Perform an Audit of the Electric Utility and Billing Departments



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

Council Member Peterson pointed out that at the February 27<sup>th</sup> Meeting he had indicated that he preferred Christy White and provided the reasons why. He pointed out that BKD was sanctioned by the SEC for violating the Exchange Act in 2014. He recommended again that Christy White is selected and the bid from BKD is disqualified. He directed staff to not bring recommendations to the Council without doing homework.

Council Member Franklin asked if it was something asked in regard to being sanctioned in the past. Manager Clayton indicated she was not part of the review committee that interviewed the candidates. She pointed out that after the review process and background checks BKD came in as the top firm and Christy White had no utility audit experience and she believes that may be why they came in at the bottom. However, staff will take direction from the Council regarding the award of the audit. Council Member Franklin asked if Moss Adams had experience in auditing electric. Manager Clayton indicated they did have some, but not as much as BKD, and Christy White had none.

There was discussion held regarding the evaluation and interview process.

Mayor Moyer read some of the comments by the interviewers related to the lack of utility audit experience, however he pointed out that they are from Southern California and wouldn't have to pay travel costs from other states.

The Mayor opened the item for public comment.

Jerry Westholder indicated that he is disturbed with the information Council Member Peterson shared. He doesn't understand why City staff is making a recommendation when they are the ones being audited. He would like the Council to make the recommendation. He wants a forensic audit on the City.

John Hagan asked if this was the same auditor that just audited the City and what exactly would be audited.

David Ellis recommended taking the advice of Council Member Peterson, because he is a successful business man.

Kenneth King suggested taking the advice of Council Member Peterson.

Don Smith suggested going with the firm that has not been selected, by either Staff or Council, Moss Adams.

Seeing no further comments, the Mayor closed public comment.

Council Member Welch explained that the City Council has the prerogative to approve or not approve recommendations made by staff and does not understand the public or council chastising staff when they don't agree with staff's recommendation.

Mayor Moyer explained that staff followed Council's direction and whether or not someone agrees with the recommendation or not, staff should not be belittled. He also pointed out that the person on City staff with the most finance expertise was not allowed to participate in the interview process. He again asked that assassinating staff for following the direction of the Council to stop.

Council Member Peterson advised that he directed staff to not bring back a recommendation and allow Council to make the decision. Mayor Moyer indicated that specific direction was not given by the Council as a whole. Council Member Welch pointed out that he appreciates staff's recommendation based on their expertise, but that it is ultimately up to Council to make the decision.

Council Member Franklin asked if all three firms were qualified to do the work. Manager Clayton confirmed.

**Motion Peterson/Welch to adopt Resolution 2018-46, authorizing the Interim City Manager to execute a Professional Services Agreement with Christy White Associates to perform an audit of the Electric Utility and Billing Departments, and authorize the necessary budget adjustments. Motion carried, 4-0 with Council Member Andrade not voting.**

3. Resolution 2018-33, Approving an Agreement for the Purchase of Real Property at 162 N. San Gorgonio Avenue from the Rochelle Revocable Living Trust 2011 in an Amount Not to Exceed \$36,050

Economic Development Manager presented the Staff Report as contained in the Agenda packet.

Council Member Franklin asked Manager Shove to explain, for the public's benefit, where the property is and why the City is buying it. Manager Shove explained it is on N. San Gorgonio Avenue directly north of SuperSubs+ (old two story pink building slated for demolition) and is slated for parking.

The Mayor opened the item for public comment.

Don Smith asked why the City is buying more property. He doesn't think a parking lot is needed.

Jerry Westholder indicated the City is spending money on a gamble. He asked if a parking lot is needed now and doesn't feel it is a wise move.

Seeing no further comments, the Mayor closed public comment.

Mayor Moyer shared his agreement with Mr. Westholder and doesn't feel the City needs more property.

**Motion Andrade/Peterson to adopt Resolution 2018-33; 1) approving the Agreement for Purchase and Sale and Escrow Instructions for 162 N. San Geronio Avenue with Rochelle Revocable Living Trust 2011, 2) authorizing the Mayor to execute the Agreement, Escrow Instructions, and Certificate of Acceptance, and 3) authorizing the Administrative Services Director to make the necessary budget adjustments and appropriations for Fiscal Year 2018. Motion carried, 4-1, with Mayor Moyer voting against.**

4. Resolution 2018-38, Approving the Western Systems Power Pool (WSPP) Confirmation Letter – Resource Adequacy Purchase Agreement with Shell Energy North America (US), LP for Calendar Year 2019

Power Resource and Revenue Administrator Jim Steffens presented the Staff Report as provided in the Agenda packet.

Mayor Moyer explained this is an insurance policy to prevent the City from being fined. Mr. Steffens confirmed it is required by the California Independent System Operator (CAISO).

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

**Motion Welch/Franklin to adopt Resolution 2018-38; approving the WSPP Confirmation Letter – Resource Adequacy Purchase Agreement with Shell Energy North America (US), LP for Calendar Year 2019, and authorizing the Electric Utility Director or their designee to execute the Purchase Agreement. Motion carried, 5-0.**

5. Ordinance 1520, Amending Existing Sections of Chapter 12.52 of the Banning Municipal Code that Established a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Western Riverside County Multiple Species Habitat Conservation Plan to Bring those Sections into Conformance with the Update Standards and Provisions

Interim City Manager Clayton presented the Staff Report as provided in the Agenda packet.

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

The Mayor asked the Deputy City Clerk to read the title of Ordinance 1520.

The Deputy City Clerk read the title of Ordinance 1520.

**Motion Franklin/Welch to waive further reading of Ordinance 1520. Motion carried, 5-0.**

**Motion Franklin/Andrade that Ordinance 1520 pass its first reading. Motion carried, 5-0.**

6. Resolution 2018-36, Approving a One-Year Contract Extension with Charles Abbott Associates, Inc. to Continue Providing Building & Safety Services

Community Development Director Nevins presented the Staff Report as provided in the Agenda packet.

Council Member Peterson asked how long they have been working for the City. Director Nevins indicated they had been here three years and Jim Barrett previously worked for the City.

Mayor Moyer expressed some concern with the increased fee.

The Mayor opened the item for public comment.

David Ellis shared his support of approving the contract extension, as he feels this is a good group of people and he receives many complements from the public.

Seeing no further comments, the Mayor closed public comment.

Council Member Welch asked if there would be any benefit to the City to hire staff. Director Nevins explained that for the number of positions and coverage provided, contract services through Charles Abbott Associates, Inc.

Council Member Franklin complemented the staff of Charles Abbott Associates, Inc. on their excellent customer service.

**Motion Welch/Franklin to adopt Resolution 2018-36, approving a one-year extension to an existing Professional Services Agreement between the City of Banning and Charles Abbott Associates, Inc. to provide Building & Safety Services to the City of Banning through June 30, 2019 and amending the agreement to increase the compensation rate paid to 91% of building permit fees and plan check fees collected by the City. Motion carried, 5-0.**

7. Resolution 2018-35, Approving the Measure "A"

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

He explained that the paving of Hargrave is on the list, however staff has encountered some water leak issues, so they want to get those under control before paving.

Council Member Andrade asked when he was informed about the issue.



Director Vela explained he was informed today in a staff meeting when the Water Superintendent advised that issues began after the flood control project. It may be because of the vibrations from the work affecting old water lines.

Mayor Moyer asked if the Hargrave paving could be incorporated into the Ramsey waterline project. Director Vela believes it may be a possibility if the timing and funding are appropriate.

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

**Motion Franklin/Welch to adopt Resolution 2018-35, approving the Measure “A” Five Year Capital Improvement Plan Project List and authorizing the Interim City Manager to execute the Maintenance of Effort Certification Statement. Motion carried, 5-0.**

8. Resolution 2018-41, Confirming the Appointment of Robert Fisher to the Position of Interim Police Chief Effective April 10, 2018 and Approving an Interim Police Chief Agreement

Interim City Manager Clayton presented the Staff Report as provided in the Agenda packet.

City Attorney Ennis listed the following changes to the Agreement:

- Section 2.2, the last word, “Sergeant” should be replaced with “Lieutenant.”
- Section 2.3, on the second to the last line the word Sergeant should be replaced with Lieutenant.
- Section 3.1, add the following sentence: The Interim Police Chief will be entitled to overtime pay of 1.5 times his base hourly rate of pay only for events authorized for overtime and funded by revenue sources outside the City (i.e. grants and/or contracts for services by other law enforcement agencies).

The Mayor opened the item for public comment.

Ellen Carr spoke in support of accepting Lieutenant Fisher as Interim Police Chief.

Seeing no further comments, the Mayor closed public comment.

Mayor Moyer made an announcement consistent with Section 54953(c)(3) of the Government Code and Section 2.5 of the City Council Rules of Procedure providing a summary of the recommendation for final action on the salaries, salary schedules, or

compensation paid in the form of fringe benefits of a local agency executive as defined in Section 3511.1(d) of the Government Code.

**Motion Welch/Peterson to adopt Resolution 2018-41, confirming the appointment of Robert Fisher to the position of Interim Police Chief effective April 10, 2018 and approving the Interim Police Chief Agreement in connection therewith. Motion carried, 5-0.**

9. Resolution 2018-32, Accepting the 2017 State Homeland Security Program (SHSP) Grant in the Amount of \$69,208 and Approval of Equipment Purchases from Motorola Solutions, Inc., Bear Communications, Inc. and Dell Computer Corp. for the Mobile Command Center

Interim Police Chief Robert Fisher presented the Staff Report as contained in the Agenda packet.

Council Member Peterson asked why the Mobile Command Center wasn't updated when the Police Department changed over to the PSEC system. Chief Fisher explained it may have been done under separate funding.

Council Member Franklin asked what would be done with the existing equipment. Chief Fisher explained it would be retired. She asked if they could communicate with the new system. Chief Fisher explained that they couldn't.

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

**Motion Welch/Andrade to adopt Resolution 2018-32, authorizing the acceptance of the 2017 SHSP Grant through the Riverside County Emergency Management Department in the amount of \$69,208 to complete the upgrade to the communication system in the department's mobile command center. Motion carried, 5-0.**

#### ITEMS FOR FUTURE AGENDAS

Council Member Franklin would like stats from the police log for crimereports.com.

Council Member Peterson thanked Public Works Director Art Vela and his staff for assisting the residents at 12<sup>th</sup> and April with the weeds growing in the street. He appreciates their quick response. Mayor Moyer suggested adding it to next year's plan.

Council Member Franklin asked if something could be brought back soon regarding the illegal fireworks.

#### ADJOURNMENT

Mayor Moyer asked for a moment of silence in remembrance of Margaret Hansen, wife of a former Banning Mayor.

By common consent the meeting was adjourned at 7:03 P.M.

Minutes Prepared by:

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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=r6Je7CxaDukK> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**

**Exhibit “A”**  
**to the April 10, 2018, Regular Meeting Minutes**



Inge Schuler

City of Banning City Council meeting 04/10/2018

Regarding the mailed Prop 218 Notice of the proposed Water and Sewer rate increase, it is by now apparent that the mailing was severely flawed in that some rate payers did NOT receive the notice at all whereas some rate payers received duplicates. I want to believe that there is no malice involved in this failing, only gross incompetence by the appropriate party responsible for this. That has to be the Interim City Manager, Ms Clayton. And I am addressing these comments to you directly, Ms Clayton. In my decades of employment by the Redlands USD, I have encountered mostly competent principals and superintendents, but a few stood out as examples of extensive and damaging incompetence; however, no one could raise a pimple on your derriere; you are the poster child of the Peter Principle. And no, there is no sexual connotation in this expression.

This mailing of the Prop 218 requirement is not valid and needs to be repeated. No adequate conclusion can be drawn if some rate payers did not receive the notice. The cost of this new mailing should be charged to the personal account of our Interim City Manager.

Connected with the above issue of the Prop 218 Notice, is the procedure of the counting of the Protest Forms received. This must be done by the officially elected clerk, not by some arbitrary staff person/s. There must also be a procedure in place to account for the number of the forms received, so none become lost or accidentally shredded. The trust of the constituency is at stake.

And, please, Ms Clayton, do not insult the rate payers by suggesting that they "check the city web site," as you regularly do. Many folks do not have a computer, or the time to randomly check this web site and hunt for the right information. The law governing the Prop 218 requires a ballot or a mailing. Since no one ever gets overlooked in the mailing of the utility bills, it should not be a problem to hit the same mailing list for the notices required by law.

Strive for competency and efficiency demanded by your position.

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MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

04/10/18  
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Moyer on April 10, 2018, at 3:31 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Rochelle Clayton, Interim City Manager  
Kevin Ennis, City Attorney  
Art Vela, Public Works Director  
Ted Shove, Economic Development Manager  
Sonja De La Fuente, Deputy City Clerk

CLOSED SESSION

Mayor Moyer opened the closed session items for public comments. Seeing none, closed public comment.

City Attorney Kevin Ennis listed the items on the closed session agenda, which included:

1. PUBLIC EMPLOYEE APPOINTMENT: City Manager – Pursuant to Government Code Section 54957.
2. CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6. Agency Designated Representatives: Rochelle Clayton, Interim City Manager and Robert Meteau, Deputy Human Resources Director. Unrepresented Employee: Interim Police Chief.
3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: San Gorgonio Pass Water Agency v. Beaumont Basin Watermaster, Case No. RIC 1716346.
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one case)

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 532-130-012, 532-130-018, 541-250-009, and 532-130-011, Banning Municipal Airport. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: O3 Worldwide, LLC., Tariq S. Hasan; Under Negotiation: Price and Terms
6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 532-190-022 & 023, 532-180-034 – 037, located in the general vicinity of east and south of the intersection of Scott Road and Westward Avenue, including Smith Creek Park. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Jeffrey M. Doolittle; Under Negotiation: Price and Terms
7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8: Property description: APN: 419-120-021, 023, 024, & 025, located in the general vicinity of the northeast corner of Highland Springs Avenue and Joshua Palmer Way. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Corners, Inc., Carlos Trejo, and BMW Management; Under Negotiation: Price and Terms.
8. 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 Geronio Avenue and Martin Street. City Negotiator: Rochelle Clayton, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Mark Sandoval with Mark Development Inc.; Under Negotiation: Price and Terms

The Meeting convened closed session at 3:33 p.m. and reconvened to open session at 4:45 p.m.

#### ADJOURNMENT

By common consent the meeting adjourned at 4:45 p.m.

Minutes Prepared by:

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Sonja De La Fuente, Deputy City Clerk

MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

04/10/18  
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Moyer on April 10, 2018 at 1:30 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Council Member Andrade (arrived at 2:17 p.m.)  
Council Member Franklin  
Council Member Peterson  
Council Member Welch  
Mayor Moyer

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Rochelle Clayton, Interim City Manager  
Kevin Ennis, City Attorney  
Art Vela, Public Works Director  
Patty Nevins, Community Development Director  
Robert Fisher, Interim Police Chief  
Sonja De La Fuente, Deputy City Clerk

The Mayor called for Public Comment on the workshop topic.

John Hagan expressed his concern with the close proximity of the industrial zone to his residential area. He wants to be sure the City has extra enforcement available to monitor the area.

Kenneth King advised the Council that he is available to help the City with security.

Seeing no further comments, the Mayor closed Public Comment.

WORKSHOP

1. Overview of Municipal Options for Allowing Commercial Cannabis Cultivation, Other Commercial Cannabis Activity, Options for Local Ballot Measure, and Related Ordinances and Regulations

Community Development Director Patty Nevins and Maricela Marroquin, Senior Attorney with the City Attorney's office of Richards Watson and Gershon, presented information to the City Council regarding commercial cannabis cultivation, other commercial cannabis activity, and options for local ballot measure, and related ordinances and regulations. (See Exhibit "A")



Council Member Peterson asked for clarification on 22,000 square feet and if it means 22,000 square feet of mature plants or 22,000 square feet of seedlings, packaging, etc. Maricela explained that it would be 22,000 total canopy space for the mature plant. The office space and waste processing, etc. would be separate or additional space allowed.

Council Member Welch asked if there would be a minimum criteria to qualify for the lottery if one was held. Maricela confirmed it is an option for the Council to meet a minimum criteria (i.e. property in industrial zone and meet distance requirement from sensitive uses).

Council Member Peterson pointed out that marijuana is a Schedule 1 Drug and asked about processing cash from the cannabis businesses. Maricela explained it is something being worked out at the State level. There are some credit unions allowing the placement of the money from cannabis businesses. However, there are issues related to this. It is up to the State Attorney General to prosecute.

Council Member Peterson shared an issue that a property manager is experiencing in another city where growers are bagging waste (parts of the cultivation process that cannot be sold) and placing in dumpsters, which then draws the homeless population. Maricela indicated part of the State license requires proper disposal of waste. Cathedral City has some regulations in place related to disposal as well.

Maricela pointed out that there is a potential Assembly Bill at the State level to lower the cannabis excise tax from 15% to 11%.

Council Member Franklin asked about the City using too much water if a cannabis cultivation operation uses a lot of water, as she is concerned about the City being fined. Maricela explained that cannabis cultivators are required at the state level to designate their water source. She does believe it would impact the City's usage levels. Maricela explained there are different manufacturing levels and staff is recommending only level one manufacturing to avoid the higher volatility.

Council Member Franklin asked if these plants are more volatile, in regard to fire or if it is the same as other plants. Maricela doesn't believe it would burn more or less than another plant. However, the manufacturing or cooking side of the process could be volatile.

Council Member Peterson asked if the State does what they need to do to make accepting money from the cannabis industry legal, would other vendors have the same liability and culpability of money laundering as others would. Maricela believes it would be. But, the State is already processing licenses. She would recommend companies consult their legal counsel.

Mayor Moyer explained the City Council is looking into this for financial purposes only. He asked if staff has obtained information from other cities indicating financial growth. Director Nevins noted that Desert Hot Springs has experienced development.

City Attorney Ennis indicated that before January 1, 2018 Adult Use of Marijuana was not legal in California. There may be information available related to medical marijuana.

Mayor Moyer asked Interim City Manager Clayton what she learned from a program she attended. She advised that Santa Ana has realized a \$3 million increase from 2015 to present.

Director Nevins explained that the City could recoup costs during the application process with application fees.

Maricela indicated that per a news article in April 2017, the City of Adelanto was in a deficit of \$2.5 million, then welcomed marijuana cultivation and they are currently in a \$0.5 million deficit, and to be in the black by next year.

### PUBLIC COMMENTS

The Mayor opened the item for Public Comment.

John Hagan asked for clarification as to what kind of security would be in place. (i.e. would they be armed and would perimeter security be required?)

Seeing no further comments, the Mayor closed Public Comment.

Staff requested direction from the Council.

Council Member Peterson is in support of starting with cultivation to hopefully increase the tax base for the City. He feels the City is doing things the right way by taking one step at a time.

Council Member Andrade indicated she is in favor of dispensaries.

Council Member Welch recommends a reasonable approach and feels the following areas need to be looked at closely: 1) facility – protect environment, 2) residents – location in relation to the potential business sites, 3) security and waste disposal.

Council Member Franklin expressed her concern with the residents and the how their living environment is affected. She feels there is a lot more to do before making a decision.

Mayor Moyer asked what the time frame would be to get this on the ballot.

Staff will prepare a draft Ordinance to bring back to Council next month, then to Planning Commission in June, and back to City Council by the end of June. City Attorney Ennis shared that the absolute deadline is August 14<sup>th</sup> to have the measure on the Ballot. Maricela clarified that it would go to Planning Commission June 6<sup>th</sup>, then back to the City Council July 10<sup>th</sup>. Director Nevins will bring the regulations to the Cannabis Ad Hoc Committee by the end of April.

Mayor Moyer asked if this included testing. Council Member Peterson explained the Ad Hoc Committee is recommending Cultivation and Manufacturing Level One. Maricela clarified this is using non-volatile solvents with indoor cultivation only. She also explained that manufacturing is not limited by space size by the State.

There was a consensus of the Council that staff proceed with preparing a draft ordinance to include allowing indoor only cultivation with a minimum size of 10,000 square feet and a maximum size of 22,000 square feet and allowing manufacturing with no size limitations. Cultivation and manufacturing would only be allowed in industrial zones and distancing requirements need to be addressed. The Council is not interested in looking at dispensaries at this time.

Council Member Franklin would like size suggestions for manufacturing.

City Attorney Ennis asked about tax rates. The Mayor asked staff to provide the Ad Hoc Committee with the information and come back to Council with a recommendation.

Council Member Peterson expressed his concern with the small residential section of Barber and Charles west of Hathaway. That area was originally residential and was changed a few years back to industrial. He would like that area looked at.

The Mayor asked if there were any further comments from the Public.

John Hagan asked if the residents that were rezoned to industrial a few years back would be allowed to apply for a variance. He was advised they would not be.

Nick Frazier suggested looking at testing if the City is looking at cultivation and manufacturing.

Seeing no further comments, the Mayor closed Public Comment.

## ADJOURNMENT

By common consent the meeting adjourned at 3:00 p.m.

Minutes Prepared by:

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Sonja De La Fuente, Deputy City Clerk

**These Action 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=rIP6ldpoGv90> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**



**Exhibit “A”**  
**to the April 10, 2018**  
**1:30 P.M. Special City Council Meeting**

# Cannabis Workshop

## City Council Workshop

City of Banning  
99 E. Ramsey Street  
Banning, CA 92220

April 10, 2018  
1:30 P.M.



## Overview

- Ad hoc committee meetings
- State licensing categories
- Banning vote on Proposition 64
- Ad hoc committee recommendations and restrictions that can be imposed on cannabis businesses
- Taxes

## Cannabis Ad Hoc Committee

- At the June 27, 2017 City Council meeting, Council established a Marijuana Ad Hoc Committee, including Councilmembers Peterson and Welch, to work with staff on exploring the possibility of allowing cannabis uses within the City
- At the January 9, 2018 City Council meeting, staff presented the Ad Hoc Committee's recommendation to have staff prepare an ordinance allowing indoor cannabis cultivation uses in industrial zones
- The City Council concurred with the Ad Hoc Committee's recommendation and directed staff to move forward with Municipal Code Amendments to regulate indoor commercial cannabis cultivation and to prepare a ballot measure to impose a municipal tax on such activity



## State Licensing Categories

There are currently 25 State licensing categories including:

- Retailer (2)
- Distributor (2)
- Testing (1)
- Manufacturer (2)
- Microbusiness (1)
- Cultivation (17)



## Retailer and Distributor Licenses

- Retailer: Sells cannabis goods to customers at its premises or by delivery
- Retailer (nonstorefront): Sells and delivers cannabis goods to customers
- Distributor: Transports cannabis goods, arranges for testing of cannabis goods, and conducts quality assurance review of cannabis goods to ensure they comply with all packaging and labeling requirements
- Distributor transport: Allows a licensee to transport cannabis goods between licensed cultivators, manufacturers, and distributors

## Testing, Manufacturing and Microbusiness

- Testing laboratory: A laboratory that offers or performs tests of cannabis goods
- Microbusiness: Allows a licensee to engage in cultivation (on an area less than 10,000 square feet), manufacturing (Level 1 manufacturing), distribution, and retail sale, or any combination of the four activities
- Manufacturing Level 1: For sites that manufacture cannabis products using nonvolatile solvents, or no solvents
- Manufacturing Level 2: For sites that manufacture cannabis products using volatile solvents. Volatile solvent is a solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures

## Cultivation

- Specialty Cottage Outdoor: An outdoor cultivation site with up to 25 mature plants
- Specialty Cottage Indoor: An indoor cultivation site with up to 500 square feet or less of total canopy
- Specialty Cottage Mixed-Light: A mixed-light cultivation site with 2,500 square feet or less of total canopy
- Specialty Outdoor: An outdoor cultivation site with 5,000 square feet or less of total canopy—or up to 50 mature plants on noncontiguous plots
- Specialty Indoor: An indoor cultivation site of between 501 and 5,000 square feet of total canopy

## Cultivation

- Specialty Mixed-Light: A mixed-light cultivation site of between 2,501 and 5,000 square feet of total canopy
- Small Outdoor: An outdoor cultivation site of between 5,001 and 10,000 square feet of total canopy
- Small Indoor: An indoor cultivation site of between 5,001 and 10,000 square feet of total canopy
- Small Mixed-Light: A mixed-light cultivation site of between 5,001 and 10,000 square feet of total canopy



## Cultivation

- Medium Outdoor: An outdoor cultivation site of between 10,001 square feet and 1 acre of total canopy
- Medium Indoor: An indoor cultivation site of between 10,001 and 22,000 square feet of total canopy
- Medium Mixed-Light: A mixed-light cultivation site of between 10,001 and 22,000 square feet of total canopy
- Nursery: Cultivation of cannabis solely as a nursery
- Processor: A cultivation site that conducts only trimming, drying, curing, grading, or packaging of cannabis and nonmanufactured cannabis products

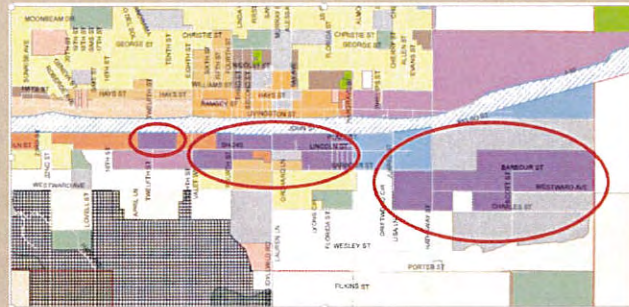
## How the Banning Electorate Voted on Proposition 64

- Banning voters opposed Proposition 64 (56% opposed versus 44% in favor)
- 5,213 voted against Proposition 64 and 4,215 voted in favor



## Industrial Zoning

The Ad Hoc Committee recommended that Cannabis Cultivation and potential Manufacturing Level 1 uses be limited to Industrial zoning districts.



## Size Limits for Businesses

### Ad Hoc Committee recommendations:

- Allow businesses with an indoor cultivation site of a minimum of 10,000 square feet of total canopy area to operate in the City
- Did not address size limits for manufacturing businesses

### Other options for indoor cultivation:

- 501 – 5,000 square feet of canopy area
- 5,001 – 10,000 square feet of canopy area
- 10,001 – 22,000 square feet of canopy area



## Limits on Number of Cannabis Businesses

- Cities are authorized to limit the number of cannabis businesses that operate in the City
- Distance requirements from sensitive uses
  - State law sets forth a distance requirement of 600 feet from (K-12) schools, day care centers, youth centers
  - Include parks and/or residences?
- Distance requirement from other cannabis businesses?
- Recommendation for a lottery once businesses have met certain objective criteria

## Distancing/Separation

Many areas of industrially zoned land (purple) are adjacent to residentially zoned property (yellow, beige, white, tan).





## Distancing/Separation

Additionally, there are existing non-conforming residential uses within Industrial zoning districts.



## Security

- Cash carrying/handling
  - at the facility
  - at City offices
- Building security
  - Security guard
  - security cameras
  - secure lobby/vestibule areas
- Waste processing

## **Additional Regulations To Be Included in Ordinance**

- Not open to the general public
- Cannabis cannot be visible from outside the building
- Ventilation regulations: install ventilation and filtration systems to prevent odors generated from the cannabis business from escaping the buildings so odors cannot be detected outside of the building
- Signage: restriction on use of graphics, illumination, numbers, size
- Indemnification of the city
- Insurance requirements

## **Options for Additional Regulations**

- Limit on hours of operation?
- Limit on not sharing wall space with any other use other than another cannabis business?
- Additional set backs?
- Other regulations?



## **Regulatory Permit**

- Amendment to Title 5 of the Municipal Code to allow the issuance of a regulatory permit to cannabis businesses
- The regulatory permit would include background check, operation regulations, and additional regulations

## **Cannabis Conditional Use Permit**

- Amendment to Title 17 of the Municipal Code to allow consideration of a Cannabis Conditional Use Permit to allow certain types of cannabis businesses. The Ad Hoc Committee recommended that Cannabis CUPs be reviewed by Planning Commission for recommendation and final approval by the City Council
- The Conditional Use Permit would address land use issues associated with any Cannabis business

## State Taxes



- A State cannabis excise tax of 15% of the gross receipts of any retail sale
- Cultivation tax is set at \$9.25 per ounce for cannabis flowers and \$2.75 per ounce for cannabis leaves

## Proposition 218 and 62 Requirements

- General taxes require a 50% + 1 voter approval to pass
- Special taxes require a 2/3 voter approval to pass
- Measure imposing a general tax cannot be placed on the ballot unless it is approved by a two-thirds vote of all members of the City Council (4/5th vote)
- Measure imposing taxes must be considered at an election consolidated with a regularly scheduled general election for members of the City Council, except in cases of an emergency



## Tax Fairness, Transparency, and Accountability Act

- Proposed State ballot measure that has not yet qualified for the ballot
- Requires 2/3 voter approval of any tax, whether general or special



## Tax Rates for Cannabis Businesses

### Cultivation

- Typically based on a price per square foot of canopy space
- Broad range: example from \$5 to \$25 per square foot of canopy space

### Manufacturing

- Typically based on a percentage of the gross receipts
- Range from 0% to 15%
- Sometimes distinction based on whether cannabis is for medicinal or adult-use



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MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

04/11/18  
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Moyer on April 11, 2018 at 6:01 p.m. at the Banning Civic Council Chamber, 99 E. Ramsey Street, Banning, California.

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Rochelle Clayton, Interim City Manager  
Kevin Ennis, City Attorney  
Art Vela, Public Works Director  
Patty Nevins, Community Development Director  
Robert Fisher, Interim Police Chief  
Sonja De La Fuente, Deputy City Clerk

TOWN HALL MEETING

1. I-10 Bypass Project Update

Juan Perez with the Riverside County Transportation Department explained they were here a few weeks ago and received some comments from the Council and public regarding the I-10 Bypass Project and have incorporated some of that into their presentation today. He provided a brief background on the history of the project and how it came about, then introduced Darren Adrian with Kimley-Horn. Mr. Adrian presented an update regarding the I-10 Bypass Project including how they plan on addressing concerns brought forward at the last workshop. Mr. Perez summarized the project's benefits to the city, outlined potential funding sources and advised of next steps. (See Exhibit "A").

Mayor Moyer asked if they knew the estimated cost of the project. Mr. Perez indicated they will have a better idea once they get the final design of the project, but as of today it is estimated to be \$70 million. The Mayor asked when they would start and complete this project. Mr. Perez indicated that funding is still needed, but design will take a couple of years, right of way acquisition, and construction. Therefore, it could take as little as five years, depending on funding being in place. Mr. Adrian indicated that if funding was available today, they would begin in about 2022 and complete around 2024.

Council Member Welch thanked the County for taking suggestions into consideration. He asked if all of the funding would be secured before the project starts. Mr. Perez indicated they fund the different phases of the project. They are currently in the first phase (environmental), which they have funding for. The next phase is design. Council Member Welch asked if the funding would include the grade separation at Hargrave. Mr. Perez clarified the grade separation would be a separate project and funded separately.

Council Member Franklin asked what the estimated cost for the grade separation would be. Mr. Perez, indicated that based on the Sunset grade separation it was approximately \$30 million.

Council Member Franklin asked about westbound traffic and signage to address that traffic. Mr. Adrian indicated they would look at signs restricting trucks on certain routes. For example, enhancing signage on Lincoln.

Council Member Franklin asked if this would be a design/build project. Mr. Perez explained at this time the project is more of a traditional design and bid out project.

Council Member Peterson shared an article from the Record Gazette in 2008 regarding support of a Ramsey Street extension and asked how it changed. Mr. Perez explained there were challenges and costs associated with that alternative. Mr. Adrian explained that was Alternative 7 and due to opposition from the Tribe a joint Planning Committee requested shifting the alignment south of the I-10 in October 2008 and Congress reallocated funds to identify a connection south of I-10. There were several technical constraints related to the interchanges, traffic impacts, and right of way. That configuration would also cost in excess of \$100 million.

Council Member Peterson explained his concerns related to the weigh stations and national security. He addressed an article he read related to the Truckee scale along Highway 80. He would like to know what will be done to address the national security (i.e. terrorism, drugs, and human trafficking). Additionally, his electoral district is District 2, which is the area mainly affected by this bypass. He believes the better route is north of the freeway.

Council Member Andrade understands why the project needs to be build, as it is a lifeline for the residents of Cabazon. However, she believes the majority of the congestion on I-10 is closer to the desert. Mr. Perez explained this project is a regional and national need, as the Pass area the main artery to several areas.

Sergeant Shawn Cooper from the California Highway Patrol (CHP) explained the CHP's position is by the time the project comes to fruition they would have the personnel to adequately staff the bypass road and equipment to monitor any malfeasance. There was some discussion regarding how the CHP staffs and patrols, as well as equipment used.

Mayor Moyer asked when the Riverside County Transportation Commission (RCTC) and Western Riverside Council of Governments (WRCOG) will make this a regional project, as he does not believe it is zonal. Mr. Perez indicated the County would submit a request to both by the design phase.

Council Member asked if the project would continue even though many are not happy. Mr. Perez advised that the County will accept any comments, whether for or against the project and take them into consideration.

Mayor Moyer expressed that he recognizes the importance of this project to the community of Cabazon, as it provides emergency access to their residents. But, emphasized this is a regional project, not a zonal project.

Council Member Franklin explained there is a call for projects every so often. The last call for projects was in 2002 or 2004 and this project did not make it in at that time. But, it is slated to be included at the next zone meeting, which will probably be sometime this year. This is one of the reasons it is important for the City of Banning to have a presence so when the call for projects does go out the City has a voice when the projects are considered.

Council Member Peterson feels the project will diminish the value of the properties in the area of the project.

Mayor Moyer asked how close Alternative 12 was to the airport. Mr. Adrian explained they have studied the area and it would have to go before a review with the FAA to insure compliance. Mayor Moyer asked if this was based on the current configuration of the airport. Mr. Adrian confirmed. If the runway is extended to the east they would need to confirm and include in the FAA review.

### PUBLIC COMMENTS

The Mayor opened the item for Public Comment.

Don McDonald and his partner Jackie asked about traffic on Westward and how it would be kept from coming into the neighborhood. Mr. Adrian explained a combination of signage and the enhanced intersection would assist with that. Mrs. McDonald indicated that a speed bump need to be installed, as she is concerned about Westward, Lincoln, Barber, and Charles streets. Mr. Adrian assured them they will work with the City Engineer and staff to address traffic issues. Jackie expressed her preference of Alternative 7 and asked what the cost would be. Mr. Adrian believes it would be in excess of \$100 million. Jackie believes the grade separation at Hargrave and the I-10 bypass would cost the same. It was explained that even if they went with Alternative 7, a grade separation at Hargrave would still be an additional project. Jackie pointed out that the City police would have to patrol all of the extra people coming through the bypass. Mayor Moyer confirmed anything in the City limits would be responsibility of the City's Police Department. There was discussion regarding the various law enforcement areas that would need to be covered.

Ron Roy expressed his concern that the County is advocating for an alternative instead of analyzing the alternatives. He wants the community to know this is not a done deal and the community has the final say. He would like the meetings regarding this project transcribed in the same manner Caltrans transcribes their meetings related to their projects. He would like Alternative 7 as an alternative for consideration. He also wonders



why the weigh station hasn't been expanded. He recommended everyone not focus on money and focus more on safety. He suggested a land swap with the Tribe to accommodate Alternative 7. Mr. Roy asked if this project was in the State Transportation Improvement Program (STIP). Council Member Franklin explained the project is not on the current STIP, as it has to be approved by the California Transportation Commission and required steps prior to be adding to the STIP.

Don Smith thanked the Council for requesting this meeting and the County for agreeing to this. He explained he understands the need, as he was stuck on I-10 for seven hours in 2005. He would like the Tribal Council to consider Alternative 7, as he feels this is the best alternative. He also feels Alternative 14 should be considered as it solves a lot of the issues raised with the current recommendations. He also suggested Council insist on a grade separation at Hargrave to be done first. He reminded all the future widening would be the City's responsibility and feels that should be resolved now.

John Hagan expressed his preference of Alternative 7 and thanked the County for addressing the issues raised by the public and Council. He asked if Westward would be punched through. Public Works Director Vela advised that it is not scheduled at this point. Mr. Hagan asked about asphalt testing and if the County would help maintain Lincoln Street. Mr. Adrian clarified that they would conduct testing on roads identified sections that traffic would be routed.

Dave Happe asked why the County is supporting Alternative 12. Mr. Perez explained that Alternative 5 and 12 are the final recommended alternatives. Mr. Adrian explained that there is not a preference between the two at this point. Mr. Happe asked for clarification as to how these alternatives are better than others as he believes it's more complicated and feels the northern route would be better. He understands there is opposition from the Tribe, but feels there should be negotiation. He feels the grade separations are a necessity and bypass is more of an option. He asked for clarification on what the pull-outs were. Mr. Adrian explained they are for the safety of the officers and traveler.

Chairman Martin of the Morongo Band of Mission Indians provided some history regarding why Alternative 7 was not preferred by the Tribe and explained there are existing residents and a business in the path of Alternative 7. However, it can be brought back to the membership for consideration, but it wouldn't be easy. He understands this is a difficult decision and assured all the Tribe is happy to work with the City and County on the project.

Mr. Roy asked if Alternative 7 is considered, should Caltrans play a more prominent role. Mr. Perez clarified that the County is the lead on the CEQA approval and Caltrans would be the lead in regard to federal approval.

Mr. Perez thanked the Council and public for their input. Mr. Adrian advised there are comment cards available for submission to the County via mail or email. (See Exhibit "B")

## ADJOURNMENT

By common consent the meeting adjourned at 7:55 p.m.



Minutes Prepared by:

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Sonja De La Fuente, Deputy City Clerk

**These Action 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=wjmeq3PoLKY9> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**

**Exhibit “A”**

**to the April 11, 2018**

**6:00 P.M. Special City Council Town Hall Meeting**



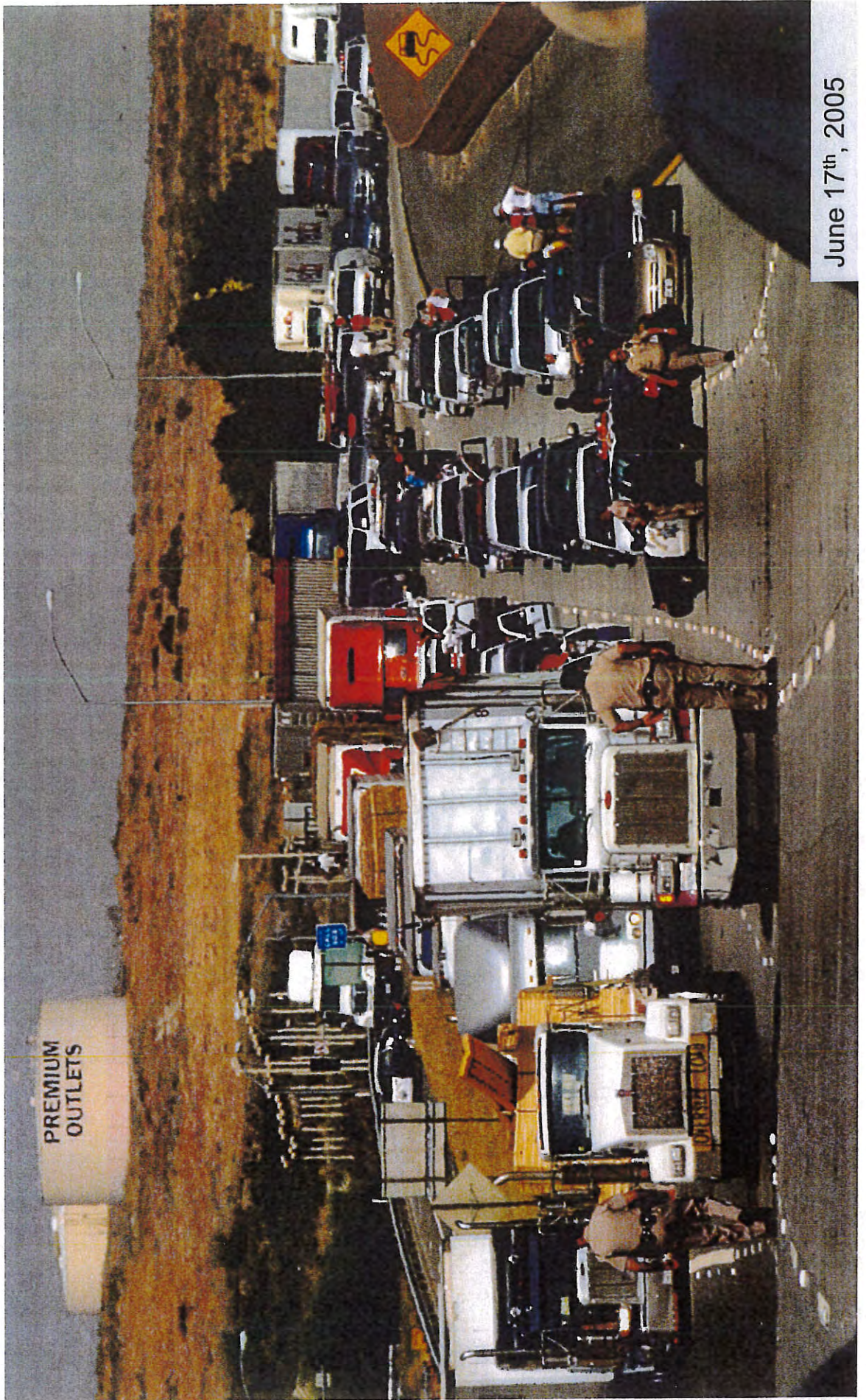
# ***I-10 Bypass Project – Banning to Cabazon***

Presentation to  
City of Banning  
Town Hall Meeting

April 11, 2018



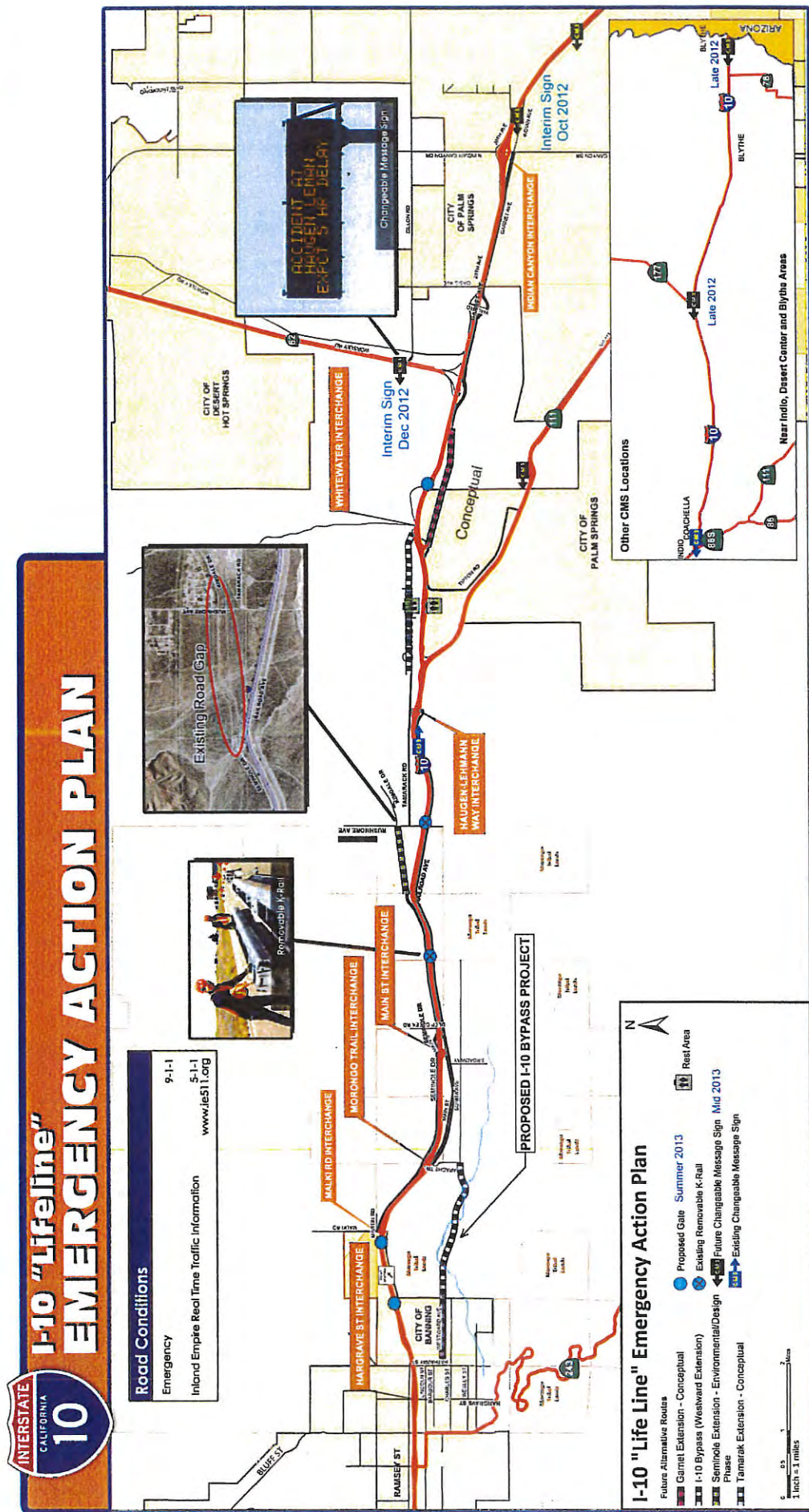




June 17<sup>th</sup>, 2005



# Emergency Action Plan







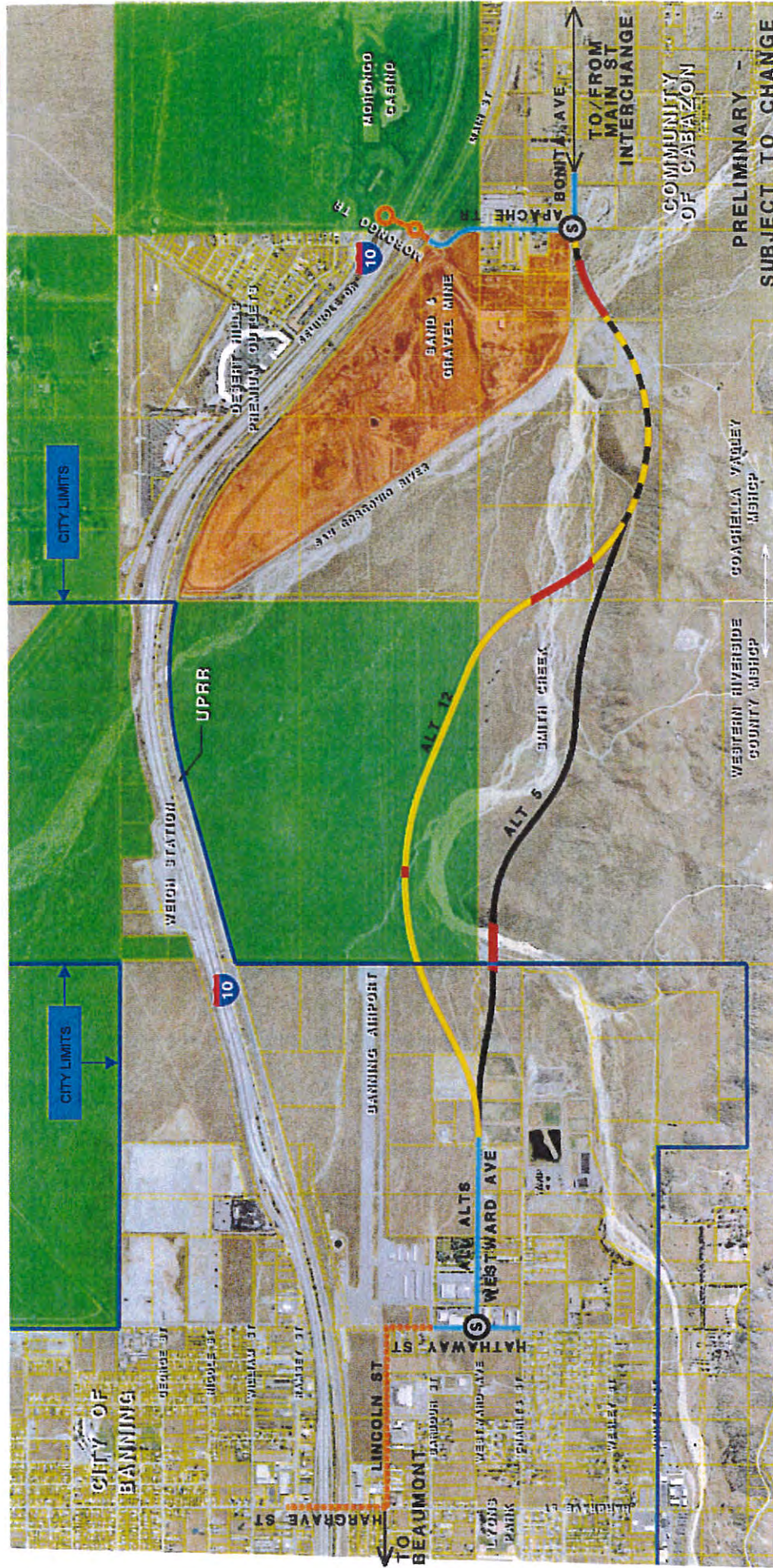
## Project Purpose Summary

Construct a new roadway connecting Banning and Cabazon to address the following:

- Emergency bypass for I-10 between Hargrave Street in Banning and Apache Trail in Cabazon.
- Improve traffic circulation between Banning and Cabazon.
  - Alternative to freeway and at-grade railroad crossings
  - Improve emergency access
  - Provide bicycle and pedestrian access



# Alternatives for Environmental Studies

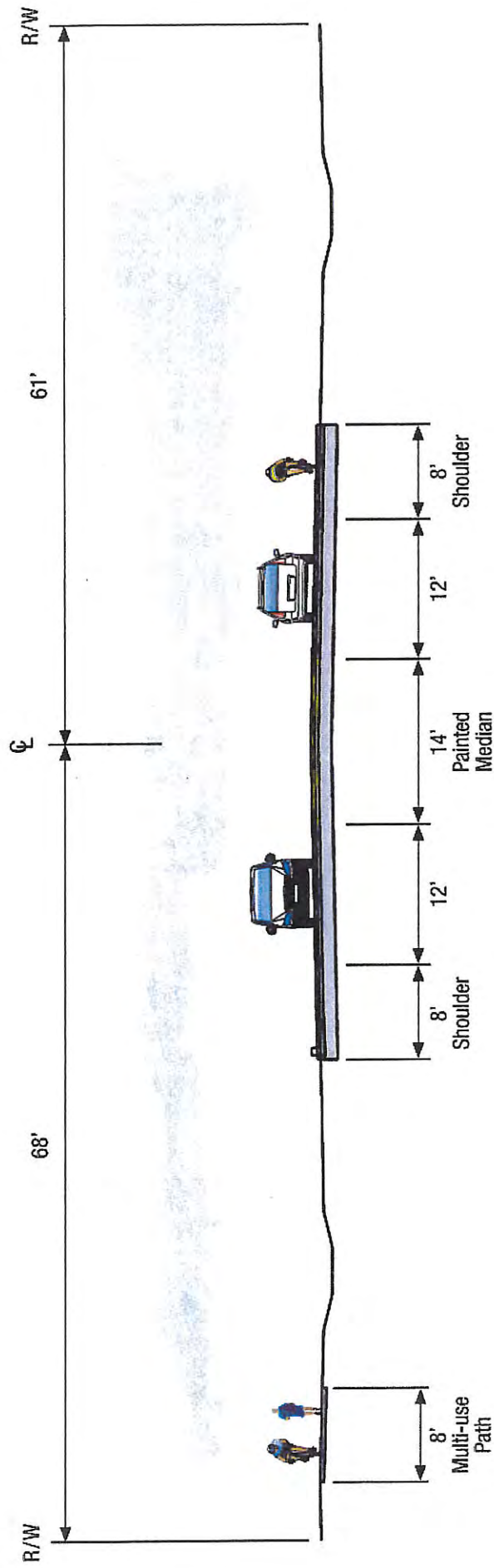


## LEGEND

- ALL ALTERNATIVES
- SIGNAGE/PAVEMENT MARKING IMPROVEMENTS ONLY
- BRIDGES
- CITY LIMITS
- INDIAN TRIBAL LAND
- NEW TRAFFIC SIGNAL

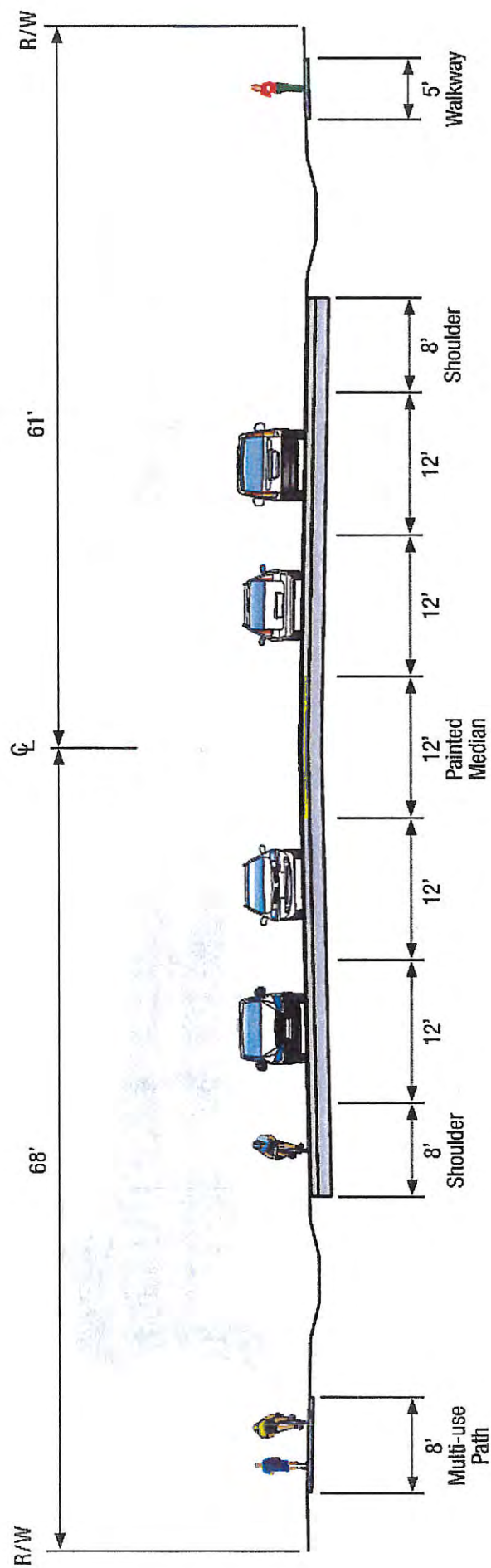


## Typical Section: Interim 2-Lane Facility



*Note: a two-lane roadway is estimated to accommodate traffic for 20 years. This is initially estimated to have approximately 5,000 vehicles per day, similar to the current traffic along segments of Lincoln Street and Hargrave Street.*

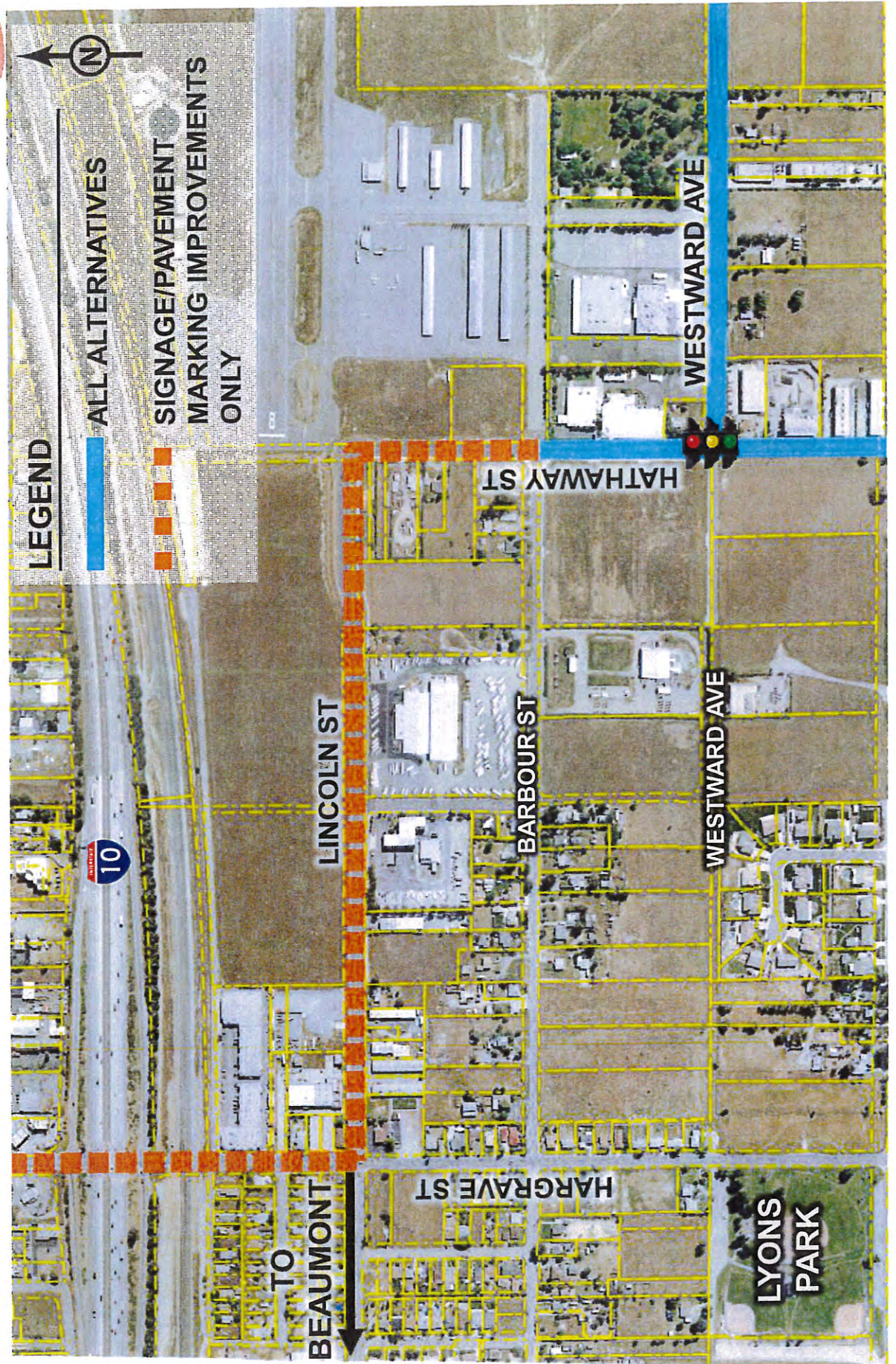
# Typical Section: Ultimate 4-Lane Facility



*Note: a four-lane roadway will likely be needed beyond 20 years. A separate environmental study will be necessary for adding the traffic lanes. Limits will extend up to the I-10 Freeway for logical termini.*

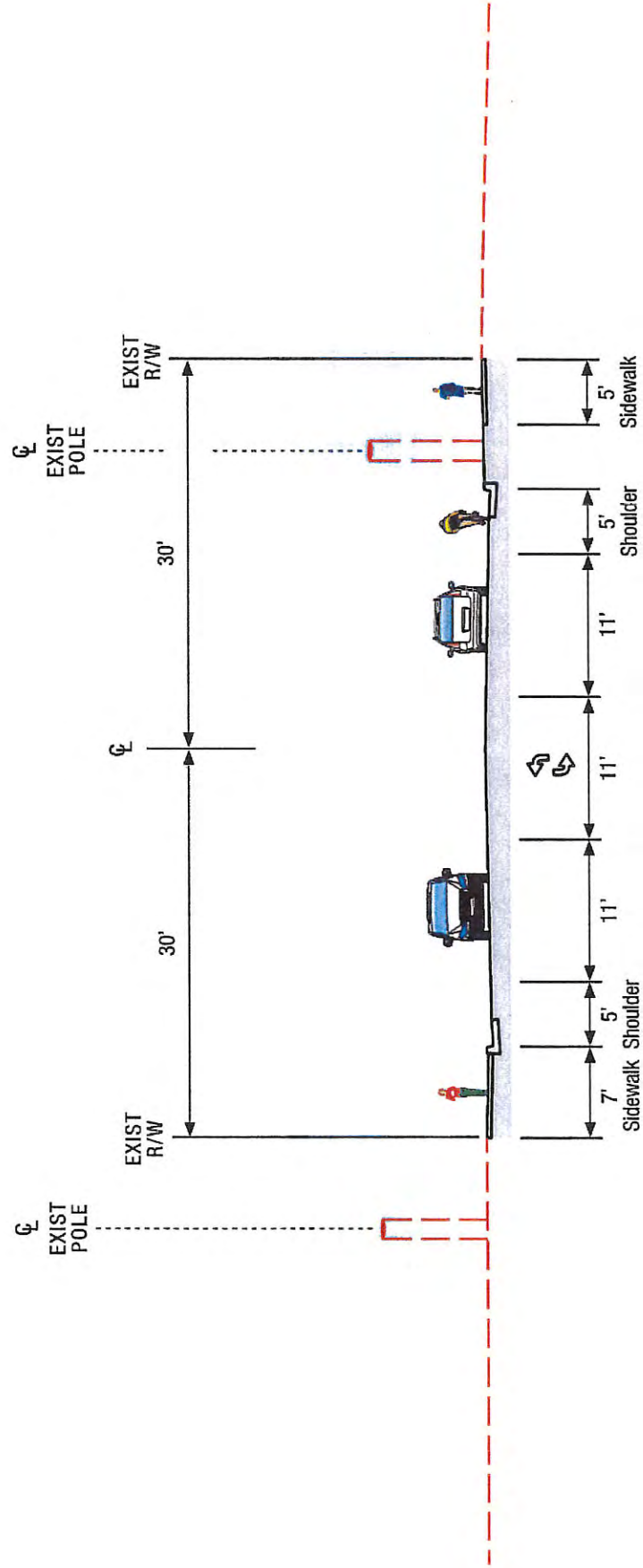


# Proposed Route to Freeway





# Typical Section: Westward Avenue





- Hargrave Street at-grade Railroad Crossing
- Truck Traffic
- Cut-through Traffic
- Existing Pavement Conditions







## Hargrave Street at-grade Railroad Crossing

*Concern* – traffic accessing the freeway will back up when trains go by

### *Background Information* -

- On an average day, the proposed project provides an alternate route to Hargrave Street that reduces traffic at the railroad crossing
- Highest Ranked remaining at-grade railroad crossing within Pass Area (2012 Grade Separation Priority Update Study for Alameda Corridor East in Riverside County)

### *Proposed Approach* -

- County staff to recommend partnering with City on a separate project to provide a grade separation at Hargrave Street – using federal, state and regional funds





*Concern* – truck traffic bypassing the scales and infiltrating through neighborhoods

*Proposed Approach* -

- Restrict through truck traffic – local service only
- Sign, Monitor and Enforce

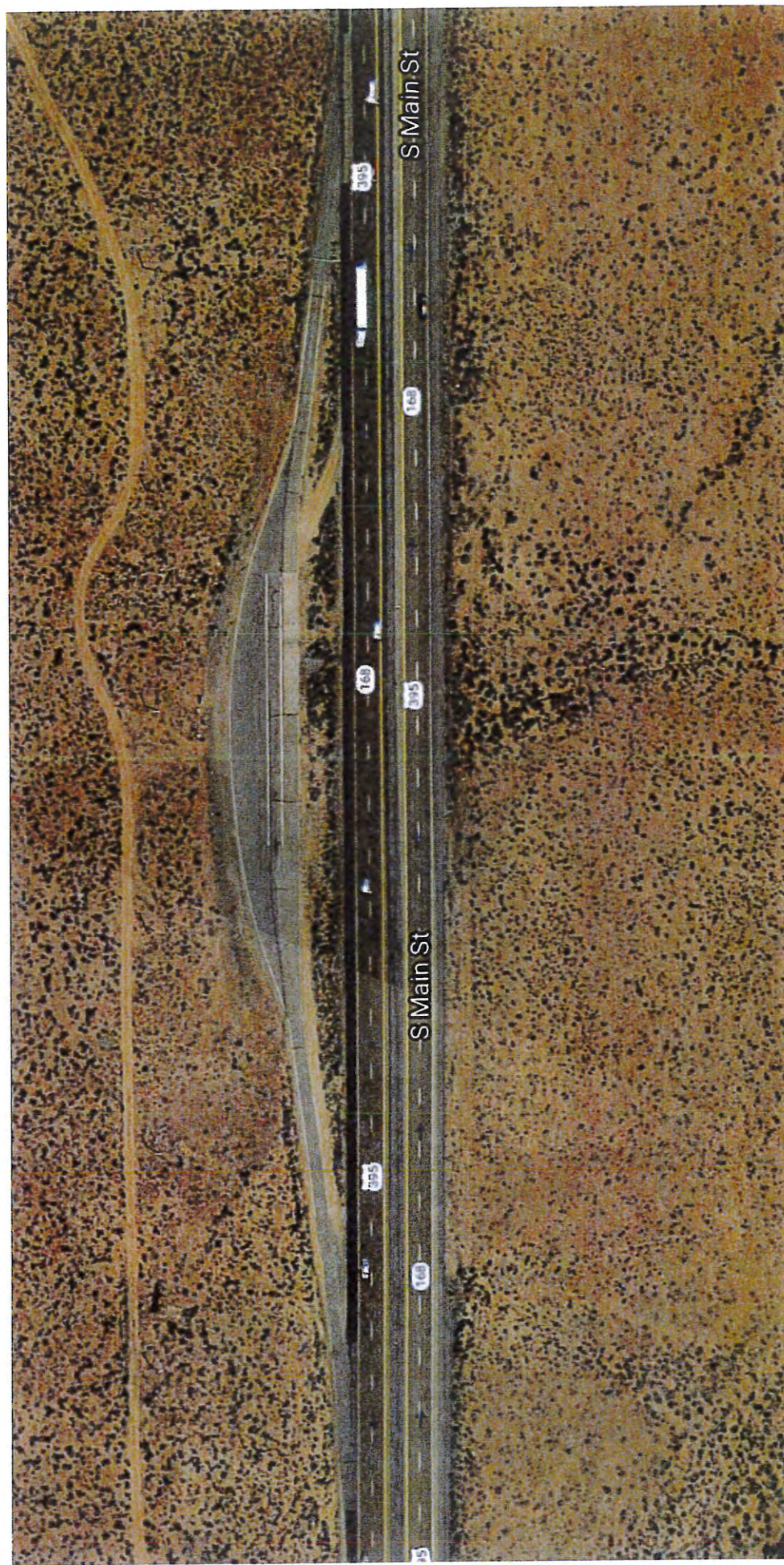
## Monitoring Elements and Enforcement

- CHP Mobile Road Enforcers (MRE's)
- City Police Enforcement
  - CHP Training
- Truck Monitoring Pullouts
- Portable Weigh Stations
- Project will install monitoring cameras in consultation with CHP





## Sample Truck Monitoring Pullout



Highway 395 South of Bishop, CA







## Truck Monitoring Pullouts







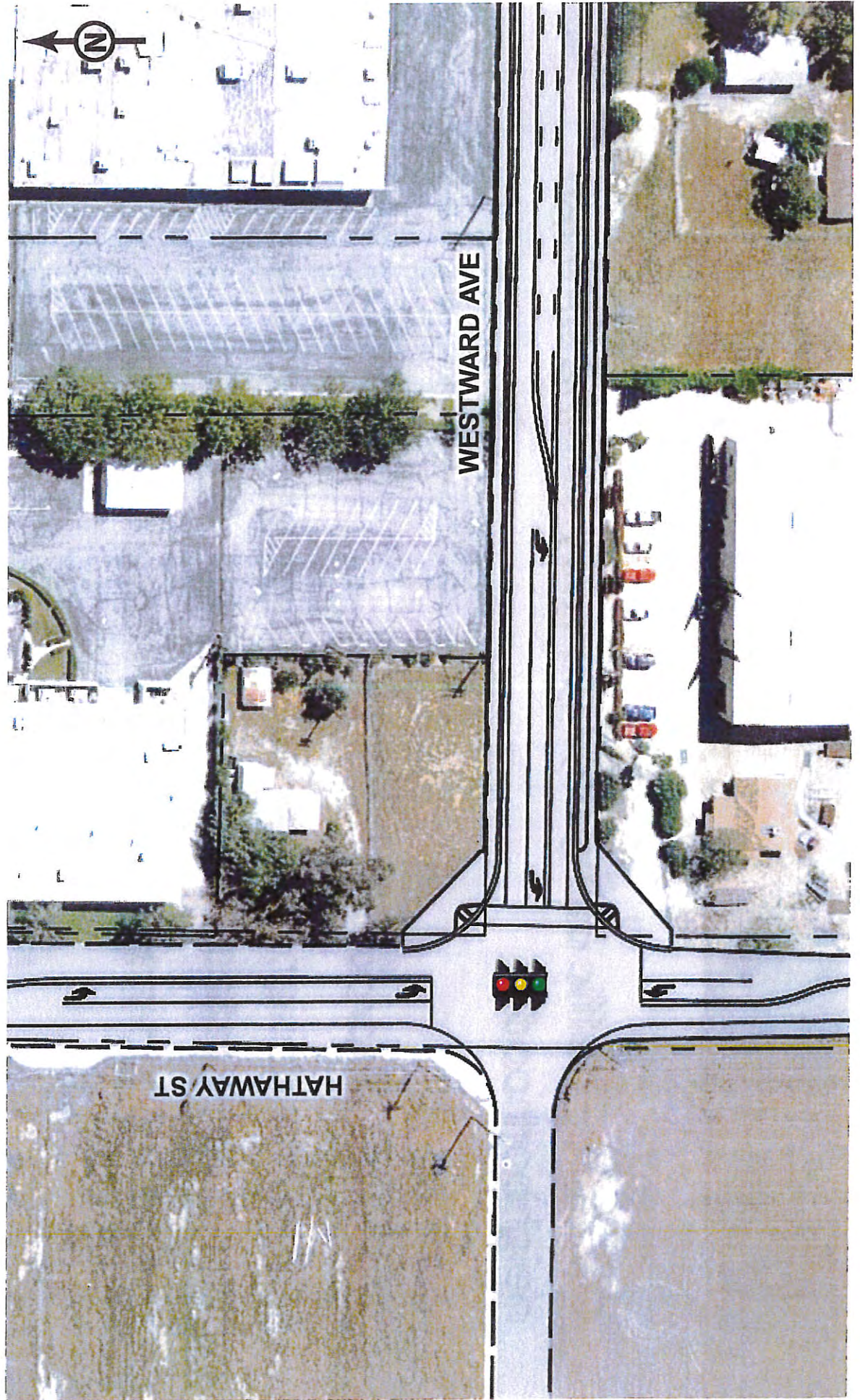
*Concern* – traffic using new roadway cutting through neighborhoods

*Proposed Approach* -

- Provide design enhancements to encourage traffic to use designated route to freeway
- Add route signage to direct traffic to freeway

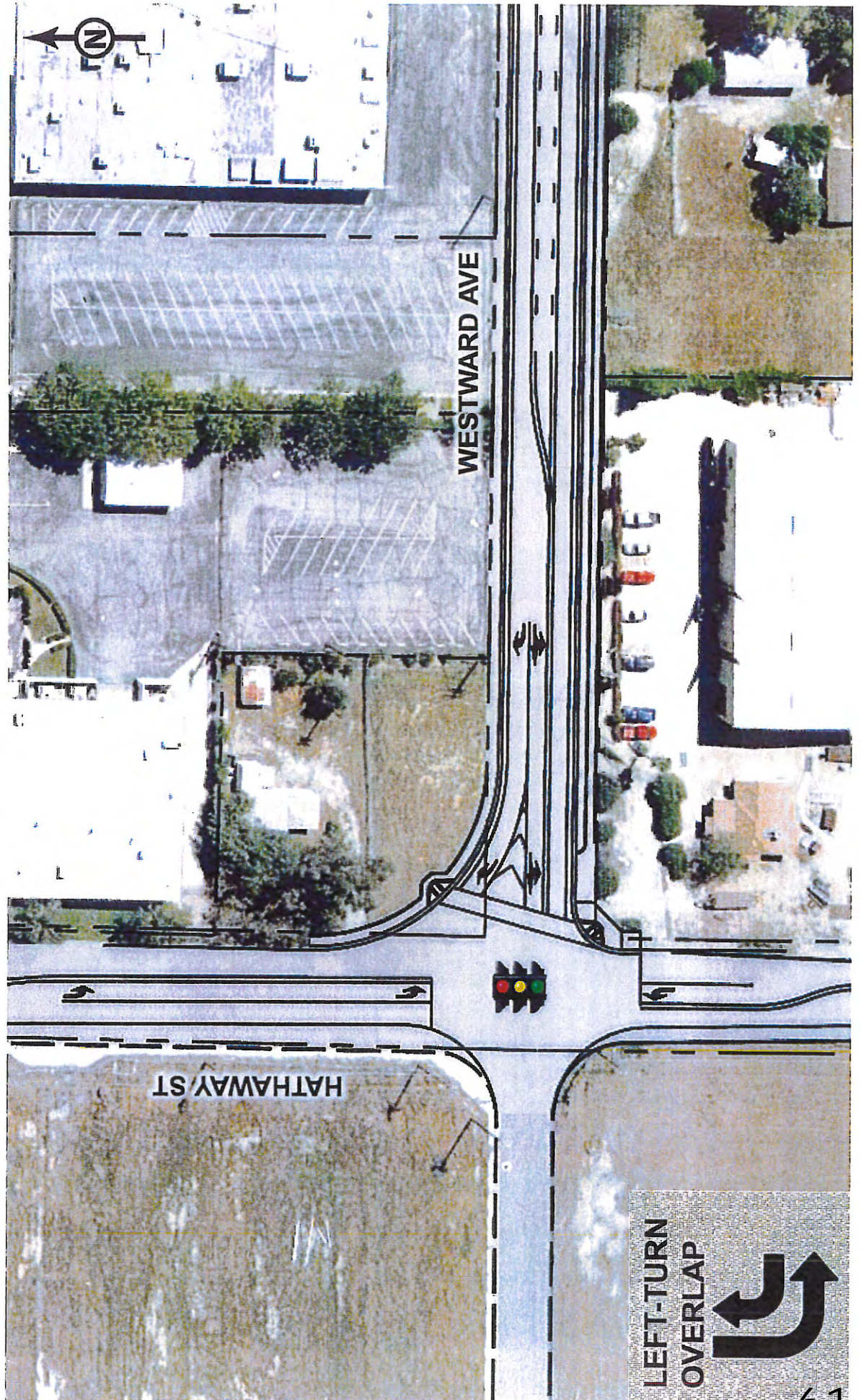


## Standard Intersection





## Proposed Enhanced Intersection





# Limit Cut-Through Traffic - Route Signage







## Existing Pavement Conditions

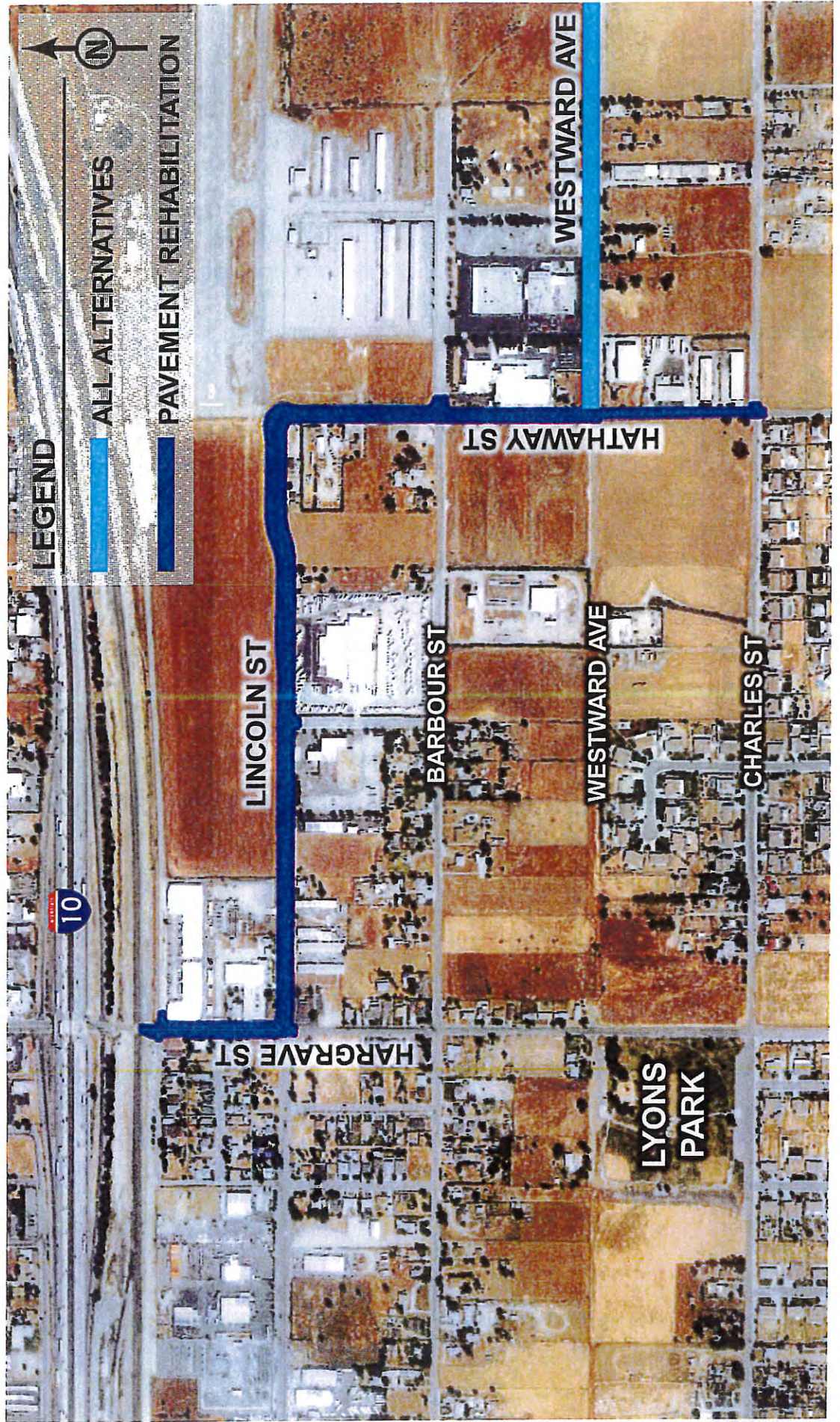
*Concern* – existing pavement in this area is in bad condition, and the traffic shift with the new roadway will worsen this condition

### *Proposed Approach* -

- Include pavement rehabilitation up to the connection with the freeway as part of the Project



# Proposed Pavement Rehabilitation





## Improve Traffic Circulation

- Emergency services
- Additional route
- Avoids dependency on congested I-10 Freeway
- Consistent with City General Plan
  - Residential development south of I-10 Freeway
  - Industrial development around airport

## Address Public Concerns related to Existing Streets

- Partner with the City to assist with future grade separation at Hargrave Street
- Provide truck monitoring and enforcement; Prohibit Truck Through Traffic – allow local service only
- Provide a design for easy access to the freeway that minimizes cut-through traffic
- Improve pavement condition along designated route to freeway





## Potential Funding Sources

- Federal Funds
- State Funds
- TUMF
  - Proposing to work with RCTC and WRCOG to make this a Regional Project
- Gas Tax
- Cabazon Community Funds
- Development Impact Fees AP20
- Measure A – Western



## Next Steps

- Comment Period Closes April 30<sup>th</sup>
- County will review, evaluate and consider all comments
- County will either:
  - Prepare responses to comments and finalize Environmental Document
  - Revise document based on comments and recirculate for a second public review



**Exhibit “B”**

**to the April 11, 2018**

**6:00 P.M. Special City Council Town Hall Meeting**

**I-10 BYPASS: BANNING TO CABAZON PROJECT**

January 25, 2018 - DEIR/DEA Public Circulation & Public Hearing

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL: \_\_\_\_\_

REPRESENTING: \_\_\_\_\_

DO YOU WISH TO BE ADDED TO THE PROJECT MAILING LIST? PLEASE DROP COMMENTS IN THE COMMENT BOX, MAIL, OR EMAIL TO:

☐ YES ☐ NO

HOW DID YOU HEAR ABOUT THIS MEETING OR PROJECT?

Mary Zambon  
Senior Transportation Planner  
Riverside County Transportation Department  
3525 14th Street, Riverside, CA 92501  
MZAMBON@RIVCO.ORG

MEETING ACCOMMODATIONS:

IF YOU ARE LIMITED IN YOUR ABILITY TO COMMUNICATE IN ENGLISH,  
WERE YOUR COMMUNICATION NEEDS ADEQUATELY MET?

☐ YES ☐ NO ☐ NOT APPLICABLE

IF YOU WERE IN NEED OF A REASONABLE ACCOMMODATION AT THIS MEETING AS A RESULT OF A DISABILITY, WERE YOUR NEEDS ADEQUATELY MET?

☐ YES ☐ NO ☐ NOT APPLICABLE

IF YOU CHECKED NO TO EITHER OF THE TWO QUESTIONS ABOVE, PLEASE EXPLAIN HOW YOUR NEEDS COULD BE BETTER MET IN THE FUTURE:

TO ACCOMMODATE PERSONS WITH DISABILITIES, THIS CARD WILL BE MADE AVAILABLE IN ALTERNATE FORMATS UPON REQUEST.

I WOULD LIKE TO MAKE THE FOLLOWING COMMENTS TO BE FILED IN THE RECORD (PLEASE PRINT):

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

COMMENT DATE:



RIVERSIDE, CA 92501

3525 14TH STREET

Department

Riverside County Transportation

Mary Zambon



PLEASE  
PLACE  
STAMP  
HERE

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## I-10 BYPASS: BANNING TO CABAZON PROJECT

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A special meeting of the Banning City Council was called to order by Mayor Moyer on April 19, 2018 at 3:30 p.m. at the Banning Civic 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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Rochelle Clayton, Interim City Manager  
Art Vela, Public Works Director  
Vincent Avila, Police Lieutenant  
Sonja De La Fuente, Deputy City Clerk

#### PUBLIC COMMENT

The Mayor opened Public Comment. Seeing none, closed Public Comment.

#### REPORTS OF OFFICERS

1. Resolution 2018-47, Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB 1 "The Road Repair and Accountability Act of 2017"

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

The Mayor asked if the Districts were considered when setting the priority. Director Vela indicated they were not. A pavement management system is used and the priority list is set based on the overall condition of the street.

The Mayor opened Public Comment. Seeing none, closed Public Comment.

**Motion Welch/Franklin to adopt Resolution 2018-47; adopting a list of projects to be funded by SB1, the Road Repair and Accountability Act of 2017. Motion carried, 5-0.**

ADJOURNMENT

By common consent the meeting adjourned at 3:34 p.m.

Minutes Prepared by:

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Sonja De La Fuente, Deputy City Clerk





## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Suzanne Cook, Deputy Finance Director

**MEETING DATE:** May 8, 2018

**SUBJECT:** Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of March 2018

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### RECOMMENDATION:

That City Council review and ratify the warrants for period ending **March 28, 2018**, per California Government Code Section 37208.

### WARRANT SUMMARY:

Description	Payment #	Amount	Total Amount
<b>Checks:</b>			
Checks Issued during Month	163475 - 163964	\$ 3,485,847.82	
Voided / Reissue Check	None	\$ -	
<b>Check Total</b>			<b>\$ 3,485,847.82</b>
<b>Wires Total</b>	961 - 969		<b>\$ 2,960,500.92</b>
<b>ACH payments:</b>			
	9006193 - 9006210		
Payroll Direct Deposit 3/2/2018		\$ 339,487.36	
Payroll Direct Deposit 3/16/2018		\$ 332,809.60	
Payroll Direct Deposit 3/30/2018		\$ 325,678.87	
Other Payments		\$ 560,194.33	
<b>ACH Total</b>			<b>\$ 1,558,170.16</b>
<b>Payroll Checks:</b>			
	11287 - 11322		
Payroll - Regular 3/2/2018		\$ 4,863.81	
Payroll - Regular 3/16/2018		\$ 2,585.29	
Payroll - Manual Checks 3/22/2018		\$ 5,002.29	
Payroll - Regular 3/30/2018		\$ 2,150.22	
<b>Payroll Check Total</b>			<b>\$ 14,601.61</b>
<b>Total Warrants Issued for March 2018</b>			<b>\$ 8,019,120.51</b>

**ATTACHMENTS:**

- Fund List
- Warrant List March 2018
- Warrant List Detail March 2018
- Voided Check Log – March 2018
- 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:



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Rochelle Clayton  
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 March 2018

Warrant Number	Vendor Name	Warrant Amount
961	U.S. BANK	499,349.39
962	U.S. BANK	68,960.00
963	U.S. BANK	37,492.81
964	RIVERSIDE PUBLIC UTILITIES	1,194,676.35
965	BANNING OFFICE VENTURE LLC (VANIR)	1,097,207.00
966	GRANDPOINT BANK - ESCROW ACCOUNT	23,395.48
967	GRANDPOINT BANK - ESCROW ACCOUNT	11,269.11
968	GRANDPOINT BANK - ESCROW ACCOUNT	15,335.81
969	GRANDPOINT BANK - ESCROW ACCOUNT	12,814.97
163475	AL'S KUBOTA TRACTOR	298.91
163476	ALESHIRE & WYNDER, LLP	3,714.12
163477	ARMITAGE, STEVE	150.63
163478	ARROW STAFFING SERVICE	2,131.74
163479	ASBURY ENVIRONMENTAL SERVICES DBA	55.00
163480	ASPEN ENVIRONMENTAL GROUP	5,201.20
163481	BEAUMONT DO IT BEST HOME CENTER	161.16
163482	BEAUMONT SAFE & LOCK	83.72
163483	BLUE SHIELD OF CALIFORNIA	70,034.27
163484	CA. ST. DEPT. OF MOTOR VEHICLES	19.83
163485	CALLOWAY, NORMA	25.00
163486	CELL BUSINESS EQUIPMENT (CBE)	5,442.99
163487	CHARLES ABBOTT ASSOCIATES, INC	8,768.75
163488	CHRIS TAYLOR'S PLUMBING	85.00
163489	COOK, SUZANNE	436.00
163490	CORE AND MAIN, LP	2,374.27
163491	CREATIVE BUS SALES INC	443,762.72
163492	CREDITRON CORPORATION	5,930.90
163493	CUSTOM TROPHIES & U-NEEK AWARDS	867.39
163494	DANGELO CO	280.15
163495	DANIELS TIRE SERVICE	84.00
163496	DEUSENBERRY, DANIEL	0.00
163497	DIAMOND HILLS CHEVROLET BUICK GMC	116.35
163498	FAST LUBE & TUNE	159.96
163499	FISHER, ROBERT	160.00
163500	FOX OCCUPATIONAL MEDICAL CENTER	975.00
163501	FRONTIER COMMUNICATIONS	302.53
163502	GARDA CL WEST INC	65.60
163503	GAS COMPANY, THE	854.39
163504	GRAINGER	31.98
163505	HARPER, KRIS	88.00
163506	HAWLEY, CAMERON	88.00
163507	HOLDER, PHILLIP	342.64
163508	HOME DEPOT #8987	173.18
163509	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,127.88
163510	ICMA RETIREMENT TRUST 457	1,927.44
163511	INFOSEND, INC	1,968.25
163512	JAUREGUI, ROBERTO	120.00
163513	KAISER FOUNDATION HEALTH	43,379.01
163514	LEAGUE OF CALIFORNIA CITIES	75.00
163515	LEIDOS ENGINEERING, LLC	265.22
163516	LYNN MERRILL AND ASSOCIATES, INC	8,994.74
163517	MARRIOTT RESIDENCE INN	1,793.61
163518	MASCORRO, LILIANA	148.11



City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163519	MAXEY, DAVID	109.69
163520	MERCHANTS BUILDING MAINTENANCE, LLC	2,867.83
163521	MILLER, JONI	81.59
163522	NATIONWIDE RETIREMENT SOLUTIONS	5,025.03
163523	NOBEL SYSTEMS, INC	5,300.00
163524	OFFICE DEPOT	535.51
163525	OLIN CORPORATION DBA	3,005.11
163526	ONE SOURCE DISTRIBUTORS	21,194.43
163527	PACKHAM & TOOMEY, INC	525.00
163528	PARS	456.08
163529	PENGUIN RANDOM HOUSE SPEAKERS	2,500.00
163530	PRESS-ENTERPRISE, THE	160.60
163531	PRO-VISION, INC	40.96
163532	PRUDENTIAL OVERALL SUPPLY	624.73
163533	PUBLIC ENTITY RISK MANAGEMENT	835.00
163534	RECORD GAZETTE, THE	135.53
163535	RELIABLE WORKPLACE SOLUTIONS	80.32
163536	RICHARDS, LORENA	178.40
163537	RIV. CO. SHERIFF'S DEPT.	50.00
163538	RIVERSIDE, COUNTY OF	332.50
163539	ROBERTSON'S	816.05
163540	ROBINSON, BRANDON A	88.00
163541	ROBLEE, DAVID	300.00
163542	RODRIGUEZ, FRANK	18.10
163543	SCCI, INC DBA	250.00
163544	SHRED-IT USA, LLC	396.00
163545	SMART & FINAL	57.17
163546	SONSRAY MACHINERY LLC	214.59
163547	SOUTHERN CALIFORNIA EDISON	59.70
163548	SOUTHERN CALIFORNIA GAS CO	3,869.08
163549	SOUTHERN CALIFORNIA JOINT POLE	696.81
163550	STATEWIDE TOWING & RECOVERY, INC	325.00
163551	STUART, DAMON	250.00
163552	SUPERION	1,878.45
163553	TIME WARNER CABLE	87.62
163554	TRENCH SHORING COMPANY	705.00
163555	UNDERHILL, WILLIAM	112.45
163556	US GEOLOGICAL SURVEY,	23,125.00
163557	WILLDAN FINANCIAL SERVICES	9,315.00
163558	AIRGAS USA, LLC	207.32
163559	AL'S KUBOTA TRACTOR	978.26
163560	ALL STAR GLASS, INC.	570.26
163561	AMERICAN WATER WORKS ASSN	6,352.00
163562	ARIAS, JOE	32.00
163563	ARROW STAFFING SERVICE	1,056.89
163564	ASPEN ENVIRONMENTAL GROUP	9,113.47
163565	AUER, WILLIAM	1,791.30
163566	BABCOCK LABORATORIES, INC	1,728.00
163567	BAEZA, HECTOR	16.00
163568	BANNING POLICE OFFICERS ASSOC	2,350.00
163569	BARRIBAL, KATHRYN	130.14
163570	BEAUMONT DO IT BEST HOME CENTER	62.95
163571	BEAUMONT SAFE & LOCK	105.43

City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163572	BENHAR, DIANA T	314.83
163573	BERRES, MARK	42.00
163574	BOUABAY &, SAYSAMONE & REGINA	92.05
163575	BRIDGESTONE HOSEPOWER, LLC	241.90
163576	CALIFORNIA LAW ENFORCE ASSN	661.50
163577	CALIFORNIA MUNICIPAL REVENUE &	100.00
163578	CALIFORNIA WATER ENVIRONMENT	180.00
163579	CALIFORNIA WATER ENVIRONMENT	180.00
163580	CENTER ELECTRIC	434.64
163581	CLAYTON, ROCHELLE	250.00
163582	CLYMENS, RONNA	107.23
163583	COLONIAL INSURANCE	18,538.48
163584	CORE AND MAIN, LP	7,317.74
163585	CORTEZ-JASSO, VICTOR	32.00
163586	COSTAR REALTY INFORMATION, INC	87.95
163587	CUNNING, ALISON	300.00
163588	DAVIS, JONATHAN	32.00
163589	DEGUZMAN, EMMANUEL & MILDRED	53.24
163590	DESIGN WEST ENGINEERING	1,172.50
163591	DONUT FACTORY	135.61
163592	DUNN, TERRY	16.00
163593	ELIZONDO, MARIO	32.00
163594	FLEET SERVICES INC	334.64
163595	FOX OCCUPATIONAL MEDICAL CENTER	280.00
163596	FRONTIER COMMUNICATIONS	1,489.64
163597	GARDA CL WEST INC	570.00
163598	GAS COMPANY, THE	545.80
163599	GOVERNMENT FINANCE OFFICERS ASSN	375.00
163600	GRAINGER	1,501.15
163601	GUERRERO, ASHLEY	219.47
163602	HAHN, MICHAEL	16.00
163603	HARPER, KRIS	32.00
163604	HAWLEY, CAMERON	16.00
163605	HOME DEPOT #8987	50.88
163606	I.B.E.W. LOCAL 47	7,816.14
163607	I.B.E.W. LOCAL 47 (PAC)	52.00
163608	INFOSEND, INC	5,189.71
163609	INLAND POTABLE SERVICES	2,231.45
163610	KELLY, PATRICK	2,369.70
163611	KH METALS AND SUPPLY	88.22
163612	LAND ENGINEERING CONSULTANTS, INC	3,264.00
163613	LEAF	1,226.24
163614	LEROUGE, JERRY D	105.00
163615	LYN ENTERPRISE, INC.	131.62
163616	LYNCH, MIKE	32.00
163617	MARTINEZ DEL VALLE &, LUCIA	54.71
163618	MARTINEZ, MATTHEW	16.00
163619	MCCLUNE, DEVIN	32.00
163620	MCWANE DUCTILE	293,105.65
163621	MEDINA, MOSES	16.00
163622	MERAZ, HEIDI H.	264.59
163623	MERCHANTS BUILDING MAINTENANCE, LLC	354.64
163624	MERLIN JOHNSON CONSTRUCTION, INC	576.00



City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163625	MILLER, JONI	29.70
163626	MITSUBISHI ELECTRIC & ELECTRONICS	297.84
163627	MONARCH MANAGEMENT	90.89
163628	NAASZ, CALEB	16.00
163629	NAPA AUTO PARTS	283.17
163630	O'REILLY AUTO PARTS	216.56
163631	OFFICE DEPOT	468.12
163632	ONE SOURCE DISTRIBUTORS	482.72
163633	PARTS AUTHORITY METRO, LLC	1,496.39
163634	PIHRA	920.00
163635	PRE-PAID LEGAL SERVICES, INC	286.02
163636	PRISTINE BUILDERS INC	141.32
163637	PRO-MOTORS COLLISION REPAIR	2,355.85
163638	PRUDENTIAL OVERALL SUPPLY	175.94
163639	RACEWAY FORD INC	4,301.61
163640	RECORD GAZETTE, THE	149.43
163641	RED HAWK SERVICES	1,037.76
163642	RIV. CO. SHERIFF'S DEPT.	77.00
163643	RIV. CO. SHERIFF'S DEPT.	142.00
163644	RM GRAHAM ENTERPRISES, INC	100.31
163645	RUEHLE, TARA SHAWN M	280.00
163646	SAMPSON, LAURIE	32.00
163647	SAN BERNARDINO PUBLIC EMPLOYEES	870.10
163648	SAN GORGONIO PASS WATER AGENCY	18,703.00
163649	SANCHEZ, ENRIQUE & CELIA	230.07
163650	SERRATO &, LYDIA	47.12
163651	SHANKS, LANIER	10.26
163652	SIEMENS INDUSTRY, INC	2,426.67
163653	SMITH, LOIS E	14.00
163654	SONSRAY MACHINERY LLC	1,056.12
163655	SORIANO, RICHARD	16.00
163656	SOTO, GABINO	192.72
163657	SOUTHERN CALIFORNIA EDISON	977.87
163658	STANTEC CONSULTING SERVICES, INC	7,242.34
163659	STEVEN ENTERPRISES INC	223.69
163660	STOEL RIVES, LLP	8,264.00
163661	STONE, JEFF A	117.71
163662	STUART, DAMON	32.00
163663	SUEZ BANNING	56,533.00
163664	SUN LIFE FINANCIAL	20,134.46
163665	SUPERION	242.58
163666	TECHNICOOL REFRIGERATION & AIR	443.00
163667	THE SOCO GROUP, INC.	3,650.31
163668	TIME WARNER CABLE	11.87
163669	TMG UTILITY ADVISORY SERVICES, INC	13,423.78
163670	UNDERGROUND SERVICE ALERT	87.55
163671	UNITED ROTARY BRUSH CORPORATION	98.59
163672	VISION SECURITY SYSTEMS	395.08
163673	WALTER STANLEY COS, LLC	327.63
163674	WARE, KENNITH	16.00
163675	WASHINGTON, MARK	195.00
163676	WELDOR'S SUPPLY AND STEEL	79.47
163677	WELLS FARGO CARD SERVICES INC	4,823.47

City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163678	WELLS FARGO CARD SERVICES INC	398.91
163679	WINTERS, CONCEPCION	80.23
163680	2015-1 IH2 BORROWER LP	185.17
163681	AIRGAS USA, LLC	356.30
163682	ALL STAR GLASS, INC.	405.10
163683	ANIXTER, INC	7,967.70
163684	ARAGON GEOTECHNICAL, INC	6,120.00
163685	ARROW STAFFING SERVICE	874.56
163686	ARTISTIC MAINTENANCE, INC.	8,760.00
163687	BABCOCK LABORATORIES, INC	1,970.00
163688	BADGETT, STEPHEN H	126.26
163689	BEAUMONT DO IT BEST HOME CENTER	677.79
163690	BEAUMONT SAFE & LOCK	588.28
163691	BEAUMONT, CITY OF	553.52
163692	CELL BUSINESS EQUIPMENT (CBE)	142.23
163693	CORE AND MAIN, LP	1,948.81
163694	CORELOGIC INFORMATION SOLUTIONS INC	66.68
163695	DOTY, MARJORIE	166.37
163696	ELECNOR BELCO ELECTRIC, INC	21,943.10
163697	FERRELLGAS	487.51
163698	FMB TRUCK OUTFITTERS	312.12
163699	FRONTIER COMMUNICATIONS	173.33
163700	GRAINGER	478.52
163701	HR GREEN CALIFORNIA, INC.	927.00
163702	HUB CONSTRUCTION SPECIALTIES, INC	116.47
163703	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,143.71
163704	ICMA RETIREMENT TRUST 457	1,927.44
163705	INFOSEND, INC	4,478.41
163706	INLAND WATER WORKS SUPPLY CO.	2,734.16
163707	JENKINS & HOGIN, LLP	267.50
163708	KEMIRA WATER SOLUTIONS INC	3,239.06
163709	LEAF	303.35
163710	LIEBERT CASSIDY WHITMORE	5,000.00
163711	LITHOPASS PRINTING, FORMS,	232.56
163712	MARTIN, MADALIN	180.12
163713	MBC MATTRESS COMPANY	387.90
163714	MERCHANTS BUILDING MAINTENANCE, LLC	2,238.52
163715	MERLIN JOHNSON CONSTRUCTION, INC	1,208.00
163716	MST BACKFLOW	1,830.00
163717	NAPA AUTO PARTS	10.82
163718	NATIONWIDE RETIREMENT SOLUTIONS	4,191.73
163719	O'REILLY AUTO PARTS	12.72
163720	OFFICE DEPOT	1,608.75
163721	ONE SOURCE DISTRIBUTORS	669.94
163722	PARKHOUSE TIRE, INC.	8,373.67
163723	PARS	408.20
163724	PAYPRO ADMINISTRATORS	138.00
163725	PENGUIN RANDOM HOUSE SPEAKERS	2,500.00
163726	POLY-CORR INDUSTRIES	1,023.63
163727	PRESS-ENTERPRISE, THE	436.80
163728	PRUDENTIAL OVERALL SUPPLY	1,479.77
163729	RACEWAY FORD INC	3,395.77
163730	RECORD GAZETTE, THE	73.00



City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163731	RECORD GAZETTE, THE	210.80
163732	RELIABLE WORKPLACE SOLUTIONS	158.87
163733	ROBERTSON'S	477.63
163734	ROMO PLANNING GROUP, INC.	10,260.00
163735	RON'S BEE SERVICE	100.00
163736	SCCI, INC DBA	500.00
163737	SONSRAY MACHINERY LLC	903.99
163738	SOUTH COAST AIR QUALITY	378.28
163739	SOUTH COAST AIR QUALITY	127.46
163740	SOUTHERN CALIFORNIA EDISON	1,028.59
163741	TELEPACIFIC COMMUNICATIONS	2,752.28
163742	TETRA TECH INC.	7,206.80
163743	THE SOCO GROUP, INC.	21,112.70
163744	TIME WARNER CABLE	946.42
163745	ULINE	343.77
163746	VANGUARD UTILITY SERVICE, INC	20,503.49
163747	VERIZON WIRELESS	490.76
163748	VERIZON WIRELESS	2,837.84
163749	WESCO DISTRIBUTION, INC	2,731.85
163750	WHENEVER COMMUNICATIONS, LLC	278.82
163751	A-Z BUS SALES, INC. (COLTON)	9,756.94
163752	ACE	315.32
163753	AIRGAS USA, LLC	188.66
163754	AIRWAVE COMMUNICATIONS ENTERPRISES	2,451.56
163755	ALBERT A. WEBB ASSOCIATES	255.00
163756	ALLIED PACIFIC PROP MGMT	117.70
163757	ALTEC INDUSTRIES, INC.	5,407.48
163758	ANDRADE, DANIELA	40.11
163759	ARROW STAFFING SERVICE	1,093.20
163760	ASPEN ENVIRONMENTAL GROUP	2,669.25
163761	AUER, WILLIAM	36.00
163762	B & H FOTO & ELECTRONICS CORP	1,878.14
163763	BABER &, TAYLOR	29.84
163764	BATTERY SYSTEMS, INC	18.61
163765	BEAUMONT BASIN WATERMASTER	24,493.66
163766	BEAUMONT DO IT BEST HOME CENTER	973.45
163767	BELL &, FRANK	272.47
163768	BRIDGESTONE HOSEPOWER, LLC	1,137.21
163769	BROWN, ANDREW	783.00
163770	BROWN, GERALD B & NORMA	27.18
163771	BRUNER, GUSTAVO	52.87
163772	CALDERA, NATALIE & LUCY	145.48
163773	CALHOUN, RAYMOND	140.62
163774	CALIFORNIA, STATE OF	32.00
163775	CAMPA, ERIC	48.00
163776	CANON FINANCIAL SERVICES, INC	1,184.35
163777	CASSADAS, ERICA	218.00
163778	CASTILLO, GUILLERMO	82.63
163779	CDW GOVERNMENT, INC	2,375.95
163780	CHARLES ABBOTT ASSOCIATES, INC	23,038.03
163781	CONSOLIDATED ELECTRICAL	679.31
163782	COOPERATIVE PERSONNEL SVCS.	443.30
163783	CORE AND MAIN, LP	1,044.80

**City of Banning**  
**Warrant List March 2018**

Warrant Number	Vendor Name	Warrant Amount
163784	CORELOGIC INFORMATION SOLUTIONS INC	300.00
163785	CORP OF PRESIDING BISHOPRIC	5.69
163786	COSTAR REALTY INFORMATION, INC	87.95
163787	COTTAGE, GREGORY	16.00
163788	COUTS HEATING & COOLING, INC	3,310.00
163789	DALLIN, LLC	46.53
163790	DAVIS, JONATHAN	16.00
163791	DENSON, LISA	80.80
163792	DIRECTV	19.00
163793	ENVIRONMENTAL CONSTRUCTION, INC	291,380.41
163794	EVANS, CORINE	2,500.00
163795	EVERYTHING2GO.COM LLC	978.00
163796	FELTEN, GEORGE & BEVERLY	87.57
163797	FERGUSON, PRAET & SHERMAN	214.50
163798	FLORES, & JOCELYN	96.55
163799	FLORES, RAUL JIMENEZ	243.51
163800	FOSTER, SCOTT	115.99
163801	FOX OCCUPATIONAL MEDICAL CENTER	185.00
163802	FRONTIER COMMUNICATIONS	111.91
163803	GAS COMPANY, THE	209.97
163804	GILL, GURSHARN	100.10
163805	GUTIERREZ &, LORENA	99.16
163806	HAMILTON, KIRA	36.65
163807	HARPER, KRIS	48.00
163808	HIX, ROBERT L.	138.57
163809	HOMAN, LOUIS	16.00
163810	HOME DEPOT #8987	269.65
163811	HUERTA, RAMON	101.78
163812	HYDE, PAULINE F	139.59
163813	IBEW LOCAL 47 RETIREE MEDICAL TRUST	34.75
163814	INLAND WATER WORKS SUPPLY CO.	17,977.07
163815	INNOVATIVE FEDERAL STRATEGIES	3,522.35
163816	IRON MOUNTAIN INFORMATION MGMT, LLC	405.88
163817	JAUREGUI, ROBERTO	45.00
163818	JOHNSON, DENISE	155.28
163819	JOSEPH R SCOTT, INC	101.05
163820	KANTZALIS, TOM & CATHY	20.66
163821	KAWECKI, MICHAEL	16.00
163822	KETCHAM, DEBRA & HOWARD	709.98
163823	LANCE, SOLL & LUNGHARD, LLP	9,280.00
163824	LEWIS BRISBOIS BISGAARD & SMITH LLP	97.50
163825	MAILFINANCE, INC	524.47
163826	MARTINEZ, MATTHEW	16.00
163827	MCKIMMEY, CHARLES	2,500.00
163828	MEDINA, MOSES	16.00
163829	MICHAEL BAKER INTERNATIONAL, INC	16,732.46
163830	MILLER, KENNETH	2,000.00
163831	MOORE, PATRICIA	58.29
163832	MORONGO BAND OF MISSION INDIANS	7,560.00
163833	MST BACKFLOW	45.57
163834	MWM RAIL SERVICE	969.00
163835	NAPA AUTO PARTS	75.35
163836	NARANJO, NOLBERTO & Nanci G	69.13



City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163837	O'REILLY AUTO PARTS	393.42
163838	OFFICE DEPOT	447.90
163839	OLEA &, STEPHANY	90.03
163840	ON TRAC	5.66
163841	P&P UNIFORMS	210.93
163842	PACKHAM & TOOMEY, INC	625.00
163843	PARTS AUTHORITY METRO, LLC	2,428.53
163844	PEGASUS CLAIMS SERVICES, INC	250.00
163845	PETTY CASH CUSTODIAN-COMM SVCS	40.35
163846	PETTY CASH CUSTODIAN-SR CENTER	52.67
163847	PRESS-ENTERPRISE, THE	739.20
163848	PRUDENTIAL OVERALL SUPPLY	266.79
163849	PUBLIC AGENCY RETIREMENT SERVICES	300.00
163850	PUBLIC ENTITY RISK MANAGEMENT	195,380.75
163851	RACEWAY FORD INC	415.40
163852	RECORD GAZETTE, THE	368.40
163853	REDLANDS FORD	418.01
163854	REITER, SUWIMOL	133.76
163855	REITER, SUWIMOL & JOSEPH B	138.06
163856	RIV. CO. FIRE DEPARTMENT	862,191.22
163857	RIV. CO. HEALTH SVCS AGENCY	2,885.00
163858	RON'S BEE SERVICE	100.00
163859	SAMPSON, LAURIE	16.00
163860	SAN GORGONIO PASS WATER AGENCY	16,801.00
163861	SEPULVEDA, OLGA	107.31
163862	SIEMENS INDUSTRY, INC	2,904.92
163863	SOUTHERN CALIFORNIA GAS CO	4,248.84
163864	STATEWIDE TOWING & RECOVERY, INC	429.00
163865	STOEL RIVES, LLP	6,788.00
163866	STUART, DAMON	16.00
163867	TAFOYA, JAMES	26.66
163868	THESIER, DEREK	40.00
163869	TMG UTILITY ADVISORY SERVICES, INC	7,600.00
163870	TOLBERT, ROSETTA	187.80
163871	ULINE	152.92
163872	US STORAGE GROUP, INC	139.64
163873	VALDIVIA, GILBERT	16.00
163874	VULCAN MATERIALS	2,091.36
163875	WARE, KENNITH	32.00
163876	WASTE MANAGEMENT OF THE	244,204.45
163877	WESTERN UNDERGROUND COMMITTEE REG	675.00
163878	WESTRUX INTERNATIONAL INC	5,358.27
163879	WHENEVER COMMUNICATIONS, LLC	278.85
163880	WHITE &, TONY & TAYLOR & TERESA	46.01
163881	YOUNGBLOOD & ASSOCIATES	225.00
163882	ACEC CALIFORNIA	578.57
163883	AIRGAS USA, LLC	169.90
163884	AL'S KUBOTA TRACTOR	166.92
163885	ALESHIRE & WYNDER, LLP	1,682.14
163886	ALTEC INDUSTRIES, INC.	164.64
163887	ANIXTER, INC	2,453.47
163888	AT&T CALNET 2	3,049.63
163889	AT&T MOBILITY	1,111.22

**City of Banning**  
**Warrant List March 2018**

Warrant Number	Vendor Name	Warrant Amount
163890	BABCOCK LABORATORIES, INC	1,058.00
163891	BEAUMONT CHERRY VALLEY WATER	6,847.68
163892	BEAUMONT DO IT BEST HOME CENTER	674.10
163893	BEAUMONT, CITY OF	32,991.03
163894	BERNARD, KEVIN	32.00
163895	BPS TACTICAL, INC	598.01
163896	BT SUPPLIES WEST	4,557.53
163897	CALIFORNIA ASSOCIATION OF CODE	95.00
163898	CALIFORNIA ASSOCIATION OF CODE	95.00
163899	CALIFORNIA, STATE OF	3,717.00
163900	CALIFORNIA, STATE OF	1,876.98
163901	CAPITAL REALTY ANALYSTS, INC	3,500.00
163902	CAROLLO ENGINEERS	16,560.85
163903	CDW GOVERNMENT, INC	139.00
163904	CHICAGO TITLE COMPANY	2,833.00
163905	COLONIAL INSURANCE	18,737.16
163906	COUNSELING TEAM INTERNATIONAL, THE	700.00
163907	COUTS HEATING & COOLING, INC	2,785.00
163908	CUSTOM TROPHIES & U-NEEK AWARDS	188.56
163909	CYBERTIME NETWORK COMMUNICATIONS	7,797.00
163910	DEPARTMENT OF COMMUNITY SERVICES &	383.00
163911	DEX MEDIA	40.51
163912	DIRECTV	23.25
163913	FERGUSON, PRAET & SHERMAN	117.00
163914	FISHER, ROBERT	621.00
163915	FOSTER, SCOTT	31.69
163916	FRONTIER COMMUNICATIONS	4,323.84
163917	GARDA CL WEST INC	41.80
163918	GAS COMPANY, THE	653.40
163919	HAWLEY, CAMERON	77.28
163920	HEMET VALLEY TOOL & SUPPLY	141.69
163921	HOME DEPOT #8987	157.89
163922	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,105.77
163923	ICMA RETIREMENT TRUST 457	661.44
163924	ICSC	640.00
163925	INFOSEND, INC	2,613.60
163926	KAISER FOUNDATION HEALTH	43,950.83
163927	KESTER, ELIZABETH	963.33
163928	LESLIE'S POOL SUPPLIES INC.	933.42
163929	LEXISNEXIS RISK SOLUTIONS	100.00
163930	LIEBERT CASSIDY WHITMORE	450.00
163931	LITHOPASS PRINTING, FORMS,	195.92
163932	MADRIGAL CHAVES, SERGIO	32.00
163933	MORGAN, AMANDA	38.88
163934	NAASZ, CALEB	16.00
163935	NATIONWIDE RETIREMENT SOLUTIONS	2,965.00
163936	OFFICE DEPOT	2,758.68
163937	ONE SOURCE DISTRIBUTORS	2,561.75
163938	P&P UNIFORMS	1,287.00
163939	PACIFIC ALARM SERVICE	83.00
163940	PARS	422.67
163941	PROFORMA EXPRESS GRAPHICS	1,163.03
163942	PRUDENTIAL OVERALL SUPPLY	407.47



City of Banning  
Warrant List March 2018

Warrant Number	Vendor Name	Warrant Amount
163943	RCS INVESTIGATIONS & CONSULTING LLC	5,510.00
163944	RECORD GAZETTE, THE	69.35
163945	RELIABLE WORKPLACE SOLUTIONS	855.44
163946	RICHARDS WATSON GERSHON	62,018.11
163947	RIVERSIDE, COUNTY OF	685.00
163948	SAN GORGONIO PASS DESIGN AND PRINT	214.42
163949	SANDOVAL, ANA	40.38
163950	SHOVE, TED	1,912.29
163951	SHRED-IT USA, LLC	151.20
163952	SILVER & WRIGHT, LLP	1,714.25
163953	SOUTHERN CALIFORNIA EDISON	116.14
163954	STERLING TALENT SOLUTIONS	66.27
163955	SUPERION	222.81
163956	TESTAMERICA LABORATORIES, INC	695.00
163957	TIME WARNER CABLE	906.68
163958	TRANSPORTATION SAFETY INSTITUTE	140.00
163959	TURBO DATA SYSTEMS INC	383.20
163960	UNITED ROTARY BRUSH CORPORATION	204.92
163961	VERIZON WIRELESS	555.82
163962	WELDOR'S SUPPLY AND STEEL	2,003.60
163963	WELLS FARGO CARD SERVICES INC	4,469.67
163964	YOUNGBLOOD & ASSOCIATES	225.00
9006193	WELLS FARGO BANK	339,487.36
9006194	CA. ST. EMPLOYMENT DEV. DEPT.	19,801.94
9006195	INTERNAL REVENUE SERVICE	137,558.07
9006196	WELLS FARGO BANK	500.00
9006197	CALIFORNIA, STATE OF	2,940.00
9006198	CALPERS 457 PLAN - 450260	48,992.41
9006199	CA. ST. PUBLIC EMPLOYEES	81,941.90
9006200	WELLS FARGO BANK	332,809.60
9006201	INTERNAL REVENUE SERVICE	124,320.28
9006202	CA. ST. EMPLOYMENT DEV. DEPT.	16,569.66
9006203	TASC	3,985.85
9006204	CALPERS 457 PLAN - 450260	37,464.90
9006205	CA. ST. PUBLIC EMPLOYEES	82,571.32
9006206	WELLS FARGO BANK	700.00
9006207	CA. ST. EMPLOYMENT DEV. DEPT.	485.86
9006208	INTERNAL REVENUE SERVICE	2,362.14
9006209	WELLS FARGO BANK	325,678.87
9006210	TASC	0.00
Grand Total		8,005,309.90
Less Voided / Reissued Checks from Prior Period		(791.00)
Less Voided Checks Prior Period		
Add Payroll Checks		14,601.61
Total Remittance for Month		<u>8,019,120.51</u>

**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
961	3/1/2018	U.S. BANK	885193		639-8000-454.62-02	INTEREST DUE ACCOUNT 277166000	499,349.39
962	3/2/2018	U.S. BANK	896882		375-4900-431.61-12	1/2 PRINCIPAL ACCOUNT 789582000	15,000.00
963	3/2/2018	U.S. BANK	911723		375-4900-431.62-12	INTEREST DUE ACCOUNT 789582000	53,960.00
					375-0000-102.11-00	LESS CASH ON HAND 789582001	(7.19)
964	3/7/2018	RIVERSIDE PUBLIC UTILITIES	201		375-4900-431.61-12	1/2 PRINCIPAL ACCT 789582000	37,500.00
					670-7000-331.20-01	INTEREST REV FEBRUARY 2018	(1,248.16)
					670-7000-356.38-10	ENERGY REV FEBRUARY 2018	(14,042.92)
					670-7000-356.38-17	ENERGY REV FEBRUARY 2018	(26,982.55)
					670-7000-356.38-20	CRR REV FEBRUARY 2018	(105,611.09)
					670-7010-473.27-09	TRANS REV FEBRUARY 2018	61,006.00
					670-7010-473.27-50	S & D EXPENSE FEBRUARY 2018	803,112.07
					670-7010-473.27-60	CAPACITY EXP FEBRUARY 2018	171,356.33
					670-7010-473.27-70	ENERGY EXP FEBRUARY 2018	300,609.54
					670-7010-473.33-02	TRANS EXP FEBRUARY 2018	6,477.13
965	3/15/2018	BANNING OFFICE VENTURE LLC (VANIR)	RES 2018-20		480-9500-490.90-01	LEGAL EXP FEBRUARY 2018	1,097,207.00
966	3/27/2018	GRANDPOINT BANK - ESCROW ACCOUNT	2016-04-04 RET		855-0000-101.19-10	RESOLUTION 2018-20 TITLE ORD 00085457-993-DS2-CFU ESCROW ACCOUNT ENVIRONMENTAL CONSTRUCTION	23,395.48
					855-0000-238.00-00	RETAINAGE	0.00
967	3/27/2018	GRANDPOINT BANK - ESCROW ACCOUNT	2016-04-06 RET		855-0000-101.19-10	ESCROW ACCOUNT ENVIRONMENTAL CONSTRUCTION	11,269.11
					855-0000-238.00-00	RETAINAGE	0.00
968	3/27/2018	GRANDPOINT BANK - ESCROW ACCOUNT	2016-04-07 RET		855-0000-101.19-10	ESCROW ACCOUNT ENVIRONMENTAL CONSTRUCTION	15,335.81
					855-0000-238.00-00	RETAINAGE	0.00
969	3/27/2018	GRANDPOINT BANK - ESCROW ACCOUNT	2016-04-05 RET		855-0000-101.19-10	ESCROW ACCOUNT ENVIRONMENTAL CONSTRUCTION	12,814.97
163475	3/1/2018	AL'S KUBOTA TRACTOR	111753	028540	855-0000-238.00-00	RETAINAGE	0.00
163476	3/1/2018	ALESHIRE & WYNDER, LLP	111754	028540	001-3600-461.30-06	TUNE UP, REPLACE SHROUD	144.97
			45464		001-3600-461.30-06	TUNE UP, REPLACE SHROUD	153.94
			45465		700-5300-480.33-04	LEGAL SRVCS THRU 1/31/18	2,680.62
			45466		700-5300-480.33-04	LEGAL SRVCS THRU 1/31/18	39.00
163477	3/1/2018	ARMITAGE, STEVE	005418042-2		700-5300-480.33-04	LEGAL SRVCS THRU 1/31/18	994.50
163478	3/1/2018	ARROW STAFFING SERVICE	102798		001-0000-204.16-00	EE PERS 457 REFUND	150.63
			102798		660-6300-471.23-27	VICKSTROM, K W/E 02/03/18	726.98
			102876		680-8000-454.23-27	VICKSTROM, K W/E 02/03/18	311.56
163479	3/1/2018	ASBURY ENVIRONMENTAL SERVICES DBA	1500-00286235	028702	680-8000-454.23-27	VICKSTROM, K W/E 02/10/18	765.24
163480	3/1/2018	ASPEN ENVIRONMENTAL GROUP	3313.002.08	027504	702-3800-480.38-52	OIL & FUEL FILTERS	55.00
163481	3/1/2018	BEAUMONT DO IT BEST HOME CENTER	449868	028527	663-6300-471.96-35	FLUME RESTORATION	8.64
			450509	028527	702-3800-480.38-52	ROLL PINS	9.69
			450510	028527	702-3800-480.38-52	LIGHTBULB	33.92
			451554	028527	100-4900-431.36-00	PADLOCK	49.51
			451645	028527	001-3200-412.30-02	MISC HARDWARE	45.27
			451729	028527	001-3200-412.30-02	CHAIN LINK FENCING	4.50
			452088	028527	001-3200-412.30-02	OUTLET & WALLPLATE	83.72
163482	3/1/2018	BEAUMONT SAFE & LOCK	70171	028570	660-6300-471.30-02	100' BRAID TUBE	70,034.27
163483	3/1/2018	BLUE SHIELD OF CALIFORNIA	MARCH 2018		001-3600-461.30-01	PADLOCKS	19.83
163484	3/1/2018	CA. ST. DEPT. OF MOTOR VEHICLES	CVC BOOK 2018		001-0000-204.31-00	HEALTH INSURANCE PREMIUMS MARCH 2018	25.00
163485	3/1/2018	CALLOWAY, NORMA	REFUND 184767	028696	001-4000-480.41-04	2018 CA VEHICLE CODE BOOK	475.37
163486	3/1/2018	CELL BUSINESS EQUIPMENT (CBE)	IN1984158		001-4000-331.25-02	FACILITY DEP REFUND	501.71
					001-2200-421.30-06	COPIER MAINTENANCE	2,436.82
					001-4000-461.30-06	COPIER MAINTENANCE	501.71
					001-4500-412.30-06	COPIER MAINTENANCE	501.71



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163486	4/3/2018	CELL BUSINESS EQUIPMENT (CBE)	JN1984158	028696	660-6300-471.30-06	COPIER MAINTENANCE	190.07
					670-7000-473.30-06	COPIER MAINTENANCE	533.45
163487	3/1/2018	CHARLES ABBOTT ASSOCIATES, INC	57953	028250	761-3100-480.30-06	COPIER MAINTENANCE	803.86
163488	3/1/2018	CHRIS TAYLOR'S PLUMBING	11049	028801	001-3000-442.33-53	CONSULTING SERVICES	8,768.75
163489	3/1/2018	COOK, SUZANNE	2/23/2018		001-3200-412.30-02	PLUMBING SERVICE	85.00
163490	4/1/2018	CORE AND MAIN, LP	1355046		001-1900-412.23-05	CSFMO 2018 CONFERENCE RIVERSIDE	436.00
			1355046		660-0000-131.00-00	CLAMP 8X12 1/2 PO NUM 028788	314.91
			1355053		660-0000-131.00-00	VARIOUS CLAMPS PO NUM 028788	2,059.36
163491	3/1/2018	CREATIVE BUS SALES INC	13022249	028771	702-3800-480.38-52	WCL MOTOR	286.62
			1523566	028284	610-5800-434.90-51	2017 ELDORADO BUS	443,346.26
163492	3/1/2018	CREDITRON CORPORATION	16402628	028771	702-3800-480.38-52	WIPIER BLADE	129.84
			WV000000065	028632	761-3100-480.30-17	SOFTWARE/HARDWARE MAINT	5,255.90
163493	3/1/2018	CUSTOM TROPHIES & U-NEEK AWARDS	017987	028877	761-3100-480.30-19	SOFTWARE/HARDWARE MAINT	675.00
163494	3/1/2018	DANGELO CO	51325630.001		200-9100-446.42-19	BBALL MEDALS	867.39
163495	3/1/2018	DANIELS TIRE SERVICE	230109406	028548	660-0000-131.00-00	TAPE VINYL WRAP PO NUM 028786	280.15
163496	3/1/2018	DEUSENBERRY, DANIEL	MEALS 3/06.03		702-3800-480.23-49	CALIFORNIA STATE TIRE FEE	84.00
163497	3/1/2018	DIAMOND HILLS CHEVROLET BUICK GMC	631486	028774	001-2200-421.23-06	2018 IE GANG CONF - RCGIA MAR 6 - MAR 8, 2018	0.00
163498	3/1/2018	FAST LUBE & TUNE	42112	028794	702-3800-480.38-52	KEY, CYLINDER, RACK, KIT	116.35
			42114	028794	702-3800-480.30-05	SMOG INSPECTION UNIT #67	39.99
			42135	028794	702-3800-480.30-05	SMOG INSPECTION UNIT #834	39.99
			42213	028794	702-3800-480.30-05	SMOG INSPECTION UNIT #622	39.99
163499	3/1/2018	FISHER, ROBERT	MEALS 3/05.9		001-2200-421.23-06	RECORDS SUPERVISOR TRNG MAR 5 - MAR 9, 2018 SAN D	160.00
163500	3/1/2018	FOX OCCUPATIONAL MEDICAL CENTER	22683-91061		001-1300-412.33-32	JANUARY 2018 PRE-EMPLOYMENT SCREENINGS	855.00
					700-5020-480.41-14	HEP B INJECTIONS	120.00
163501	3/1/2018	FRONTIER COMMUNICATIONS	2091884027FEB18	028837	001-4500-412.26-05	209-188-4027 FEB 16, 2018 - MAR 15, 2018	84.47
			9518497296FEB18		001-4500-412.26-05	951-849-7296 FEB 16, 2018 - MAR 15, 2018	109.03
			9518499205FEB18		001-4500-412.26-05	951-849-9205 FEB 13, 2018 - MAR 12, 2018	109.03
			20278414		761-3100-480.23-43	EXCESS ITEMS	65.60
163502	3/1/2018	GARDA CL WEST INC	03292684002FEB18		001-4010-461.26-06	789 N SAN GORGONIO AVE JAN 16, 2018 - FEB 14, 2018	81.81
163503	3/1/2018	GAS COMPANY, THE	05192710001FEB18		001-4050-461.26-06	201 W GEORGE ST JAN 16, 2018 - FEB 14, 2018	18.16
			05602682006FEB18		001-2400-422.26-06	172 N MURRAY ST JAN 16, 2018 - FEB 14, 2018	180.31
			09142474007FEB18		001-4050-461.26-06	84 W WILSON ST JAN 16, 2018 - FEB 14, 2018	259.38
			12662495001FEB18		001-2400-422.26-06	3900 W WILSON ST JAN 9, 2018 - FEB 7, 2018	23.73
			15684815176FEB18		001-4500-412.26-06	99 E RAMSEY ST JAN 16, 2018 - FEB 14, 2018	262.56
			16108344439FEB18		001-4010-461.26-06	749 N SAN GORGONIO AVE JAN 16, 2018 - FEB 14, 2018	28.44
163504	3/1/2018	GRAINGER	9691519939	028641	001-3200-412.30-02	MASTER REBUILD KIT	31.98
163505	3/1/2018	HARPER, KRIS	MEAL 3/13-16		670-7000-473.23-05	WUC CONF 2018 ROSEVILLE MAR 13, 2018 - MAR 16, 2018	88.00
163506	3/1/2018	HAWLEY, CAMERON	MEAL 3/13-16		670-7000-473.23-05	WUC CONF 2018 ROSEVILLE MAR 13, 2018 - MAR 16, 2018	88.00
163507	3/1/2018	HOLDER, PHILLIP	TRAVEL 1/23-26		001-3200-412.30-02	SHOT SHOW EXPO 1/23-23 LAS VEGAS, NV	342.64
163508	3/1/2018	HOME DEPOT #8987	2104802	028552	001-3200-412.30-02	WET PATCH & LOCK	36.58
			2104862	028552	001-3200-412.30-02	MASKING PAPER	14.94
			3104848	028552	001-3200-412.30-02	DRYWALL REPAIR MATERIALS	121.66
			20180302		001-0000-204.16-00	PAYROLL SUMMARY	2,127.88
163509	3/1/2018	IBEW LOCAL 47 RETIREE MEDICAL TRUST	20180302		001-0000-204.16-00	PAYROLL SUMMARY	86.31
163510	3/1/2018	ICMA RETIREMENT TRUST 457	132691	028650	761-3100-480.23-02	UB BILL SVCE 2/06-2/09	1,927.44
163511	3/1/2018	INFOSEND, INC	132691		761-3100-480.23-04	UB BILL SVCE 2/06-2/09	736.20
					761-3100-480.33-11	UB BILL SVCE 2/06-2/09	153.62
					761-3100-480.23-02	UB BILL SVCE 2/12-2/16	84.59
					761-3100-480.23-04	UB BILL SVCE 2/12-2/16	760.56
					761-3100-480.33-11	UB BILL SVCE 2/12-2/16	146.97
163512	3/1/2018	JAUREGUI, ROBERTO	1014693		001-2200-421.23-06	ICI CORE COURSE - BURBANK FUEL REIMBURSEMENT 2/20	60.00
163513	3/1/2018	KAISER FOUNDATION HEALTH	MEALS 3/12-16		001-2200-421.23-06	INVESTIGATIVE INTERVIEW & INTERROGATION TRNG	60.00
			MARCH 2018		001-0000-204.31-00	KAISER PREMIUMS GROUP 101565-0002	34,481.00
163514	3/1/2018	LEAGUE OF CALIFORNIA CITIES	LOCC 3/12/18		001-1900-411.23-05	KAISER PREMIUMS GROUP 101565-0006	8,898.01
						LOCC RIVERSIDE CNTY MTG ANDRADE - GEN MTG 3/12/18	25.00
						LOCC RIVERSIDE CNTY MTG FRANKLIN - GEN MTG 3/12/18	25.00
						LOCC RIVERSIDE CNTY MTG G MOYER - GEN MTG 03/12/18	25.00

**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163515	3/1/2018	LEIDOS ENGINEERING, LLC	INV-0004455802	027350	674-7000-473.96-32	ENG SERVICES	132.61
163516	3/1/2018	LYNN MERRILL AND ASSOCIATES, INC	18-7	028598	674-7000-473.96-33	ENG SERVICES	132.61
163517	3/1/2018	MARIOTT RESIDENCE INN	CPRS 2018		660-6300-471.33-11	PRETREAT, TECH, NPDES INSP	2,839.20
163518	3/1/2018	MASCORRO, LILIANA	005418042-1		680-8000-454.33-11	PRETREAT, TECH, NPDES INSP	6,155.54
163519	3/1/2018	MAXEY, DAVID	JUL 17 - DEC 17		001-4000-461.23-05	CPRS ASSISTANCE PROGRAM REBATE JUL 2017 -DEC 2017	1,793.61
163520	3/1/2018	MERCHANTS BUILDING MAINTENANCE, LLC	480422	028754	001-0000-204.16-00	EE PERS 457 REFUND	148.11
			480424	028754	675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JUL 2017 -DEC 2017	109.69
			480425	028754	001-3200-412.33-18	CUSTODIAL SERV. CITY HALL FEBRUARY 2018	1,716.99
			480426	028754	001-3200-412.33-18	CUSTODIAL SERV. CITY YARD FEBRUARY 2018	401.87
			480427	028754	001-3200-412.33-18	CUSTODIAL SERV WATER SHOP FEBRUARY 2018	265.79
			MILEAGE 2/2018		001-3200-412.33-18	CUSTODIAL SERV FLEET SHOP FEBRUARY 2018	128.54
163521	3/1/2018	MILLER, JONI	20180302		001-1300-412.25-05	CUSTODIAL SERV. CORP WARE FEBRUARY 2018	354.64
163522	3/1/2018	NATIONWIDE RETIREMENT SOLUTIONS	14245	028840	001-0000-204.16-00	MILEAGE TO SEVERAL HR EVENTS	81.59
163523	3/1/2018	NOBEL SYSTEMS, INC	14248	028840	660-6300-471.33-11	PAYROLL SUMMARY	5,025.03
					680-8000-454.33-11	UPDATE CITY GIS LAYERS	1,400.00
					660-6300-471.33-11	UPDATE CITY SEWER LAYERS	1,400.00
					680-8000-454.33-11	UPDATE CITY SEWER LAYERS	1,250.00
163524	3/1/2018	OFFICE DEPOT	102843661001	028526	001-1200-412.36-00	STAMP PENS, FILE FOLDERS	1,250.00
			1062757940001	028526	761-3100-480.36-00	RECEIVED STAMP	82.50
			999175361001	028526	761-3100-480.36-00	FIRST AID KIT	71.75
			2454707	028886	660-6300-471.36-08	BULLETIN BOARDS	116.22
163525	3/1/2018	OLIN CORPORATION DBA	55705132.001	028819	670-7000-473.45-05	SODIUM HYPOCHLORITE	265.04
163526	3/1/2018	ONE SOURCE DISTRIBUTORS	013.118	028777	600-5100-435.30-06	BATTERY PACK	3,005.11
163527	3/1/2018	PACKHAM & TOOMEY, INC	120517	028777	702-3800-480.30-06	MONTHLY INSPECTIONS	21,194.43
					702-3800-480.30-06	MONTHLY INSPECTIONS	100.00
					702-3800-480.30-06	MONTHLY INSPECTIONS	200.00
					702-3800-480.30-06	MONTHLY INSPECTIONS	100.00
					702-3800-480.30-06	MONTHLY INSPECTIONS	125.00
					702-3800-480.30-06	MONTHLY INSPECTIONS	456.08
163528	3/1/2018	PARS	20180302	028572	001-0000-204.25-00	PAYROLL SUMMARY	2,500.00
163529	3/1/2018	PENGUN RANDOM HOUSE SPEAKERS	207331219-1	028572	200-0000-223.00-00	LUCY JONES 4/28 2018 EXPO SPEAKING ENGAGEMENT DEP	160.60
163530	3/1/2018	PRESS-ENTERPRISE, THE	0011058570	028878	670-7000-473.23-01	REP 17-105 INTERNAL AUDIT	40.96
163531	3/1/2018	PRO-VISION, INC	311092	028553	610-5800-434.89-51	DRIVE READER CABLE	50.00
163532	3/1/2018	PRUDENTIAL OVERALL SUPPLY	22556847	028553	660-6300-471.25-02	UNIFORMS-WATER	50.00
			22556848	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
			22560409	028553	660-6300-471.25-02	UNIFORMS-WATER	50.00
			22560410	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
			22560411	028553	610-5800-434.23-16	TRANSIT- TOWELS & MATS	20.75
					610-5800-434.25-02	CLOTHING & APPAREL	79.51
					610-5850-434.25-02	CLOTHING & APPAREL	4.93
					670-7000-473.25-02	EL UNIFORMS	139.29
					610-5800-434.23-16	UNIFORM SERVICE	20.81
					610-5800-434.25-02	UNIFORM SERVICE	142.80
					610-5850-434.25-02	UNIFORM SERVICE	4.94
					702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
					702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
					100-4900-431.25-02	STREET UNIFORMS	15.20
					001-3600-461.25-02	PARKS UNIFORMS	6.65
					001-3200-412.25-02	BUILDING MAINT. UNIFORMS	5.36
					761-3110-480.25-02	FSR UNIFORMS	26.23
					700-5040-480.40-02	LIABILITY CLAIM SETTLEMENT	835.00
					001-2800-441.23-01	PHN - GPAPR FOR 2017	135.53
					001-4000-461.32-06	PRINTER AT SR CTR	80.32
					675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE AUG 2017 -JAN 2018	178.40
					001-2200-421.23-06	WILLIAM AUER TUITION TACTICAL RESPONSE	50.00
					001-2200-321.18-06	PARKING CITATION ASSESSMENT JANUARY 2018	332.50
					660-6300-471.45-17	RCB-RCY CON BASE	274.69
					660-6300-471.45-17	CON BASE, SELECT SAND	541.36
163533	3/1/2018	PUBLIC ENTITY RISK MANAGEMENT	BA1824-MILLER	028553	670-7000-473.23-05	WUC CONF 2018 ROSEVILLE MAR 13, 2018 - MAR 16, 2018	88.00
163534	3/1/2018	RECORD GAZETTE, THE	00151775	028525			
163535	3/1/2018	RELIABLE WORKPLACE SOLUTIONS	AR60987	028568			
163536	3/1/2018	RICHARDS, LORENA	AUG 17 - JAN 18				
163537	3/1/2018	RIV. CO. SHERIFF'S DEPT.	BCTC007829				
163538	3/1/2018	RIVERSIDE, COUNTY OF	JANUARY 2018				
163539	3/1/2018	ROBERTSON'S	165194	028544			
			166362	028544			
163540	3/1/2018	ROBINSON, BRANDON A	MICAL 3/13-16				



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163541	3/1/2018	ROBLEE, DAVID	EYEWEAR 2/18		703-3700-480.25-10	2018 VISION REIMBURSEMENT GENERAL UNIT MOU	300.00
163542	3/1/2018	RODRIGUEZ, FRANK	74939-5060.17		670-7010-473.27-60	PV(SOLAR) EXCESS ELECTRIC OUTPUT - 208 KWH IN 2017	18.10
163543	3/1/2018	SCCI, INC DBA	152902	028656	660-6300-471.33-11	SAFETY MTG - 2/8/18	250.00
163544	3/1/2018	SHRED-IT USA, LLC	8123358951	028681	001-4500-412.33-11	CITY HALL & YARD P/U CITY HALL 9/28/2017	54.00
					670-7000-473.33-11	CITY HALL & YARD P/U CORP YARD 10/10/2017	180.00
					001-4500-412.33-11	CITY HALL SHREDDING 1/18/18, 2/01/18, 2/15/18	162.00
					702-3800-480.38-52	SR CTR & BLK HISTORY DAY	57.17
163545	3/1/2018	SMART & FINAL	8124135568	028681	201-4050-446.36-65	SCREW, WASHER, PAD, BUSHING	214.59
163546	3/1/2018	SONSRAY MACHINERY LLC	024935	028528	702-3800-480.38-52	HIGHLAND HOME RD / S / O JAN 1, 2018 - FEB 1, 2018	59.70
163547	3/1/2018	SOUTHERN CALIFORNIA EDISON	P27344-02	028767	670-7000-473.26-04	NATURAL GAS VEHICLE FUEL 01/01/2018 - 02/01/2018	3,869.08
163548	3/1/2018	SOUTHERN CALIFORNIA GAS CO	09242310431F818		702-3800-480.36-61	JANUARY 2018 MONTHLY DUES	696.81
163549	3/1/2018	SOUTHERN CALIFORNIA JOINT POLE	19743		670-7000-473.27-11	TOWING	325.00
163550	3/1/2018	STATEWIDE TOWING & RECOVERY, INC	131623	028782	702-3800-480.30-05	2018 VISION REIMBURSEMENT	1,350.00
163551	3/1/2018	STUART, DAMON	EYEWEAR 2018		670-7000-473.25-10	ERICKSON, D CONSULTING & TRAINING 8/31/2017	250.00
163552	3/1/2018	SUPERION	144622		673-7000-473.95-31	ERICKSON, D LUNCH & MILES 8/31/17 VISIT	46.35
			145050		673-7000-473.95-31	ERICKSON, D CONSULTING & TRAINING 9/26/17	450.00
			145530		673-7000-473.95-31	ERICKSON, D MILEAGE 9/26/17 VISIT	32.10
163553	3/1/2018	TIME WARNER CABLE	CITYHALL 2/2018		001-2050-446.26-09	99 E RAMSEY ST - CABLE ACCT # 8448410810051007	75.75
163554	3/1/2018	TRENCH SHORING COMPANY	COMMITTEE 3/2018	028716	001-2050-446.26-09	789 N SAN GORGONIO AVE MAR 1, 2018 - MAR 31, 2018	11.87
			1131419-0001	028716	660-6300-471.45-08	TRENCH TOP RENTAL	152.00
			1131595-0001		660-6300-471.45-08	MAPS 2'X6' PANEL RENTAL	553.00
163555	3/1/2018	UNDERHILL, WILLIAM	MAR 17 - AUG 17		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE MAR 2017 - AUG 2017	112.45
163556	3/1/2018	US GEOLOGICAL SURVEY,	90602154	027623	663-6300-471.96-35	QTRLY BILL CO-OP WATER 11/01/2017 - 01/31/2018	23,125.00
163557	3/1/2018	WILLDAN FINANCIAL SERVICES	010-36465R	027623	001-1900-412.33-11	USER STUDY FEE	5,688.00
			010-36759	027623	001-1900-412.33-11	USER STUDY FEE	2,106.00
			010-37040	027623	001-1900-412.33-11	USER FEE STUDY	1,521.00
			9951201556	028743	660-6300-471.36-08	CYLINDER-OXY, NITRO, ACETYL	207.32
163558	3/8/2018	AIRGAS USA, LLC	105619	028751	001-2400-422.36-23	CHAINS AW	978.26
163559	3/8/2018	AL'S KUBOTA TRACTOR	IC1021909	028857	702-3800-480.30-05	#619 REPLACEMENT WINDOW	570.26
163560	3/8/2018	ALL STAR GLASS, INC.	7001503453	028888	660-6300-471.30-17	A-STANDARDS ON CD ROM 2-9	6,352.00
163561	3/8/2018	AMERICAN WATER WORKS ASSN	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	32.00
163562	3/8/2018	ARIAS, JOE	102797		673-7000-473.95-31	COLLINS, A W/E 2/03/2018 SMART METER REPLACEMENT	114.00
163563	3/8/2018	ARROW STAFFING SERVICE	102911		660-6300-471.23-27	VICKSTROM, K W/E 2/17/18 PUBLIC WORKS	660.02
			3394.001-03	028839	002-2800-222.30-21	11-1-17 TO 12-31-17 PEER REVIEW OF TECH STUDY	282.87
163564	3/8/2018	ASPEN ENVIRONMENTAL GROUP		028753	002-2800-351.36-01	11-1-17 TO 12-31-17 PEER REVIEW OF TECH STUDY	2,197.50
					002-2800-441.33-05	11-1-17 TO 12-31-17	(2,197.50)
					663-6300-471.95-10	PROJECT 2016-02W	6,915.97
163565	3/8/2018	AUER, WILLIAM	WEAPON LOAN 18	028636	001-0000-116.21-01	EMPLOYEE GUN LOAN	1,791.30
163566	3/8/2018	BABCOCK LABORATORIES, INC	BA82351-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BA82352-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	36.00
			BA82353-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BA82355-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	15.00
			BA82356-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	75.00
			BA82375-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	75.00
			BB80201-0030	028636	660-6300-471.23-32	123 TRICHLOROPROPANE	600.00
			BB80325-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BB80326-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BB80471-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BB80886-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BB80938-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BB80939-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BB80940-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	15.00
			BB81422-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	15.00
			BB81724-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BB81726-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	15.00
			BB81727-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163567	3/8/2018	BAEZA, HECTOR	MEAL 2/22/18		660-6300-471.25-06	LEAK @ WILLIAMS & SAN GOR	16.00
163568	3/8/2018	BANNING POLICE OFFICERS ASSOC	FEBRUARY 2018		001-0000-204.50-00	POLICE OFFICERS ASSOC DUE FEBRUARY 2018	2,350.00
163569	3/8/2018	BARRIBAL, KATHRYN	AUG 17 - JAN 18		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE AUG 2017 - JAN 2018	130.14
163570	3/8/2018	BEAUMONT DO IT BEST HOME CENTER	452680	028527	680-8000-454.30-02	DUPLEX NAIL BRT 3" 16D	62.95
163571	3/8/2018	BEAUMONT SAFE & LOCK	70028	028570	001-3200-412.30-02	KEYS	7.54
			70035	028570	001-3200-412.30-02	LOCK AND KEYS	63.25
			70162	028570	001-3200-412.30-02	LOCK	34.64
163572	3/8/2018	BENHAR, DIANA T	FEBRUARY 2018		001-4000-461.23-15	INSTRUCTOR - ZUMBA CLASS FEBRUARY 2018	314.83
163573	3/8/2018	BERRES, MARK	FEBRUARY 2018		001-4000-461.23-15	YOGA CLASS INSTRUCTOR FEBRUARY 2018	42.00
163574	3/8/2018	BOUABAY & SAYSAMONE & REGINA	000094669		001-0000-218.22-22	UB CR REFUND-FINALS 000009340	92.05
163575	3/8/2018	BRIDGESTONE HOSEPOWER, LLC	82013205.00	028703	702-3800-480.30-05	POISE SERVICE	241.90
163576	3/8/2018	CALIFORNIA LAW ENFORCE ASSN	MARCH 2018		001-0000-204.80-13	POLICE LTD PREMIUMS FOR MARCH 2018	661.50
163577	3/8/2018	CALIFORNIA MUNICIPAL REVENUE &	532		001-1900-412.23-03	MEMBERSHIP RENEWAL - COOK & V MARTIN 1/01-12/31/18	100.00
163578	3/8/2018	CALIFORNIA WATER ENVIRONMENT	ID0000405111-18		680-8000-454.23-03	CHRISTOPHER THORNTON CWEA 05/01/18 - 04/30/19	180.00
163579	3/8/2018	CALIFORNIA WATER ENVIRONMENT	ID0003371221-18		680-8000-454.23-03	JEROME MOLEDOR CWEA 05/01/18 - 04/30/19	180.00
163580	3/8/2018	CENTER ELECTRIC	8718	028651	660-6300-471.45-06	SCADA CHECK, POWER SUPPLY	434.64
163581	3/8/2018	CLAYTON, ROCHELLE	EYEWEAR 2018		001-1900-412.25-10	2018 VISION REIMBURSEMENT	250.00
163582	3/8/2018	CLYMENS, RONNA	JUL 17 - DEC 17		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JUL 2017 - DEC 2017	107.23
163583	3/8/2018	COLONIAL INSURANCE	3229614-0101545		001-0000-204.30-00	TERM LIFE PREMIUMS FEBRUARY 2018	1,612.48
					001-0000-204.80-02	CANCER PREMIUMS FEBRUARY 2018	2,008.11
					001-0000-204.80-03	UNIVERSAL LIFE PREMIUMS FEBRUARY 2018	2,609.46
					001-0000-204.80-09	ACCIDENT PREMIUMS FEBRUARY 2018	3,206.59
					001-0000-204.80-11	SUPPLEMENTAL DISABILITY FEBRUARY 2018	6,177.89
					001-0000-204.80-12	CRITICAL ILLNESS PREMIUMS FEBRUARY 2018	1,652.23
					001-0000-204.80-16	HOSPITAL CONFINEMENT FEBRUARY 2018	1,271.72
					660-0000-131.00-00	A2362-6 FLANGE RW DI GV PO NUM 028788	3,658.87
					670-7000-473.25-06	A2362-6 FLANGE RW DI GV PO NUM 028788	3,658.87
163584	3/8/2018	CORE AND MAIN, LP	1445829		001-1210-412.33-11	CP LISTING 2/1-2/28/18	32.00
			1447261	028730	001-2200-421.25-10	2018 VISION REIMBURSEMENT	87.95
163585	3/8/2018	CORTEZ-JASSO, VICTOR	MEAL 2/21/18		001-2200-421.25-10	CITY COUNCIL MEETING 02/13/2018	300.00
163586	3/8/2018	COSTAR REALTY INFORMATION, INC	105908156-1		001-2060-446.25-06	SCHOOL BOARD MEETING 02/15/2018	16.00
163587	3/8/2018	CUNNING, ALISON	EYEWEAR 2018		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE AUG 2017 - JAN 2018	53.24
163588	3/8/2018	DAVIS, JONATHAN	MEAL 2/13/18		855-9500-490.90-30	PROJECT 2016-04/ELECTRIC REBATE 16-190	1,172.50
			MEAL 2/15/18	027973	001-0000-218.22-22	UB CR REFUND-FINALS 000009222	135.61
			AUG 17 - JAN 18		702-3800-480.38-52	GATE OPEN - CONE OFF CALL BACK	16.00
			15160		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	32.00
163589	3/8/2018	DEGUZMAN, EMMANUEL & MILDRED	000094943		702-3800-480.38-52	HUBODOMETER	83.41
163590	3/8/2018	DESIGN WEST ENGINEERING	MEAL 2/13/18		702-3800-480.38-52	FLEX TUBE & SEAL CLAMP	42.33
163591	3/8/2018	DONUT FACTORY	05P5373	028871	702-3800-480.38-52	FLEX TUBE & SEAL CLAMP	42.33
163592	3/8/2018	DUNN, TERRY	05P5371	028871	702-3800-480.38-52	SPRING BRAKE	58.35
163593	3/8/2018	ELIZONDO, MARIO	05P6138	028871	702-3800-480.38-52	CHECK VALVE	46.63
163594	3/8/2018	FLEET SERVICES INC	05P6523	028871	702-3800-480.38-52	GAUGE & MINI REGULATOR	61.59
			05P6524		610-5800-434.33-32	DOT EXAM - TRANSIT DORIS	40.00
163595	3/8/2018	FOX OCCUPATIONAL MEDICAL CENTER	55361-91062		660-6300-471.33-32	DOT EXAM - WATER DEPT LYNCH, GERDES, VALDEZ	120.00
					670-7000-473.33-32	DOT EXAM BERNARD, K & HARPER, K	80.00
163596	3/8/2018	FRONTIER COMMUNICATIONS	20905604955MAR18		680-8000-454.33-32	DOT EXAM - WASTE WATER MOLEDOR	40.00
			2131817186FEB18	028837	001-4500-412.26-05	209-056-0495 FEB 28, 2018 - MAR 27, 2018	932.27
			9518493260MAR18		703-3700-480.30-17	213-181-7186 FEB 19, 2018 - MAR 18, 2018	302.39
163597	3/8/2018	GARDA CL WEST INC	76177585		001-4500-412.26-05	951-849-3260 FEB 28, 2018 - MAR 27, 2018	254.98
163598	3/8/2018	GAS COMPANY, THE	13392459007FEB18		001-4500-412.26-05	MARCH 2018 COURIER SVC	570.00
			194994362408FEB18		600-5100-435.26-06	408 S HATHAWAY ST JAN 20, 2018 - FEB 21, 2018	39.39
					001-3600-461.26-06	176 E LINCOLN ST JAN 22, 2018 - FEB 22, 2018	63.30
					100-4900-431.26-06	176 E LINCOLN ST JAN 22, 2018 - FEB 22, 2018	63.30
					660-6300-471.26-06	176 E LINCOLN ST JAN 22, 2018 - FEB 22, 2018	176.60
					670-7000-473.26-06	176 E LINCOLN ST JAN 22, 2018 - FEB 22, 2018	176.60
					703-3800-480.26-06	176 E LINCOLN ST JAN 22, 2018 - FEB 22, 2018	176.60
163599	3/8/2018	GOVERNMENT FINANCE OFFICERS ASSN	0171844-2018		001-1900-412.23-03	S COOK / R CLAYTON RENEWL MAR 1, 2018 - FEB 28, 2019	375.00



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163600	3/8/2018	GRAINGER	9650978142	028641	660-6300-471.89-56	AIR PAVING BREAKER	1,501.15
163601	3/8/2018	GUERRERO, ASHLEY	000087477		001-0000-218.22-22	UB CR REFUND-FINALS 000013248	219.47
163602	3/8/2018	HAHN, MICHAEL	MEAL 2/22/18		660-6300-471.25-06	LEAK @ WILLIAMS & SAN GOR	16.00
163603	3/8/2018	HARPER, KRIS	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	32.00
163604	3/8/2018	HAWLEY, CAMERON	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	16.00
163605	3/8/2018	HOMER DEPOT #8987	5090794	028552	001-3200-412.30-02	ROOF CEMENT	50.88
163606	3/8/2018	I.B.E.W. LOCAL 47	FEBRUARY 2018		001-0000-204.53-00	GEN / UTILITY UNION DUES FEBRUARY 2018	7,816.14
163607	3/8/2018	I.B.E.W. LOCAL 47 (PAC)	FEBRUARY 2018		001-0000-204.80-01	PAC DUES FOR FEBRUARY 2018	52.00
163608	3/8/2018	INFOSEND, INC	131277	028650	761-3100-480.23-02	UB BILL SRVC 1/15-1/19	87.02
					761-3100-480.23-04	UB BILL SRVC 1/15-1/19	718.49
					761-3100-480.33-11	UB BILL SRVC 1/15-1/19	150.93
					761-3100-480.23-02	UB BILL SRVC 1/22-1/26	108.07
					761-3100-480.23-04	UB BILL SRVC 1/22-1/26	906.86
					761-3100-480.33-11	UB BILL SRVC 1/22-1/26	185.02
					761-3100-480.23-02	UB BILL SRVC 1/29-2/02	282.54
					761-3100-480.23-04	UB BILL SRVC 1/29-2/02	2,249.52
					761-3100-480.33-11	UB BILL SRVC 1/29-2/02	501.26
163609	3/8/2018	INLAND POTABLE SERVICES	A93-112717-R	028587	660-0000-232.00-00	PROJ 2017-02W TANK INSPECT & CLEANING	2,231.45
163610	3/8/2018	KELLY, PATRICK	WEAPON LOAN 18		001-0000-116.21-01	EMPLOYEE GUN LOAN	2,369.70
163611	3/8/2018	KH METALS AND SUPPLY	0425447-IN	028898	100-4900-431.36-00	HOT ROLLED STEEL	88.22
163612	3/8/2018	LAND ENGINEERING CONSULTANTS, INC	2529	027177	660-6300-471.90-78	WATER MAIN REPL. DESIGN	3,264.00
163613	3/8/2018	LEAF	1002259572002		001-2200-421.32-06	LANIER MP C 5503 BUYOUT	1,226.24
163614	3/8/2018	LEROUX, JERRY D	FEBRUARY 2018		001-0000-218.22-22	INSTRUCTOR - CPR CLASS FEBRUARY 2018	105.00
163615	3/8/2018	LYN ENTERPRISE, INC.	000093585		001-0000-461.23-15	UB CR REFUND-FINALS 000005680	131.62
163616	3/8/2018	LYNCH, MIKE	MEAL 2/21/18		660-6300-471.25-06	BACKFLOW LEAK @ 161 W WILLIAMS ST	16.00
			MEAL 2/22/18		660-6300-471.25-06	LEAK @ WILLIAMS & SAN GOR	16.00
163617	3/8/2018	MARTINEZ DEL VALLE & LUCIA	000082011		001-0000-218.22-22	UB CR REFUND-FINALS 000012474	54.71
163618	3/8/2018	MARTINEZ, MATTHEW	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	16.00
163619	3/8/2018	MCCLUNE, DEVIN	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	32.00
163620	3/8/2018	MCWANE DUCTILE	4069388	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,558.42
			4069493	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,600.30
			4069394	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,767.76
			4069495	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,642.16
			4069396	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,642.16
			4069400	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,600.30
			4069427	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,767.76
			4069428	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,600.30
			4069429	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,600.30
			4069430	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,642.16
			4069431	028815	663-6300-471.95-10	PIPE, LUBE, CAP, GASKET, KI	26,684.03
163621	3/8/2018	MEDINA, MOSES	MEAL 2/21/18		702-3800-480.25-06	BUS # 221- WHEELCHAIR PIN	16.00
163622	3/8/2018	MERAZ, HEIDI H.	FAMILY DOLLAR		610-5800-434.36-07	LUNCH SUPPLIES - TNOW MTG	36.01
			HARBOR FREIGHT		201-4060-446.42-07	SANTA'S GIFT SHOPPE GIFTS PURCHASED 11/30/2017	34.34
			PARTY CITY		001-4000-461.36-09	LAST MINUTE HAUNTED HOUSE SUPPLIES PURCH 10/27/2017	77.91
			SUPER SUB+		610-5800-434.36-07	LUNCH SUPPLIES - TNOW MTG	116.33
			478236	028754	001-3200-412.33-18	CUSTODIAL SERV. CORP WARE	354.64
163623	3/8/2018	MERCHANTS BUILDING MAINTENANCE, LLC	060828	028646	660-6300-471.45-06	WELDING SERVICES	576.00
163624	3/8/2018	MERLIN JOHNSON CONSTRUCTION, INC	REINBURSMENT0218		001-1300-412.41-15	EMPLOYEE RECOGNITION CEREMONY FEB 27, 2018	29.70
163625	3/8/2018	MILLER, JONI	323019	028646	001-3200-412.30-02	PD ELEVATOR MAINT. & REP.	297.84
163626	3/8/2018	MITSUBISHI ELECTRIC & ELECTRONICS	000087127	028200	001-0000-218.22-22	UB CR REFUND-FINALS 000002614	90.89
163627	3/8/2018	MONARCH MANAGEMENT	MEAL 2/22/18		660-6300-471.25-06	LEAK @ WILLIAMS & SAN GOR	16.00
163628	3/8/2018	NAASZ, CALEB	0396173		702-3800-480.38-52	ANTIFREEZE	101.34
163629	3/8/2018	NAPA AUTO PARTS	0408375	028883	702-3800-480.38-52	WASHER FLUID	107.74
			0423955	028883	702-3800-480.38-52	AIR FILTER	74.09
			2678-103466	028887	702-3800-480.38-52	#212 OZUM	7.53
			2678-103470	028887	702-3800-480.38-52	#903 DC VALVE	166.89
			2678-103712	028887	702-3800-480.38-52	#203 SINGLE LEAD	4.17
			2678-493348	028887	702-3800-480.38-52	OIL & FUEL FILTER	37.97
163630	3/8/2018	O'REILLY AUTO PARTS					

City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163631	3/8/2018	OFFICE DEPOT	108333321001	028526	761-3100-480.36-00	OFFICE SUPPLIES	468.12
163632	3/8/2018	ONE SOURCE DISTRIBUTORS	5713315.001	028843	660-6300-471.45-16	HIGH TORQUE IMPACT WRENCH	482.72
163633	3/8/2018	PARTS AUTHORITY METRO, LLC	0672-040213	028583	702-3800-480.38-52	FUEL FILTER	3.70
			091-015493	028583	702-3800-480.38-52	COOLANT	(10.27)
			091-082885	028583	702-3800-480.38-52	OIL & AIR FILTERS	745.87
			091-087256	028583	702-3800-480.38-52	COOLANT	10.71
			091-087303	028583	702-3800-480.38-52	IDLER PULLEY	17.41
			091-087422	028583	702-3800-480.38-52	AIR & OIL FILTER	16.58
			091-087485	028583	702-3800-480.38-52	OIL	14.38
			091-087606	028583	702-3800-480.38-52	FUEL, OIL, & AIR FILTER	28.94
			095-105457	028583	702-3800-480.38-52	AIR FILTER	14.20
			62027557	028583	702-3800-480.38-52	PURGE VALVE	31.00
			62885368	028583	702-3800-480.38-52	OIL PRESS	12.91
			62894508	028583	702-3800-480.38-52	OIL FILTER	26.39
			62895879	028583	702-3800-480.38-52	DEGREASER	139.20
			62896318	028583	702-3800-480.38-52	WIPER REFILL	17.07
			62962162	028583	702-3800-480.38-52	TIE ROD END	62.11
			62986162	028583	702-3800-480.38-52	OIL FILTER	5.79
			91015047	028583	702-3800-480.38-52	OIL FILTER	(5.79)
			91071835	028583	702-3800-480.38-52	FUEL PUMP MOD	110.57
			91079091	028583	702-3800-480.38-52	HEATER SWITCH	10.58
			91079847	028583	702-3800-480.38-52	OIL FILTER	23.18
			91081350	028583	702-3800-480.38-52	HEATER HOSE	10.76
			91081351	028583	702-3800-480.38-52	HEATER HOSE	32.29
			91084574	028583	702-3800-480.38-52	NEOFORM BLADE	21.51
			91085629	028583	702-3800-480.38-52	FINAL CHR NOAT	111.59
			91086970	028583	702-3800-480.38-52	WATER PUMP, COOLANT	45.71
163634	3/8/2018	PIHRA	2018 CONF		001-1300-412.23-03	TWO YEAR MEMBERSHIP ROBERT METEAU, JR	225.00
163635	3/8/2018	PRE-PAID LEGAL SERVICES, INC	FEBRUARY 2018		001-1300-412.23-05	HR CONFERENCE 8/27-8/29 ROBERT METEAU, JR	695.00
163636	3/8/2018	PRISTINE BUILDERS INC	000087191		001-0000-204.80-07	PREPAID LEGAL PREMIUMS FEBRUARY 2018	286.02
163637	3/8/2018	PRO-MOTORS COLLISION REPAIR	1331	028897	001-0000-218.22-22	UB CR REFUND-FINALS 000012210	141.32
163638	3/8/2018	PRUDENTIAL OVERALL SUPPLY	22564374	028553	702-3800-480.30-05	REPAIR #313	2,355.85
			22564375	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			22564376	028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			22564377	028553	100-4900-431.25-02	STREET UNIFORMS	15.20
			22567669	028553	001-3600-461.25-02	PARKS UNIFORMS	6.65
			22571293	028553	001-3200-412.25-02	BUILDING MAINT. UNIFORMS	5.36
			22571294	028553	660-6300-471.25-02	UNIFORMS-WATER	50.00
			22571295	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
			22571296	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			750446	028553	702-3800-480.25-02	STREET UNIFORMS	15.20
163639	3/8/2018	RACEWAY FORD INC	22571294	028553	100-4900-431.25-02	PARKS UNIFORMS	6.65
163640	3/8/2018	RECORD GAZETTE, THE	22571295	028553	001-3600-461.25-02	BUILDING MAIN. UNIFORMS	5.36
163641	3/8/2018	RED HAWK SERVICES	22571296	028553	001-3200-412.25-02	AUTO REPAIR SERVICES	4,301.61
			00152025	028525	702-3800-480.30-05	PHN TTM 36939 EXTENSION	149.43
			17-172	028698	001-2800-441.23-01	GATE REPAIR	137.92
			18-0215	028698	001-3600-461.30-07	GATE REPAIR	137.92
			18-0215	028698	660-6300-471.89-22	GATE REPAIR	137.92
163642	3/8/2018	RIV. CO. SHERIFF'S DEPT.	BCTC0006882		660-6300-471.89-22	CHAIN LINK FENCE REPAIRS	624.00
163643	3/8/2018	RIV. CO. SHERIFF'S DEPT.	BCTC0006881		001-2200-421.23-06	ERIC CAMPA TUITION RADAR LASER OPERATOR 4/05	77.00
163644	3/8/2018	RM GRAHAM ENTERPRISES, INC	000093185		001-2200-421.23-06	ERIC CAMPA TUITION RADAR OPERATOR 04/02-04	142.00
163645	3/8/2018	RUEHLE, TARA SHAWN M	FEBRUARY 2018		001-0000-218.23-15	UB CR REFUND-FINALS 000007944	100.31
163646	3/8/2018	SAMPSON, LAURIE	MEAL 2/13/18		001-4000-461.23-15	INSTRUCTOR - BALLET CLASS FEBRUARY 2018	280.00
			MEAL 2/22/18		001-1200-412.25-06	CITY COUNCIL MEETING 2/13/2018	16.00
			FEBRUARY 2018		001-0000-204.51-00	AGENDA PREP, PUBLISH, & DISTRIBUTE	870.10
163647	3/8/2018	SAN BERNARDINO PUBLIC EMPLOYEES	FEBRUARY 2018		660-6300-471.27-14	PURCHASE OF STATE PROJ WATER - JAN 2018	18,703.00
163648	3/8/2018	SAN GORGONIO PASS WATER AGENCY	18-00159				



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163649	3/8/2018	SANCHEZ, ENRIQUE & CELIA	000067077		001-0000-218.22-22	UB CR REFUND-FINALS 000005014	230.07
163650	3/8/2018	SERRATO &, LYDIA	000083023		001-0000-218.22-22	UB CR REFUND-FINALS 000009810	47.12
163651	3/8/2018	SHANKS, LANIER	000095077		001-0000-218.22-22	UB CR REFUND-FINALS 000011558	10.26
163652	3/8/2018	SIEMENS INDUSTRY, INC	5610102440		100-4900-431.30-09	MONTHLY TRAFFIC SIGNAL MT	630.00
			5620019240		100-4900-431.30-09	MONTHLY TRAFFIC SIGNAL RP	1,796.67
163653	3/8/2018	SMITH, LOUIS E	FEBRUARY 2018		001-4000-461.23-15	INSTRUCTOR - GUITAR CLASS FEBRUARY 2018	14.00
163654	3/8/2018	SONSKRAY MACHINERY LLC	P2501-02		702-3800-480.38-52	#619 WIPER ARM	238.41
			P2596-02		702-3800-480.38-52	#824 RING, WASHER, FILTER	817.71
163655	3/8/2018	SORIANO, RICHARD	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	15.00
163656	3/8/2018	SOTO, GABINO	APR 17 - SEP 17		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE APR 2017 - SEP 2017	192.72
163657	3/8/2018	SOUTHERN CALIFORNIA EDISON	2015215049FEB18		660-6300-471.26-04	WELL 11 - 7072 PLANT E-5 JAN 12, 2018 - FEB 12, 2018	138.02
			2015215072FEB18		660-6300-471.26-04	WELL 9 - 7070 PLANT D-5 JAN 12, 2018 - FEB 12, 2018	37.02
			2015215098JAN18		660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 DEC 13, 2017 - JAN 12, 2018	735.89
			2196273304FEB18		660-6300-471.26-04	DEL RITA BOOSTER STATION JAN 12, 2018 - FEB 12, 2018	66.94
163658	3/8/2018	STANTEC CONSULTING SERVICES, INC	1309026		856-9500-490.93-15	RAMSEY & HATHAWAY ROAD	7,242.34
163659	3/8/2018	STEVEN ENTERPRISES INC	0391715-IN		001-3000-442.36-00	PAPER & INKJET	223.69
163660	3/8/2018	STOEL RIVES, LLP	4025060		663-6300-471.96-35	FLUME RESTORATION PROJECT	6,500.00
			4025075		663-6300-471.96-35	SGMA PROJECT	1,764.00
163661	3/8/2018	STONE, JEFF A	000082581		001-0000-218.22-22	UB CR REFUND-FINALS 000003942	117.71
163662	3/8/2018	STUART, DAMON	MEAL 2/21/18		670-7000-473.25-06	REPLACED CABLE @ 8TH & LINCOLN ST	32.00
163663	3/8/2018	SUEZ BANNING	201833329		680-8000-454.23-38	FEBRUARY 2018 O&M FEE	56,533.00
163664	3/8/2018	SUN LIFE FINANCIAL	MARCH 2018		001-0000-204.14-00	LTD-STD INSURANCE MARCH 2018	5,976.27
					001-0000-204.30-00	LIFE INSURANCE MARCH 2018	4,295.36
					001-0000-204.32-00	DENTAL INSURANCE MARCH 2018	9,862.83
163665	3/8/2018	SUPERIOR	203770		761-3100-480.23-52	TRANS MNGR JANUARY 2018	242.58
163666	3/8/2018	TECHNICOOL REFRIGERATION & AIR	3060 W WILLIAMVS		001-0000-223.25-00	PERMIT RE-ISSUED -18-103 BUILDING STANDARDS COMM	1.00
					001-2700-311.16-03	PERMIT RE-ISSUED -18-103 CONSTRUCTION	352.00
					001-2700-311.16-06	PERMIT RE-ISSUED -18-103 MECHANICAL	88.00
					001-2700-351.35-17	PERMIT RE-ISSUED -18-103 PLAN/COMPUTER STORAGE	2.00
163667	3/8/2018	THE SOCO GROUP, INC.	0469062		702-3800-480.36-14	HD GEAR OIL	907.35
			0502040-IN		702-3800-480.36-11	ULS DIESEL	2,742.96
163668	3/8/2018	TIME WARNER CABLE	SRCRTR 3/2018		001-2060-446.26-09	769 N SAN GORGONIO AVE MAR 1, 2018 - MAR 31, 2018	11.87
163669	3/8/2018	TMG UTILITY ADVISORY SERVICES, INC	201801016		001-1200-412.33-11	CONSULTING SRVC/CIS/ERP	2,683.42
					660-6300-471.33-11	CONSULTING SRVC/CIS/ERP	1,413.52
					670-7000-473.33-11	CONSULTING SRVC/CIS/ERP	7,913.32
					690-9600-453.33-11	CONSULTING SRVC/CIS/ERP	1,413.52
163670	3/8/2018	UNDERGROUND SERVICE ALERT	220180039		100-4900-431.30-13	DIG ALERTS - MARCH 2018 47 NEW TICKETS	29.18
					660-6300-471.45-08	DIG ALERTS - MARCH 2018 47 NEW TICKETS	29.18
					670-7000-473.45-02	DIG ALERTS - MARCH 2018 47 NEW TICKETS	29.19
					001-3200-412.30-02	STREET SWEEPER SUPPLIES	98.59
					001-3200-412.30-02	REPLACED READER	225.08
					001-3200-412.30-02	SOFTWARE UPDATE	170.00
					001-3200-412.30-21	PLEATS	327.63
163671	3/8/2018	UNITED ROTARY BRUSH CORPORATION	302539		610-5800-434.25-06	COVER ROVER ROUTE # 5 EVENING ROUTE	16.00
163672	3/8/2018	VISION SECURITY SYSTEMS	15033		761-3100-480.25-10	2018 VISION REIMBURSEMENT	195.00
			15052		660-6300-471.36-08	ZIRCONIA CUTOFF WHEELS	79.47
163673	3/8/2018	WALTER STANLEY COS, LLC	091316		001-0000-201.10-00	SALES TAX ARTLINE SECURE MARKERS	(3.87)
163674	3/8/2018	WARE, KENNITH	MEAL 2/20/18			SALES TAX CARL SZOKYA GIFT 30 YRS	(35.42)
163675	3/8/2018	WASHINGTON, MARK	EYEWEAR 2018			SALES TAX CASH REGISTER W/LOCKING D	(2.61)
163676	3/8/2018	WELDOR'S SUPPLY AND STEEL	5512			SALES TAX LARGE PRINT BINGO SHUTTER	(4.02)
163677	3/8/2018	WELLS FARGO CARD SERVICES INC	JIM 6093 FEB18			SALES TAX REFRIGERATOR WATER FILTER	(10.90)
						RIVERSIDE COUNTY RECORDER CREDIT	(3.00)
						RIVERSIDE COUNTY RECORDER DOC 2014-0470135	23.50
						BROWN AND CALDWELL JOB ADVERTISEMENT	200.00
						CERTIF-A-GIFT CARL SZOKYA GIFT 30 YRS	492.42
						CAPPO-I MCCOY MEMBERSHIP 03/01/2018 - 02/28/2019	130.00
						FAA STATE BOARD EXAM- PSI UNMANNED AIRCRAFT UAG TEST	150.00

City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163678	3/18/2018	WELLS FARGO CARD SERVICES INC	5D 9468 FEB18		001-2200-421.36-00	AMAZON.COM ARTLINE SECURE MARKERS	53.86
					001-2200-421.36-62	AMAZON.COM REFRIGERATOR WATER FILTER	151.57
					001-2800-441.33-11	AMAZON.COM MEMOREX 300PK CD LABEL RE	216.20
						RIVERSIDE COUNTY RECORDER CREDIT	(3.00)
					001-4000-461.23-06	RIVERSIDE COUNTY RECORDER DOC 2008-0133177	38.50
					001-4000-461.36-00	CA PARKS & RECREATION SOC 2018 CONFERENCE - MERAZ	525.00
					001-4050-461.36-00	DISPLAYS2GO.COM CASH REGISTER W/LOCKING D	133.29
					201-4060-446.36-65	DISPLAYS2GO.COM CASH REGISTER W/LOCKING D	133.28
						ALLIED BINGO SUPPLIES LARGE PRINT BINGO SHUTTER	77.78
						CASINO SUPPLY EASY READ BINGO BALLS	47.26
					201-4060-446.89-46	WALMART.COM 75" VIZIO SMART TV-SR CTR	1,674.97
					610-5800-434.36-00	DISPLAYS2GO.COM CASH REGISTER W/LOCKING D	133.29
					670-7000-473.23-05	SOUTHWEST AIRLINES HARPER - WUC CONF3/13	240.96
						SOUTHWEST AIRLINES HAWLEY - WUC CONF	240.96
						SOUTHWEST AIRLINES ROBINSON - WUC CONF3/13	240.96
					001-1000-411.23-05	SUPERSHUTTLE - MOYER, G LOCC POLICY COMMITTEE MTG	17.70
					001-1000-411.36-07	CONSUELO'S HOMESTYLE MEXI CITY COUNCIL FOOD 2/13/18	88.36
						RUSO'S - CITY COUNCIL FOOD, MEETING 1/23/2018	38.85
					001-1210-412.33-11	RIVERSIDE COUNTY RECORDER CERTIFIED COPY OF DOC	26.50
						RIVERSIDE COUNTY RECORDER CREDIT	(6.00)
						RIVERSIDE COUNTY RECORDER CERTIFIED COPY OF DOC	23.50
					001-1400-412.23-03	CCAC - CALDERON, M & DE LA FUENTE, S	185.00
					001-1400-412.23-06	LEAGUE OF CA CITIES WEBINAR- DE LA FUENTE, S	25.00
					675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE FEB 2017 - JUL 2017	80.23
					001-0000-218.22-22	UB CR REFUND-FINALS 000012982	185.17
					670-7000-473.45-05	NITROGEN	169.75
					670-7000-473.45-05	NITROGEN	186.55
					702-3800-480.30-05	#23 REPLACEMENT WINDOW	405.10
					670-0000-131.00-00	15KV 200A INS CAP PO NUM 028757	2,546.40
					670-0000-131.00-00	INSU STANDOFF PO NUM 028757	997.23
					670-0000-131.00-00	FEED THRU FUSE ELF PO NUM 028757	1,640.88
					670-0000-131.00-00	PHOTO CONTROL PO NUM 028757	822.13
					670-0000-131.00-00	CONNECTOR SPLIT BOLT PO NUM 028757	165.94
					670-0000-131.00-00	1/0 SOLID CONNECTOR PO NUM 028757	715.46
					670-0000-131.00-00	CONN CISE ASSY #2 PO NUM 028757	1,079.66
					002-0000-222.30-27	2017 SURFACE MINING INSP BILLING 12/21/17 - 1/4/18	6,120.00
					002-2800-351.36-01	2017 SURFACE MINING INSP BILLING 12/21/17 - 1/4/18	(6,120.00)
					002-2800-441.33-11	2017 SURFACE MINING INSP	6,120.00
					660-6300-471.23-27	VICKSTROM, K W/E 02/24/18	612.19
					680-8000-454.23-27	VICKSTROM, K W/E 02/24/18	262.37
					111-4900-432.23-29	LMD LANDSCAPE MAINT.	5,120.00
					001-2200-421.23-29	CITY PROPERTY LANDSCAPE	590.00
					001-3200-412.23-29	CITY PROPERTY LANDSCAPE	700.00
					001-4000-461.23-29	CITY PROPERTY LANDSCAPE	213.90
					001-4010-461.23-29	CITY PROPERTY LANDSCAPE	208.32
					001-4050-461.23-29	CITY PROPERTY LANDSCAPE	213.94
					100-4900-431.23-29	CITY PROPERTY LANDSCAPE	1,500.00
					610-5800-434.23-29	CITY PROPERTY LANDSCAPE	213.84
					660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	30.00
					680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
					660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	1,684.00
					660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
					680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
					660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	36.00
					660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	15.00
					670-7000-473.25-05	SCPPA BOARD MEETING 2/15 SCPPA RESOURCE MTG 3/01	126.26
					702-3800-480.38-52	#243 WASHERS	5.82
					702-3800-480.36-00	CLAMP/POLY ADAPTER CREDIT	(2.46)
163679	3/18/2018	WINTERS, CONCEPCION	FEB 17 - JUL 17				
163680	3/18/2018	2015-1 IH2 BORROWER LP	00008965				
163681	3/15/2018	AIRGAS USA, LLC	9947670491		028743		
			9951187252		028743		
			IC1021982		028857		
163682	3/15/2018	ALL STAR GLASS, INC.	3788943-00				
163683	3/15/2018	AMIXTER, INC	3788943-01				
			3788943-02				
			3792564-00				
			3802606-00				
			3806663-00				
			3806663-01				
			6964				
163684	3/15/2018	ARAGON GEOTECHNICAL, INC			028832		
			102968				
163685	3/15/2018	ARROW STAFFING SERVICE			028752		
163686	3/15/2018	ARTISTIC MAINTENANCE, INC.	0160698-IN		028706		
			0160699-IN				
163687	3/15/2018	BABCOCK LABORATORIES, INC	BB81787-0030		028636		
			BB81865-0030		028636		
			BB81965-0030		028636		
			BC80048-0030		028636		
			BC80054-0030		028636		
			BC80064-0030		028636		
			BC80065-0030		028636		
163688	3/15/2018	BADGETT, STEPHEN H	449377		028527		
163689	3/15/2018	BEAUMONT DO IT BEST HOME CENTER	450812		028527		



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163689	4/17/14	BEAUMONT DO IT BEST HOME CENTER	450813	028527	100-4900-431.36-00	PLUMBING EQUIPMENT	1.39
						WTR PIPE, FITTINGS, VALVE	1.17
			450817	028527	702-3800-480.38-52	#26 SQUARE TUBING	54.90
			450880	028527	001-3600-461.30-16	LAWN RISER EXTRACTOR	6.24
			451242	028527	001-3200-412.30-02	CLEAR & BLACK SEALANT	21.08
			451390	028527	001-3200-412.30-02	GFCI OUTLET	19.38
			451391	028527	100-4900-431.36-00	BIT SOCKET & HEX KEY	8.38
			451470	028527	001-3200-412.30-02	FLARE CAPS & PLUG	12.68
			451892	028527	100-4900-431.36-00	SPRAY TIPS & SCOTCH PAD	42.25
			451906	028527	702-3800-480.36-00	KEY, PAINT & SUPPLIES	48.03
					702-3800-480.38-52	KEY, PAINT & SUPPLIES	4.30
			451992	028527	001-3200-412.30-02	Y STRAINER	67.87
			452041	028527	702-3800-480.36-00	PAINT & CLEANER	29.66
			452107	028527	702-3800-480.38-52	SPACKLING & RAZOR BLADE	20.32
			452147	028527	702-3800-480.38-52	#223 DRILL BIT	8.17
			452193	028527	001-3200-412.30-02	TEXTURE, SANDPAPER, TAPE	39.60
			452217	028527	001-3200-412.30-02	ELECTRIC BALLAST	30.16
			452449	028527	001-3200-412.30-02	SCREWS, ANCHORS & SCREEN	35.12
			452559	028527	702-3800-480.38-52	#812 AIR FITTING & COUP	14.62
			452710	028527	660-6300-471.30-02	EPOXY CHAIN,PVC,ENAMEL	120.62
			452749	028527	660-6300-471.30-02	THRDLOCKER,RIVET,SDNPAPER	23.24
			452792	028527	001-3200-412.30-02	SCREWS & SCREW EXTRACTOR	9.42
			452799	028527	660-6300-471.30-02	3/16X1/4 ALUMINUM RIVET	7.09
			452819	028527	660-6300-471.30-02	25PK BUTT SPLICES	11.84
			452889	028527	001-3200-412.36-16	TELESCOPIC WRENCH	17.23
			453005	028527	001-3200-412.30-02	COMP UNION	3.76
			453146	028527	001-4000-461.36-03	JANITORIAL SUPPLIES	15.91
			68603	028570	001-3200-412.30-02	CAM LOCKS	38.57
			68604	028570	001-3200-412.30-02	CLUTCH KIT LOCK	523.84
			70041	028570	001-4000-461.36-00	KEYS FOR CCTR	19.40
			70043	028570	001-4000-461.36-00	KEY FOR CCTR	6.47
			2018-22		610-5800-351.35-80	BUS TICKET RECONCILIATION JANUARY 2018	361.86
			2018-23		610-5800-351.35-80	BUS TICKET RECONCILIATION FEBRUARY 2018	191.66
			IN1991182	028696	001-4500-412.36-00	AR-SC2 STAPLE CARTRIDGES	142.23
			495788		660-0000-131.00-00	PIPE, CLAMPS PO NUM 028788	1,948.81
			81874109	028597	001-3000-442.30-17	ENG. METROSCAN ACCESS	66.68
			MAR 17 - AUG 17		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE MAR 2017 -AUG 2017	166.37
			4	028665	101-0000-232.00-00	HSIPL-5214(010) RETAINAGE	(1,154.90)
					101-4900-431.93-16	HSIPL-5214(010)	23,098.00
			1100323519	028717	660-6300-471.36-08	PROPANE	487.51
			93263	028859	660-6300-471.30-06	STAKE,T-HANDLE,LOCKBAR	312.12
			9517695052MAR18		001-4500-412.26-05	951-769-5052 MAR 4,2018 - APR 3,2018	61.42
			9519220262MAR18		001-4500-412.26-05	951-922-0262 MAR 4,2018 - APR 3,2018	111.91
			9701471691	028641	660-6300-471.45-16	PADLOCKS BATTERIES	116.89
					670-7000-473.45-16	PADLOCKS BATTERIES	116.89
			9711519752	028641	001-3200-412.30-02	TOILET TISSUE DISPENSER	61.85
			9713638535	028641	001-3200-412.30-02	FAUCET	182.89
			116973	028657	001-3000-442.33-53	ENVIRONMENTAL ENGINEERING	39.50
			117385	028657	001-3000-442.33-53	ENVIRONMENTAL ENGINEERING	887.50
			C12006404	028812	680-8000-454.45-16	SWITCH KIT,COUPLING,VALVE	116.47
			20180316		001-0000-204.80-10	PAYROLL SUMMARY	2,143.71
			20180316		001-0000-204.16-00	PAYROLL SUMMARY	1,927.44
			133100	028650	761-3100-480.23-02	UB BILL SRVC 2/19-2/23	95.08
					761-3100-480.23-04	UB BILL SRVC 2/19-2/23	799.62
					761-3100-480.23-11	UB BILL SRVC 2/19-2/23	161.91
					761-3100-480.23-02	UB BILL SRVC 2/26-3/02	317.39
					761-3100-480.23-04	UB BILL SRVC 2/26-3/02	2,542.08
			133771	028650			

City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163705	4/1/17	INFOSEND, INC	133771	028650	761-3100-480.33-11	UB BILL SRVC 2/26-3/02	562.33
163706	3/15/2018	INLAND WATER WORKS SUPPLY CO.	51007586.001		660-0000-131.00-00	TAPE, COUPLING, BOLT/ NUT SET PO NUM 028785	2,734.16
163707	3/15/2018	JENKINS & HOGIN, LLP	25097		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	134.75
			25098		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	132.75
163708	3/15/2018	KEMIRA WATER SOLUTIONS INC	9017581161		001-0000-201.10-00	SALES TAX	(251.03)
163709	3/15/2018	LEAF	8180231	028763	680-8000-454.36-08	FERRIC SULFATE SOLUTION	3,490.09
163710	3/15/2018	LIEBERT CASSIDY WHITMORE	766	028739	001-4050-461.32-06	COPIER SR CTR	303.35
163711	3/15/2018	LITHOPASS PRINTING, FORMS,	46951		700-5040-480.33-11	MODEL POLICIES 3 YR SUBSC	5,000.00
			47065	028535	670-7000-473.23-02	# 10 ENVELOPES PO 028535	146.36
			47493	028535	001-1900-412.23-02	S COOK BUSINESS CARDS	43.10
163712	3/15/2018	MARTIN, MADALIN	AUG 17 - JAN 18	028535	761-3100-480.23-02	STACY BOUSLOG BUSS CARDS	43.10
163713	3/15/2018	MBC MATTRESS COMPANY	147289		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE AUG 2017- JAN 2018	180.12
163714	3/15/2018	MERCHANTS BUILDING MAINTENANCE, LLC	480423	028818	001-2400-422.30-02	TWIN XL INVISICASE MATT ORGNL INV DATE 12/27/2017	387.90
163715	3/15/2018	MERLIN JOHNSON CONSTRUCTION, INC	060836	028754	001-2200-421.33-18	PD CUSTODIAL	2,238.52
163716	3/15/2018	MST BACKFLOW	1MAR2018	028646	660-6300-471.45-06	WELDING SERVICES	1,208.00
163717	3/15/2018	NAPA AUTO PARTS	042358	028626	660-6300-471.45-08	TEST&CERTIFY BACKFLOWS	1,830.00
163718	3/15/2018	NATIONWIDE RETIREMENT SOLUTIONS	20180316	028883	702-3800-480.38-52	#615 FUEL FILTER	10.82
163719	3/15/2018	O'REILLY AUTO PARTS	2678105472	028887	001-0000-204.16-00	PAYROLL SUMMARY	4,191.73
			2678-107755	028887	702-3800-480.38-52	ELECTRICAL TAPE	1.61
			2678-107443	028887	702-3800-480.38-52	#604 GASKET	5.62
			2678-107458	028887	702-3800-480.38-52	#812 SEAL	2.59
			102028658001	028526	001-2200-421.36-00	BATTERIES	9.26
			102937860001	028526	660-6300-471.36-00	BINDERS, PINS, DATER	8.22
163720	3/15/2018	OFFICE DEPOT	102938041001	028526	670-7000-473.36-00	CAMERAS	397.40
			105105614001	028526	660-6300-471.36-00	BINDERS, PINS, DATER	31.75
			105104995001	028526	670-7000-473.36-00	CALC BATT, BINDERS, INK	144.51
			105104995002	028526	670-7000-473.36-00	MEMORY STICKS	32.22
			105104996001	028526	670-7000-473.36-00	CAMERAS	232.72
			105104997001	028526	670-7000-473.36-00	CAMERA CASES	16.46
			105104998001	028526	670-7000-473.36-00	CAMERA BATTERIES	132.73
			106107254001	028526	670-7000-473.36-00	DATASTICKS	90.17
			107639852001	028526	001-1900-412.36-00	CREDIT FOR BATTERIES RETR	(132.73)
			107640122001	028526	001-1900-412.36-00	ENVELOPES/HANGING FILES	136.99
			107961859001	028526	660-6300-471.36-00	ENVELOPES, STAMP	50.20
			107962983001	028526	660-6300-471.36-00	CLIPBOARD	48.85
			108408068001	028526	670-7000-473.36-00	PAPER	84.48
			110310905001	028526	660-6300-471.36-00	PAPER	84.49
			112490676001	028526	670-7000-473.36-00	COVER, ERASERS	8.70
			55736277.001	028526	001-1900-412.36-00	COVER, ERASERS	101.66
			55757545.001	028526	001-4000-461.36-00	OFFICE SUPPLIES FOR ASD	66.40
			2010544426	028549	670-0000-131.00-00	CASH BOX CCTR	22.50
163721	3/15/2018	ONE SOURCE DISTRIBUTORS	2010544427	028549	670-0000-131.00-00	LARGE HAND HOLE PO NUM 028759	505.08
163722	3/15/2018	PARKHOUSE TIRE, INC.	2010545095	028549	670-0000-131.00-00	WSN PO NUM 028759	164.86
			2010555200	028549	670-0000-131.00-00	TIRES	1.75
			2030161055	028549	702-3800-480.23-49	TIRES	562.89
			2030161089	028549	702-3800-480.23-49	TIRES	7.00
			2030161365	028549	702-3800-480.23-49	TIRES	1,858.34
					702-3800-480.23-49	TIRES	5.25
					702-3800-480.23-49	TIRES	109.10
					702-3800-480.23-49	TIRES	7.00
					702-3800-480.23-49	TIRES	514.57
					702-3800-480.23-49	TIRES	7.00
					702-3800-480.23-49	TIRES	474.57
					702-3800-480.23-49	TIRES	1.75
					702-3800-480.23-49	TIRES	61.24
					702-3800-480.23-49	TIRES	7.00



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163723	3/15/2018	PARS	2030161365	028549	702-3800-480.38-52	TIRES	544.10
163724	3/15/2018	PAYPRO ADMINISTRATORS	2030161830	028549	702-3800-480.23-49	RECYCLING FEE	33.94
163725	3/15/2018	PENGUIN RANDOM HOUSE SPEAKERS	2030162162	028549	702-3800-480.30-05	TIRES & MISC	1,923.31
163726	3/15/2018	POLY-CORR INDUSTRIES	2030162163	028549	702-3800-480.23-49	RECYCLING FEE	127.68
163727	3/15/2018	PRESS-ENTERPRISE, THE	2030162913	028549	702-3800-480.23-49	TIRES	10.50
163728	3/15/2018	PRUDENTIAL OVERALL SUPPLY	2030162914	028549	702-3800-480.38-52	TIRES	749.94
			2030162976	028549	702-3800-480.38-52	VALVE SYSTEM	87.92
			2030163487	028549	702-3800-480.23-49	RECYCLING FEE	48.49
			2030163676	028549	702-3800-480.23-49	TIRES	14.00
			20180316	028549	702-3800-480.23-49	FLEET TIRES	962.85
			40006	028549	702-3800-480.38-52	FLEET TIRES	3.50
			207331219-2A	028549	001-0000-204.25-00	PAYROLL SUMMARY	249.98
			56461A-IN	028549	001-1300-412.33-11	FEBRUARY 2018 COBRA ADMIN	408.20
			0011073644	028549	200-0000-223.00-00	DISASTER SURVIVAL EXPO SPEAKER - BALANCE DUE	138.00
			21027374	028549	100-4900-431.36-00	SAND BAGS	2,500.00
			22513460	028549	001-2200-421.90-15	IDB 18-007 PD MECH CONTR.	1,023.63
			22517215	028549	670-7000-473.25-02	ELECTRIC UNIFORMS CREDIT	436.80
			22531774	028549	670-7000-473.25-02	EL UNIFORMS	(120.00)
			22549695	028549	670-7000-473.25-02	EL UNIFORMS	188.19
			22560433	028549	670-7000-473.25-02	EL UNIFORMS	290.29
			22567693	028549	670-7000-473.25-02	EL UNIFORMS	168.29
			22571297	028549	670-7000-473.25-02	EL UNIFORMS	139.29
			22571298	028549	670-7000-473.25-02	FSR UNIFORMS	139.29
			22575025	028549	670-7000-473.25-02	EL UNIFORMS	26.23
			22575027	028549	670-7000-473.25-02	UNIFORMS-WATER	139.29
			22575052	028549	660-6300-471.25-02	UNIFORMS-WASTEWATER	50.00
			22575053	028549	680-8000-454.25-02	FLEET UNIFORMS & TOWELS	15.00
			22575054	028549	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			22575055	028549	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			22575056	028549	100-4900-431.25-02	STREET UNIFORM	25.20
			3680444	028549	001-3600-461.25-02	PARKS UNIFORMS	6.65
			3681748	028549	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	5.68
			3681769	028549	761-3110-480.25-02	FSR UNIFORMS	26.23
			3681943	028549	670-7000-473.25-02	EL UNIFORMS	134.69
			3681986	028549	702-3800-480.30-05	#604 CONVERTER ASY	2,904.02
			3682008	028549	702-3800-480.38-52	#838 SEAT BELT & BUCKLE	24.04
			00153064	028549	702-3800-480.38-52	#838 SWITCH ASY	187.69
			00876081	028549	702-3800-480.38-52	#621 FUEL FILLER	153.26
			00876270	028549	702-3800-480.38-52	#831 LATCH	49.98
			00876443	028549	001-2200-421.23-01	ORDNANCE 1513	73.00
			00876838	028549	001-1300-412.23-01	SEASONAL POS JOB AD 1015 FONTANA HERALD NEWS	52.70
			AR62673	028549	001-1300-412.23-01	SEASONAL POS JOB AD 2015 HIGHLAND COMMUNITY N	52.70
			176253	028549	001-1300-412.23-01	SEASONAL POS JOB AD 3015 YUCAIPA/CALIMESA	52.70
			2018-01	028549	001-1300-412.23-01	SEASONAL POS JOB AD 4015 BANNING RECORD GAZET	158.87
			928	028549	001-4000-461.32-06	PRINTING	477.63
			153481	028549	660-6300-471.45-17	3/8" PUMP MIX SHORT LOAD	10,260.00
			P22743-02	028549	001-2800-491.33-11	12/31/17 THRU 2/3/18	250.00
			P22744-02	028549	660-6300-471.23-24	BEE REMOVAL/METER BOX	250.00
			323356	028549	700-5020-480.41-14	SAFETY TRAINING	250.00
			3235935	028549	702-3800-480.38-52	FILTER, MIRROR, FREIGHT	397.00
			201521509FEB18	028549	702-3800-480.38-52	PAD, WASHER & FREIGHT	506.99
			201521515FEB18	028549	001-2200-421.41-04	I C E M ELEC GEN DIESEL 125 E RAMSEY ST (>500HP)	378.28
				028549	001-2200-421.41-04	AQMD JULY 2017 - JUNE 2018 125 E RAMSEY ST	127.46
				028549	660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 JAN 12,2018 - FEB 12,2018	717.34
				028549	660-6300-471.26-04	WELL 12 - 7073 PLANT D-5 JAN 12,2018 - FEB 12,2018	265.59

**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163740	4/3/17	SOUTHERN CALIFORNIA EDISON	2015215155JAN18		660-6300-471.26-04	WELL 12 - 7073 PLANT D-5 DEC 13, 2018 - JAN 12, 2018	45.66
163741	3/15/2018	TELEPACIFIC COMMUNICATIONS	100350509-0		001-2200-421.26-05	PD PHONE SERVICE FEB 16, 2018 - MAR 15, 2018	656.70
163742	3/15/2018	TETRA TECH INC.	51269010	028737	001-4500-412.26-05	CENTRAL PHONE SERVICES FEB 16, 2018 - MAR 15, 2018	2,095.58
163743	3/15/2018	THE SOCO GROUP, INC.	0500783-IN		660-6300-471.45-06	GROUNDWATER AUDIT	7,206.80
163744	3/15/2018	TIME WARNER CABLE	FS89 3/2018		702-3800-480.36-11	REGULAR UNLEADED FUEL	21,112.70
			CORPYARD3/18		670-7000-473.26-07		821.84
			FS89 3/2018		001-2400-422.26-09	176 E LINCOLN ST - FIBER FEB 25, 2018 - MAR 24, 2018	37.45
			PD 03/2018		001-2200-421.26-09	172 N MURRAY ST 3/01-3/31 ACCT # 8448410810015614	87.13
			95147939	028892	001-4000-461.36-00	125 E RAMSEY ST MARCH '18 ACCT # 8448410810014567	343.77
163745	3/15/2018	ULINE	17604		673-7000-473.95-31	MAIL SORTER & BOOKCASE	20,503.49
163746	3/15/2018	VANGUARD UTILITY SERVICE, INC	9802336794	028258	670-7000-473.26-05	SMART METER INSTALL	14.04
163747	3/15/2018	VERIZON WIRELESS	9802435418		670-7000-473.26-05	TELEMETRY SERVICE JAN 27, 2018 - FEB 26, 2018	19.63
			9802443440		670-7000-473.26-05	TELEMETRY SERVICE JAN 27, 2018 - FEB 26, 2018	18.68
			9802475605		670-7000-473.26-05	TELEMETRY SERVICE JAN 27, 2018 - FEB 26, 2018	410.67
			9802483586		670-7000-473.26-05	TELEMETRY SERVICE JAN 27, 2018 - FEB 26, 2018	27.74
163748	3/15/2018	VERIZON WIRELESS	9802739587		001-1000-411.26-05	CITY COUNCIL CELL FEB 2, 2018 - MAR 1, 2018	38.01
					001-1200-412.26-05	CITY MANAGER CELL FEB 2, 2018 - MAR 1, 2018	73.22
					001-1300-412.26-05	HUMAN RESOURCES CELL PHNS FEB 2, 2018 - MAR 1, 2018	66.22
					001-2200-421.26-05	POLICE DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	696.30
					001-2210-421.26-05	POLICE DISPATCH CELLS FEB 2, 2018 - MAR 1, 2018	11.31
					001-2400-422.26-05	FIRE DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	38.01
					001-2740-442.26-05	CODE ENFORCEMENT CELLS FEB 2, 2018 - MAR 1, 2018	45.13
					001-2800-441.26-05	PLANNING DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	45.93
					001-3000-442.26-05	ENGINEERING CELL PHONES FEB 2, 2018 - MAR 1, 2018	64.78
					001-3200-412.26-05	BUILDING MAINTENANCE CELL FEB 2, 2018 - MAR 1, 2018	40.74
					001-4000-461.26-05	COMMUNITY CTR CELL PHONES FEB 2, 2018 - MAR 1, 2018	60.75
					100-4900-431.26-05	STREET DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	83.62
					203-2200-446.36-00	POLICE VOLUNTEER CELL PHN FEB 2, 2018 - MAR 1, 2018	11.31
					610-5800-434.26-05	TRANSIT DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	144.03
					610-5850-434.26-05	DIAL-A-RIDE CELL PHONES FEB 2, 2018 - MAR 1, 2018	56.69
					560-6300-471.26-05	WATER DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	300.17
					670-7000-473.26-05	ELECTRIC DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	732.44
					680-8000-454.26-05	WASTE WATER DEPT CELL PHN FEB 2, 2018 - MAR 1, 2018	39.97
					702-3800-480.26-05	FLEET DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	6.70
					703-3700-480.26-05	IT DEPT CELL PHONES FEB 2, 2018 - MAR 1, 2018	139.77
					761-3110-480.26-05	METER READERS CELL PHONES FEB 2, 2018 - MAR 1, 2018	142.74
163749	3/15/2018	WESCO DISTRIBUTION, INC	465959		670-0000-131.00-00	METER PADLOCKS PO NUM 028760	2,691.06
			481003		670-0000-131.00-00	VIKI CSCH END PO NUM 028760	40.79
163750	3/15/2018	WHENEVER COMMUNICATIONS, LLC	9408-104218	028289	703-3700-480.30-19	SATELLITE PHONES	278.82
163751	3/22/2018	A-Z BUS SALES, INC. (COLTON)	509665	028542	702-3800-480.30-05	VEHICLE #224 REPAIR	8,467.22
			510190	028542	702-3800-480.30-05	VEHICLE #242 REPAIR	1,289.72
163752	3/22/2018	ACE	105793	028772	702-3800-480.38-52	#211 THERMO KING ALTER.	315.32
163753	3/22/2018	AIRGAS USA, LLC	9951899052	028743	660-6300-471.36-08	CYLINDER RENTAL-OXY,NITRO	188.66
163754	3/22/2018	AIRWAVE COMMUNICATIONS ENTERPRISES	5365	028397	001-2200-421.30-08	PD COMMUNC SYS MAINT	1,225.78
			5436	028397	001-2200-421.30-08	SYSTEM MAINTENANCE	1,225.78
163755	3/22/2018	ALBERT A. WEBB ASSOCIATES	180735	028390	001-3000-442.33-53	TRAFFIC SURVEY	255.00
163756	3/22/2018	ALLIED PACIFIC PROP MGMT	000066031		001-0000-218.22-22	UB CR REFUND-FINALS 000019056	117.70
163757	3/22/2018	ALTEC INDUSTRIES, INC.	50214016	028541	702-3800-480.30-05	#334 DIELECTRIC TEST & IN	813.43
			50214018	028541	702-3800-480.30-05	#337 DIELECTRIC TEST & IN	1,128.27
			50214019	028541	702-3800-480.30-05	#339 DIELECTRIC TEST & IN	1,128.27
			50214020	028541	702-3800-480.30-05	#336 DIELECTRIC TEST & IN	815.12
			50215812	028541	702-3800-480.30-05	#623 DIELECTRIC TEST & IN	613.43
			50215828	028541	702-3800-480.30-05	#335 DIELECTRIC TEST & IN	908.96
163758	3/22/2018	ANDRADE, DANIELA	MILEAGE 3/12/18		001-1000-411.23-05	LOCC MILEAGE -CANYON LAKE GENERAL MEMBERSHP MTG 3/12	40.11
163759	3/22/2018	ARROW STAFFING SERVICE	103026		660-6300-471.23-27	VICKSTROM, K W/E 3/03/18	765.24
					680-8000-454.23-27	VICKSTROM, K W/E 3/03/18	327.96
163760	3/22/2018	ASPEN ENVIRONMENTAL GROUP	3313.002-09	027504	663-6300-471.96-35	FLUME RESTORATION	432.50



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163760	4/3/18	ASPEN ENVIRONMENTAL GROUP	3394.001-04		002-0000-222.30-21	PEER REVIEW SERVICES	2,236.75
					002-2800-351.36-01	PEER REVIEW SERVICES	(2,236.75)
163761	3/22/2018	AUER, WILLIAM	MEAL 6/22/17	028839	002-2800-441.33-05	PEER REVIEW SERVICES	2,236.75
163762	3/22/2018	B & H FOTO & ELECTRONICS CORP	MEALS 3/28-29 139639530		001-2200-421.23-06	EVOC TRAINING 06/22/17	12.00
					001-2200-421.23-06	TACTICAL RESPONSE -SCHOOL COMMUNITY VIOLENCE	24.00
163763	3/22/2018	BABER &, TAYLOR	000062225	028532	001-0000-201.10-00	SALES TAX	(145.56)
163764	3/22/2018	BATTERY SYSTEMS, INC	4264981		001-2060-446.89-56	CHANNEL 10 TV EQUIPMENT	2,023.70
			4302469		001-0000-218.22-22	UB CR REFUND-FINALS 000014072	29.84
163765	3/22/2018	BEAUMONT BASIN WATERMASTER	4346375	028781	702-3800-480.38-52	NITREL GLOVES CREDIT PO 28781	(89.22)
163766	3/22/2018	BEAUMONT DO IT BEST HOME CENTER	B-191		702-3800-480.38-52	BATTERIES CREDIT PO 28781	(105.52)
			450803	028527	702-3800-480.38-52	BATTERIES INVENTORY	213.35
			451836	028527	660-6300-471.42-43	GEN ADMIN EXPENSES DEC 2017 - FEB 2018	24,493.66
			452723	028527	702-3800-480.36-00	CLAMP & POLY ADAPTER	2.46
			453007	028527	702-3800-480.38-52	EYE BOLT	12.89
			453011	028527	702-3800-480.38-52	MTL CUTOFF CR/METAL SAW	(16.49)
			453118	028527	702-3800-480.38-52	COUPLING, NIPPLE, ST ELL,	25.91
			453137	028527	702-3800-480.38-52	LIGHTED CORD	77.56
			453270	028527	702-3800-480.38-52	COUPLING/NIPPLES/ST ELL	(7.97)
			453333	028527	702-3800-480.38-52	LIGHT SWITCH & CHAIN	8.28
			453357	028527	001-3200-412.30-02	ELASTIC STRAINER	4.62
			453423	028527	100-4900-431.36-00	MAG. & SOAPSTONE HOLDER	15.81
			453448	028527	001-3600-461.36-00	PARKS SUPPLIES	73.54
163767	3/22/2018	BELL &, FRANK	JUL 17 - DEC 17		001-3200-412.30-02	ADAPTER, OUTLET, LED BALL	99.39
					100-4900-431.36-00	PLYWOOD & PARTICLE BOARD	603.84
163768	3/22/2018	BRIDGESTONE HOSEPOWER, LLC	82018650-00	028703	001-3200-412.36-00	TESTER 2/BATT	20.46
163769	3/22/2018	BROWN, ANDREW	80275-19548718		001-3200-412.36-00	TOWELS & AEROSOL SILICONE	31.86
163770	3/22/2018	BROWN, GERALD B & NORMA	000015549		675-7020-473.42-36	SCREWS, DRYWALL & LEVEL	21.29
163771	3/22/2018	BRUNER, GUSTAVO	000096079		675-7020-473.42-36	MEDICAL LIFELINE REBATE JULY 2017 - DEC 2017	186.02
163772	3/22/2018	CALDERA, NATALIE & LUCY	000095087		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE JUL 2017- DEC 2017	1,137.21
163773	3/22/2018	CALHOUN, RAYMOND	SEP 17 - FEB 18		675-7020-473.42-36	ENERGY STAR WINDOW REBATE 21 WINDOWS	783.00
163774	3/22/2018	CALIFORNIA, STATE OF	290483		001-0000-218.22-22	UB CR REFUND-FINALS 000011440	27.18
163775	3/22/2018	CAMPA, ERIC	MEAL 04/05/18		001-0000-218.22-22	UB CR REFUND-FINALS 000015970	52.87
			MEALS 4/02-04		675-7020-473.42-36	UB CR REFUND-FINALS 000007312	145.48
163776	3/22/2018	CANON FINANCIAL SERVICES, INC	18397906	028697	001-1300-412.33-11	ENERGY ASSISTANCE PROGRAM REBATE SEP 2017 -FEB 2018	140.62
					001-2200-421.23-06	FEBRUARY 2018 LIVE SCAN CUSTOMER # 149194	32.00
					001-2200-421.23-06	RADAR LASER OPERATOR @ BCTC 04/05/2018	12.00
					001-4000-461.32-06	RADAR OPERATOR TRNG @ BCTC 04/02/18-04/04/18	36.00
					001-4500-412.32-06	COPIER LEASE	83.60
					148-2215-421.32-06	COPIER LEASE	478.96
					610-5800-434.32-06	COPIER LEASE	102.75
					670-7000-473.32-06	COPIER LEASE	83.61
					761-3100-480.32-06	COPIER LEASE	150.95
					761-3100-480.25-10	COPIER LEASE	179.98
163777	3/22/2018	CASSADAS, ERICA	EYEWEAR 2018		001-0000-218.22-22	2018 VISION REIMBURSEMENT	104.50
163778	3/22/2018	CASTILLO, GUILLERMO	000083427	028524	001-0000-218.22-22	UB CR REFUND-FINALS 000013386	82.63
163779	3/22/2018	CDW GOVERNMENT, INC	LN07406	028524	001-2200-421.36-00	2 WORK STATIONS PD	1,873.80
			LTW0112	028524	001-2200-421.36-00	DOCUMENT SCANNER	502.15
163780	3/22/2018	CHARLES ABBOTT ASSOCIATES, INC	57967	028524	001-2700-442.33-11	FEB 2018 BLDG&SAF SRVCS	16,393.03
			58000	028524	001-3000-442.33-53	CONSULTING SER. FEB 2018	6,645.00
163781	3/22/2018	CONSOLIDATED ELECTRICAL	0954-458340	028683	001-3200-412.30-01	RUNWAY LIGHTS	471.73
			0954-458599	028683	001-3200-412.30-01	RUNWAY LIGHTS	130.38
			0954-458804	028683	001-3200-412.30-01	RUNWAY LIGHTS	77.20
163782	3/22/2018	COOPERATIVE PERSONNEL SVCS.	SOP46115	028621	001-1300-412.41-17	WRITTEN EXAM FEES	443.30
163783	3/22/2018	CORE AND MAIN, LP	1506935		660-0000-131.00-00	CLAMPS PO NUM 028788	1,044.80
163784	3/22/2018	COREINFO INFORMATION SOLUTIONS INC	81865714	028597	001-2700-442.23-33	JAN 2018 METROSCAN SRVCS	100.00



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163784	4/31/18	CORELOGIC INFORMATION SOLUTIONS INC	81865714 81874559	028597 028597	001-2740-442.23-33 001-2700-442.23-33	JAN 2018 METROSCAN SRVCS FEBRUARY 2018 METROSCAN	50.00 100.00
163785	3/22/2018	CORP OF PRESIDING BISHOPRIC	000080541	028730	001-0000-218.22-22	UB CR REFUND-FINALS 000011562	5.69
163786	3/22/2018	COSTAR REALTY INFORMATION, INC	106140812-1	028730	001-1210-412.33-11	3/1/18 - 3/31/18	87.95
163787	3/22/2018	COTTAGE, GREGORY	MEAL 3/07/18	028625	001-3600-461.25-06	TURN OFF IRRIGATION SYS @ LION'S PARK	16.00
163788	4/22/2018	COUTS HEATING & COOLING, INC	SRVCE08109	028625	001-3200-412.30-21	A/C UNIT COOLING REP-PD	845.00
			SRVCE08110	028625	001-3200-412.30-21	CHILLER FLOW SWITCH - PD	1,300.00
			SRVCE08117	028625	001-3200-412.30-21	BOILER SERVICE CALL - PD	720.00
			MEAL 2/27/2018	028625	001-0090-218.22-22	HEATING REP- SENIOR CENT	445.00
163789	3/22/2018	DALLIN, LLC	000081895	028625	001-0090-218.22-22	CITY COUNCIL MEETING	46.53
163790	3/22/2018	DAVIS, JONATHAN	011301	028625	001-1900-412.89-46	OFFICE DESK CHAIR REIMBRS OFFICE DEPOT	80.80
163791	3/22/2018	DENSON, LISA	33497592033	028625	001-2200-421.26-09	PD MOBILE COMMAND SATLLITE FEB 9, 2018 - MAR 8, 2018	19.00
163792	3/22/2018	DIRECTV	2016-04-07	028623	855-0000-232.00-00	ROOSEVELT WILLIAMS PARK RETAINAGE	(15,335.81)
163793	3/22/2018	ENVIRONMENTAL CONSTRUCTION, INC	44519-24128*18	028623	855-9500-490.90-30	ROOSEVELT WILLIAMS PARK	306,716.22
163794	3/22/2018	EVANS, CORINE	ER054A26-INV	028623	675-7020-473.42-35	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	2,500.00
163795	3/22/2018	EVERYTHING2GO.COM LLC	000037043	028893	001-0000-201.10-00	SALES TAX DESK FOR S FOSTER	(75.80)
163796	3/22/2018	FELTEN, GEORGE & BEVERLY	21802	028893	001-4000-461.89-46	DESK FOR S FOSTER L SHAPED W/HUTCH	87.57
163797	3/22/2018	FERGUSON, PRAET & SHERMAN	000091837	028893	700-5040-480.33-11	UB CR REFUND-FINALS 000001944	214.50
163798	3/22/2018	FLORES, & JOCELYN	000008737	028893	001-0000-218.22-22	SERVICES THRU 01/29/18 BA # 1805	96.55
163799	3/22/2018	FLORES, RAUL JIMENEZ	000008737	028893	001-0000-218.22-22	UB CR REFUND-FINALS 000010208	243.51
163800	3/22/2018	FOSTER, SCOTT	MILEAGE 3/13/18 TRAVEL 3/13	028893	001-4000-461.25-05	UB CR REFUND-FINALS 000019012	100.99
			226583 91974	028893	001-4000-461.25-05	2018 CPKS CONFERENCE & EX MAR 13-16, LONG BEACH	15.00
163801	3/22/2018	FOX OCCUPATIONAL MEDICAL CENTER	55361-91975	027927	001-1300-412.33-32	FEBRUARY 2018 PRE-EMPLMNT SCREENINGS	145.00
163802	3/22/2018	FRONTIER COMMUNICATIONS	9518497124MAR18	027927	680-8000-454.33-32	DOT EXAM	40.00
163803	3/22/2018	GAS COMPANY, THE	07702683751FEB18	027927	001-4500-412.26-05	951-849-7124 MAR 10, 2018 - APR 9, 2018	111.91
163804	3/22/2018	GILL, GURSHARN	12662493001MIR18	027927	001-2200-421.26-06	125 E RAMSEY ST JAN 16, 2018 - FEB 14, 2018	142.68
163805	3/22/2018	GUTIERREZ & LORENA	000075335	027927	001-2400-422.26-06	3900 W WILSON ST FEB 7, 2018 - MAR 9, 2018	67.29
163806	3/22/2018	HAMILTON, KIRA	000059501	027927	001-0000-218.22-22	UB CR REFUND-FINALS 000020110	100.10
163807	3/22/2018	HARPER, KRIS	000058859	027927	001-0000-218.22-22	UB CR REFUND-FINALS 000009382	99.16
			MEAL 3/03/18	027927	670-7000-473.25-06	UB CR REFUND-FINALS 000014988	36.65
			MEAL 3/05/18	027927	670-7000-473.25-06	POWER OUTAGE @ 2487 SUNRISE CT	16.00
			MEAL 3/06/18	027927	670-7000-473.25-06	NO POWER @ 403 E HOFFER	16.00
163808	3/22/2018	HIX, ROBERT L.	000096347	028552	001-0000-218.22-22	PARTIAL POWER @ 1151 N ELISA DAWN DR	138.57
163809	3/22/2018	HOMAN, LOUIS	MEAL 2/27/2018	028552	703-3700-480.25-06	UB CR REFUND-FINALS 000027032	16.00
163810	3/22/2018	HOME DEPOT #8987	1043900	028552	001-3200-412.30-02	CITY COUNCIL MEETING	163.06
			2104941	028552	001-3200-412.36-00	FLOURESCENT BULB & BREAK	41.47
			3090913	028552	001-3200-412.30-02	CLAMP, STUD SENSOR, CAUKI	65.12
163811	3/22/2018	HUERTA, RAMON	000096329	028552	001-0000-218.22-22	TROWEL, VOC, & ADHESIVE	101.78
163812	3/22/2018	HYDE, PAULINE F	000043659	028552	001-0000-218.22-22	UB CR REFUND-FINALS 000053342	139.59
163813	3/22/2018	IBEW LOCAL 47 RETIREE MEDICAL TRUST	20180322	028552	001-0000-204.80-10	PAYROLL SUMMARY	34.75
163814	3/22/2018	INLAND WATER WORKS SUPPLY CO.	51007366 001	028552	660-0000-131.00-00	TAPERED PLUG, FLANGE PO NUM 028785	2,675.22
			51007366 003	028552	660-0000-131.00-00	PLUG, BLOWOFF VALVE PO NUM 028785	3,230.83
			51008328.001	028552	660-0000-131.00-00	BREAK-OFF CHK, END RING PO NUM 028785	12,071.02
163815	3/22/2018	INNOVATIVE FEDERAL STRATEGIES	022018	028729	001-1000-411.33-11	FEDERAL LOBBYING SERVICES	3,522.35
163816	3/22/2018	IRON MOUNTAIN INFORMATION MGMT, LLC	201541591	028694	703-3700-480.33-11	OFFSITE MEDIA STORAGE	405.88
163817	3/22/2018	JAUREGUI, ROBERTO	TRAVEL 3/12	028694	001-2200-421.23-06	FUEL REIMBURSEMENT TRNG INVESTIGATIVE, INTERVIEW	45.00
163818	3/22/2018	JOHNSON, DENISE	000096413	028694	001-0000-218.22-22	UB CR REFUND-FINALS 000050072	155.28
163819	3/22/2018	JOSEPH R SCOTT, INC	000096069	028694	001-0000-218.22-22	UB CR REFUND-FINALS 000006510	101.05
163820	3/22/2018	KANTZAKIS, TOM & CATHY	000001141	028694	001-0000-218.22-22	UB CR REFUND-FINALS 000003180	20.66
163821	3/22/2018	KAWECKI, MICHAEL	MEAL 3/07/18	028694	001-3200-412.25-06	ELECTRICAL ISSUES @ FS89	16.00
163822	3/22/2018	KETCHAM, DEBRA & HOWARD	000013663	028694	001-0000-218.22-22	UB CR REFUND-FINALS 000018782	709.98
163823	3/22/2018	LANCE, SOLL & LUNGHARD, LLP	23067	028694	001-1900-412.33-11	2017 GOV'T AUDIT- FINAL	3,183.96
				028694	001-1900-412.33-12	2017 GOV'T AUDIT- FINAL	1,304.77
				028694	660-6300-471.33-11	2017 GOV'T AUDIT- FINAL	795.30



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163823	4/18/18	LANCE, SOLL & LUNGWARD, LLP	23067	028924	680-8000-454.33-11	2017 GOV'T AUDIT- FINAL	795.30
					761-3100-480.33-12	2017 GOV'T AUDIT- FINAL	2,837.82
					810-9700-490.33-12	2017 GOV'T AUDIT- FINAL	362.85
163824	3/22/2018	LEWIS BRISBOIS BISGAARD & SMITH LLP	2034482	028821	700-5040-480.33-01	DEFENSE COST CLAIM # BAI418	97.50
163825	3/22/2018	MAILFINANCE, INC	W7029610		001-4500-412.32-06	POSTAGE MACHINE LEASE	524.47
163826	3/22/2018	MARTINEZ, MATTHEW	W7029610		670-7000-473.25-06	BLOWN FUSE @ 312 N WOOD LAND REPLACE CUTOUT	16.00
163827	3/22/2018	MCKINNEY, CHARLES	58739-2389418		675-7020-473.42-35	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	2,500.00
163828	3/22/2018	MEDINA, MOSES	W7029610		702-3800-480.25-06	FLUID LEAK AND REPAIR CNG	16.00
163829	3/22/2018	MICHAEL BAKER INTERNATIONAL, INC	1007459	028880	663-6300-471.95-10	CONTRACT ADMIN. SERVICES	16,732.46
163830	3/22/2018	MILLER, KENNETH	88871-1441018		675-7020-473.42-35	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	2,000.00
163831	3/22/2018	MOORE, PATRICIA	000065421		001-0000-218.22-22	UB CR REFUND-FINALS 000006934	58.29
163832	3/22/2018	MORONGO BAND OF MISSION INDIANS	2018-002	028798	663-6300-471.95-10	MONITORING SERVICE	7,560.00
163833	3/22/2018	MST BACKFLOW	3-14-18	028626	660-6300-471.45-08	TEST&CERTIFY BACKFLOW	45.57
163834	3/22/2018	MWM RAIL SERVICE	00009513		702-3800-480.38-52	UB CR REFUND-FINALS 000055370	969.00
163835	3/22/2018	NAPA AUTO PARTS	043899	028883	702-3800-480.38-52	#621 PLANT MASTER HOSE	51.66
			043362	028883	702-3800-480.38-52	#832 6IN. ID BAR	23.69
163836	3/22/2018	NARANJO, NOLBERTO & NANJI G	000091549		702-3800-480.38-52	UB CR REFUND-FINALS 000022036	69.13
163837	3/22/2018	O'REILLY AUTO PARTS	2678-104751	028887	702-3800-480.38-52	CORE RETURN CREDIT	(37.71)
			2678-107990		702-3800-480.38-52	#812 SEAL	2.07
			2678-108040		702-3800-480.38-52	G/H SEAL RETURN	(2.59)
			2678-108184	028887	702-3800-480.38-52	#28 LICENSE FRAME	19.37
			2678-108539	028887	702-3800-480.38-52	#08 MANIFOLD	176.12
			2678-108606	028887	702-3800-480.38-52	#832 FLEETRUNNER	20.55
			2678-109250	028887	702-3800-480.38-52	#832 MICRO & V BELT	35.62
			2678-109329	028887	702-3800-480.38-52	#832 MIRROR	32.30
			2678-109331	028887	702-3800-480.38-52	#832 V-BELT	6.16
			2678-109337	028887	702-3800-480.38-52	#820 AIR BRK FTG	32.63
			2678-109476	028887	702-3800-480.38-52	#808 MICRO V-BELT	36.05
			2678-109584	028887	702-3800-480.38-52	#820 BRK HOSE	40.97
			2678-109654	028887	702-3800-480.38-52	#820 GLADHAND & SEAL	16.64
			2678-109706	028887	702-3800-480.38-52	#11 AIR FILTER	15.24
163838	3/22/2018	OFFICE DEPOT	102007864001	028526	001-2800-441.36-00	POCKET FOLDERS	30.16
			109954430001	028526	001-2800-441.36-00	PENS, FASTENERS, ETC	193.76
			112071149001	028526	001-2800-441.36-00	3 EASELS	223.98
			000094513		001-0000-218.22-22	UB CR REFUND-FINALS 000052894	90.03
			8749065	028539	001-1300-412.23-04	HR S/H	5.66
163839	3/22/2018	OLEA & STEPHANY	412925/4	028875	001-2200-421.36-04	DEUSENBERRY PANT	107.73
163840	3/22/2018	ON TRAC	413121/4	028875	001-2200-421.36-04	DEUSENBERRY SHIRT X2	103.20
163841	3/22/2018	P&P UNIFORMS	021518	028915	600-5100-435.30-06	MONTHLY INSPECTION YARD	100.00
			030518	028915	600-5100-435.30-06	MONTHLY INSPECTION & TEST	125.00
163842	3/22/2018	PACKHAM & TOOMEY, INC			702-3800-480.38-52	MONTHLY INSPECTION & TEST	400.00
					702-3800-480.38-52	#803 MISC PARTS	23.60
163843	3/22/2018	PARTS AUTHORITY METRO, LLC	062-043436	028583	702-3800-480.38-52	#808 OIL FILTER	14.92
			062-076184	028583	702-3800-480.38-52	#017 TRAILING ARM	37.55
			062-084696	028583	702-3800-480.38-52	#17 AIR FILTER	21.81
			062-086091	028583	702-3800-480.38-52	#809 COOLANT TANK	10.43
			062-098231	028583	702-3800-480.38-52	#612 RESISTOR BLOCK1	13.84
			062-100970	028583	702-3800-480.38-52	#231 ELECTRIC FUEL PUMP	186.30
			062-101566	028583	702-3800-480.38-52	#08 TRAILING ARM	86.87
			062-101617	028583	702-3800-480.38-52	STOCK- AIR FILTER	10.90
			062-101671	028583	702-3800-480.38-52	#803 PUMP, HEATER HOSE	282.14
			062-109315	028583	702-3800-480.38-52	#803 HEATER HOSE	25.56
			065-927290	028583	702-3800-480.38-52	BRAKE CLEANER CREDIT	(2.14)
			091-015398	028583	702-3800-480.38-52	ASY CREDIT	(23.60)
			091-015701	028583	702-3800-480.38-52	#231 WEAR PAD	38.11
			091-087759	028583	702-3800-480.38-52	#803 MISC PARTS	23.60
			091-088428	028583	702-3800-480.38-52	SPARK PLUG	2.03
			091-088442	028583	702-3800-480.38-52	#02 WIPER BLADE	6.97
			091-089378	028583	702-3800-480.38-52		

City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163844	3/22/2018	PEGASUS CLAIMS SERVICES, INC	091-089577	028583	702-3800-480.38-52	#824 OIL, AIR & FUEL FILT	62.47
	3/22/2018		091-089608	028583	702-3800-480.38-52	#615 OIL FILTER	6.52
163845	3/22/2018	PETTY CASH CUSTODIAN-COMM SVCS	091-089910	028583	702-3800-480.38-52	#017 TRAILING ARM	37.55
	3/22/2018		091-089950	028583	702-3800-480.38-52	#311 OIL & AIR FILTER	16.72
163846	3/22/2018	PETTY CASH CUSTODIAN-SR CENTER	091-089955	028583	702-3800-480.38-52	#409 TRANS. FILTER	12.41
	3/22/2018		091-089970	028583	702-3800-480.38-52	#311 FUEL CAP	6.01
163847	3/22/2018	PRESS-ENTERPRISE, THE	091-089985	028583	702-3800-480.38-52	AIR FILTER	24.48
	3/22/2018		091-090034	028583	702-3800-480.38-52	#409 TRANSMISSION FLUID	58.96
163848	3/22/2018	PRUDENTIAL OVERALL SUPPLY	091-090069	028583	702-3800-480.38-52	#08 THERMOSTAT, SEAL & GA	42.79
	3/22/2018		091-090698	028583	702-3800-480.38-52	STOCK- AIR & OIL FILTER	31.48
163849	3/22/2018	PUBLIC AGENCY RETIREMENT SERVICES	091-090886	028583	702-3800-480.38-52	#231 JB WELD QUICK	5.80
	3/22/2018		091-091091	028583	702-3800-480.38-52	#803 THERMOSTAT	4.14
163850	3/22/2018	PUBLIC ENTITY RISK MANAGEMENT	091-091576	028583	702-3800-480.38-52	BREAK CLEANER	28.58
	3/22/2018		091-091720	028583	702-3800-480.38-52	#621 AIR FILTER	5.34
163851	3/22/2018	RACEWAY FORD INC	091-091741	028583	702-3800-480.38-52	#602 MINAT. LAMPS	3.06
	3/22/2018		091-091869	028583	702-3800-480.38-52	#230 EXT WEAR PAD	38.11
163847	3/22/2018	PETTY CASH CUSTODIAN-SR CENTER	091-091941	028583	702-3800-480.38-52	#008 SPARK PLUG	30.60
	3/22/2018		091-091953	028583	702-3800-480.38-52	#008 SPARK PLUG	36.55
163848	3/22/2018	PETTY CASH CUSTODIAN-SR CENTER	091-092854	028583	702-3800-480.38-52	#303 12V PASS CAR	120.09
	3/22/2018		091-093006	028583	702-3800-480.38-52	#011 12 VOLT PASS	86.80
163849	3/22/2018	PRESS-ENTERPRISE, THE	095-108375	028583	702-3800-480.38-52	#803 COOLANT HOSE	43.60
	3/22/2018		62015474	028583	702-3800-480.38-52	#54 MISC PARTS	157.78
163850	3/22/2018	PRUDENTIAL OVERALL SUPPLY	62879296	028583	702-3800-480.38-52	OIL FILTER - INVENTORY	52.78
	3/22/2018		62985394	028583	702-3800-480.38-52	#620 ELECTRIC FUEL PUMP	166.55
163851	3/22/2018	RACEWAY FORD INC	91014834	028583	702-3800-480.38-52	#812 MIRROR CREDIT	(20.99)
	3/22/2018		91-015252	028583	702-3800-480.38-52	CONTROL ARM CREDIT	(93.83)
163847	3/22/2018	PRESS-ENTERPRISE, THE	91-015311	028583	702-3800-480.38-52	TRUCK SHOCK CREDIT	(87.56)
	3/22/2018		91083631	028583	702-3800-480.38-52	#604 OXYGEN SENSOR	77.06
163848	3/22/2018	PRUDENTIAL OVERALL SUPPLY	91083736	028583	702-3800-480.38-52	#604 OXYGEN SENSOR	63.36
	3/22/2018		91084813	028583	702-3800-480.38-52	#621 POWER STEERING	9.62
163849	3/22/2018	PUBLIC AGENCY RETIREMENT SERVICES	91084847	028583	702-3800-480.38-52	#028 AIR & OIL FILTER	26.82
	3/22/2018		91085940	028583	702-3800-480.38-52	#226 SHOCKS & CONTROL ARM	503.76
163850	3/22/2018	PUBLIC ENTITY RISK MANAGEMENT	91085956	028583	702-3800-480.38-52	#226 CONTROL ARMS	112.23
	3/22/2018		79346	028583	700-5040-480.40-02	BACKGROUND CHECK VALDIVIA CLAIM	250.00
163851	3/22/2018	RACEWAY FORD INC	3029	028583	610-5800-434.36-00	RINGS -TRANSIT SCHEDULES	2.14
	3/22/2018		3030	028583	610-5800-434.36-00	3 BOTTLES - CAR WASH SOAP TRANSIT BUSES	12.55
163847	3/22/2018	PRESS-ENTERPRISE, THE	3031	028572	610-5800-434.36-00	CERTIFIED MAIL - TRANSIT P OLIBARRIA	6.70
	3/22/2018		3032	028572	201-4060-446.42-07	3XS SANTA PICTURES SR CENTER DEC 4, 2017	18.96
163848	3/22/2018	PRUDENTIAL OVERALL SUPPLY	3168	028572	201-4060-446.42-07	DOLLAR TREE - VALENTINE'S DANCE, SR CTR	21.00
	3/22/2018		3169	028572	201-4060-446.42-07	WALMART - VALENTINE'S DANCE, SR CTR	7.22
163849	3/22/2018	PUBLIC AGENCY RETIREMENT SERVICES	3170	028572	201-4060-446.42-07	DOLLAR TREE - BINGO SUPPLIES SR CTR	10.98
	3/22/2018		3171	028572	001-4000-461.23-01	LITHOPASS - COLOR FLIERS	13.47
163850	3/22/2018	PUBLIC ENTITY RISK MANAGEMENT	0011082524	028572	001-3200-412.23-01	ADVERTISING- PLUMBING SER	369.60
	3/22/2018		0011082531	028572	001-3200-412.23-01	ADVERTISING-ELECTRICAL SE	369.60
163851	3/22/2018	RACEWAY FORD INC	22578554	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
	3/22/2018		22578556	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
163847	3/22/2018	PRESS-ENTERPRISE, THE	22578601	028553	610-5800-434.25-02	UNIFORM SERVICE	170.32
	3/22/2018		22578605	028553	610-5850-434.25-02	UNIFORM SERVICE	4.93
163848	3/22/2018	PRUDENTIAL OVERALL SUPPLY	22578608	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
	3/22/2018		22578611	028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
163849	3/22/2018	PUBLIC AGENCY RETIREMENT SERVICES	39699	028553	100-4900-431.25-02	STREET UNIFORMS	15.20
	3/22/2018		W/C 2017-18/Q4	028553	001-3600-461.25-02	PARKS UNIFORMS	6.65
163850	3/22/2018	PUBLIC ENTITY RISK MANAGEMENT	001-1900-412.33-11	028553	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	5.68
	3/22/2018		700-0000-101.12-00	028553	001-1900-412.33-11	PARS PLIN ID # PH-ARSOA SVC PERIOD 20180131	300.00
163851	3/22/2018	RACEWAY FORD INC	3682120	028773	700-5020-480.29-08	WORKER'S COMP INSURANCE APR 1,2018 - JUN 30, 2018	145,592.25
	3/22/2018		3682650	028773	702-3800-480.38-52	QTR 4 (APR - JUN) / POOL FUNDING	49,788.50
163847	3/22/2018	PRESS-ENTERPRISE, THE	91083631	028583	702-3800-480.38-52	#08 INSULATOR	48.51
	3/22/2018		62015474	028583	702-3800-480.38-52	#507 TUBE & PLUNGER	65.51



City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163851	4/1/18	RACEWAY FORD INC	759585	028773	702-3800-480.30-05	#241 COOLING SYSTEM REPAIR	301.38
163852	3/22/2018	RECORD GAZETTE, THE	000150599	028525	001-3000-442.23-01	ADH0150599- 1233 RAMSEY	222.40
			00152875	028525	001-2800-441.23-01	PHN TPN 33326 EXTENSION	146.00
163853	4/22/2018	REDLANDS FORD	6183297	028889	702-3800-480.30-05	CLOCK SPRING TRUCK#831	418.01
163854	3/22/2018	REITER, SUWIMOL	000096219		001-0000-218.22-22	UB CR REFUND-FINALS 000000962	133.06
163855	3/22/2018	REITER, SUWIMOL & JOSEPH B	000077105		001-0000-218.22-22	UB CR REFUND-FINALS 000012406	862,191.22
163856	3/22/2018	RIV. CO. FIRE DEPARTMENT	232721		001-0000-219.00-00	QTR 2- FIRE PROTECTION SV OCT 1, 2017 - DEC 31, 2017	2,885.00
163857	3/22/2018	RIV. CO. HEALTH SVCS AGENCY	IN0314510		702-3800-480.41-04	FLEET MAINTENANCE PERMIT FAC ID # FA0015678 - 2018	100.00
163858	3/22/2018	RON'S BEE SERVICE	933	028594	660-6300-471.23-24	BEE REMOVAL	16.00
163859	3/22/2018	SAMPSON, LAURIE	MEAL 2/27/2018		001-1200-412.25-06	CITY COUNCIL MEETING	16,801.00
163860	3/22/2018	SAN GORGONIO PASS WATER AGENCY	18-00161		660-6300-471.27-14	PURCHASE STATE WATER PROJ FEBRUARY 2018	107.31
163861	3/22/2018	SEPUVEDA, OLGA	000087163	028207	001-0000-218.22-22	UB CR REFUND-FINALS 000009170	630.00
163862	3/22/2018	SIEMENS INDUSTRY, INC	5610079494	028207	100-4900-431.30-09	MONTHLY TRAFFIC SIGNAL	2,274.92
			5620019575		100-4900-431.30-09	MONTHLY TRAFFIC SIGNAL	4,248.84
163863	3/22/2018	SOUTHERN CALIFORNIA GAS CO	09242310481WR18		702-3800-480.36-61	NATURAL GAS VEHICLE FUEL 02/01/2018 - 03/01/2018	429.00
163864	3/22/2018	STATEWIDE TOWING & RECOVERY, INC	061MR110817	028782	001-2200-421.33-11	PO TOWING	6,500.00
163865	3/22/2018	STOEL RIVES, LLP	4030865	028740	663-6300-471.96-35	FLUME RESTORATION PROJECT	288.00
			4030866	028740	663-6300-471.96-35	SGMA PROJECT	16.00
163866	3/22/2018	STUART, DAMON	MEAL 3/03/18		670-7000-473.25-05	POWER OUTAGE @ 2487 SUNRISE CT	26.66
163867	3/22/2018	TAFAYA, JAMES	000095875		001-0000-218.22-22	UB CR REFUND-FINALS 000008386	40.00
163868	3/22/2018	THEISER, DEREK	MEALS 11/16/17		001-2200-421.23-06	MEALS FOR TASER TRAINING SCOTTSDALE, AZ 11/16	1,519.24
163869	3/22/2018	TMG UTILITY ADVISORY SERVICES, INC	201802015	028808	001-1200-412.33-11	CONSULTING SERVICES/CIS	800.28
					660-6300-471.33-11	CONSULTING SERVICES/CIS	4,480.20
163870	3/22/2018	TOLBERT, ROSETTA	000085977		690-9600-453.33-11	CONSULTING SERVICES/CIS	800.28
163871	3/22/2018	ULINE	95518486	028906	001-0000-218.22-22	UB CR REFUND-FINALS 000011986	187.80
163872	3/22/2018	US STORAGE GROUP, INC	000095389		001-4000-461.36-00	4 WHEEL COMBO KEY CABINET	152.92
163873	3/22/2018	VALDIVIA, GILBERT	MEAL 09/09/17		001-0000-218.22-22	UB CR REFUND-FINALS 000014574	139.64
163874	3/22/2018	VULCAN MATERIALS	71752516	028869	001-3600-461.25-06	STAGE COACH PARADE	16.00
163875	3/22/2018	WARE, KENNITH	MEAL 3/08/18		660-6300-471.45-17	COLD MIX	2,091.36
			MEAL 3/09/18		610-5800-434.25-06	COVER ROUTE # 1 WEST EVENING ROUTE	16.00
163876	3/22/2018	WASTE MANAGEMENT OF THE	FEBRUARY 2018		690-9600-453.23-10	REFUSE FOR FEBRUARY 2018	244,204.45
163877	3/22/2018	WESTERN UNDERGROUND COMMITTEE REG	722022964	028719	670-7000-480.38-52	WUC REGISTRATION-HARPER ROBINSON, HAWLEY	675.00
163878	3/22/2018	WESTRUX INTERNATIONAL INC	K140905	028719	702-3800-480.30-05	#366 HOSE & RAD. HOSE	71.37
			K154397	028719	702-3800-480.30-05	#340 ELBOW & KIT CAR	73.40
			KW44301	028719	702-3800-480.30-05	CREDIT 2 HRS LABOR W/O AU	(296.00)
			KW44386	028719	702-3800-480.30-05	#340 HARD START REPAIR	5,509.50
163879	3/22/2018	WHENEVER COMMUNICATIONS, LLC	94188-107748	028831	703-3700-480.30-19	SATELLITE PHONES FEBRUARY 2018	278.85
163880	3/22/2018	WHITE & TONY & TAYLOR & TERESA	000092533	028644	001-1300-412.33-32	PO APPL POLYGRAPH	46.01
163881	3/22/2018	YOUNGBLOOD & ASSOCIATES	3059A	028644	001-2800-441.23-03	2018 SUBDIVISION MAP ACT & INDEX/PLANNING & ZONING	225.00
163882	3/29/2018	ACEC CALIFORNIA	2018 PUBLIC TNS	028743	001-0000-218.22-22	NITROGEN	578.57
163883	3/29/2018	AIRGAS USA, LLC	9951899051	028540	670-7000-473.45-05	ABS SCOOP & LEAF RAKE	169.90
163884	3/29/2018	AL'S KUBOTA TRACTOR	115990		100-4900-431.36-00	LEGAL SERVICES THRU 02/28	166.92
163885	3/29/2018	ALESQUIRE & WYNDR, LLP	45912		700-5300-480.33-04	LEGAL SERVICES THRU 02/28	824.14
			45913		702-3800-480.30-05	HYDRAULIC VALVE	858.00
163886	3/29/2018	ALTEC INDUSTRIES, INC.	10912852	028541	702-3800-480.30-05	PIPE CLAMP, BRACKET PO NUM 028757	164.64
163887	3/29/2018	ANIXTER, INC	3788953-00		670-0000-131.00-00	CONN VISE ASSU PO NUM 028757	1,819.90
			3806663-02		670-0000-131.00-00	BAN # 9391063769 DEC 1, 2017 - DE 31, 2017	633.57
163888	3/29/2018	AT&T CALNET 2	000010719059		001-2200-421.26-05	BAN # 9391060200 JAN 1, 2018 - JAN 31, 2018	671.49
			000010856229		001-2200-421.26-05	BAN # 9391063769 JAN 1, 2018 - JAN 31, 2018	393.93
			000010857121		001-2200-421.26-05	BAN # 9391063769 JAN 1, 2018 - JAN 31, 2018	650.84
			000010995496		001-2200-421.26-05	BAN # 9391060200 FEB 1, 2018 - FEB 28, 2018	393.93
			000010996388		001-2200-421.26-05	BAN # 9391063769 FEB 1, 2018 - FEB 28, 2018	663.09
			000011035721		370-2200-421.26-05	BAN # 9391064350 FEB 1, 2018 - FEB 28, 2018	276.35
163889	3/29/2018	AT&T MOBILITY	992351038XFE18		001-2200-421.26-05	ACCT992351038 FAN02391479 JAN 12, 2018 - FEB 11, 2018	1,111.22
163890	3/29/2018	BABCOCK LABORATORIES, INC	BC80255-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MIMO/MUG	225.00
			BC80370-0030	028636	660-6300-471.23-32	HALOACETIC ACIDS, TRIHALOM	340.00



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163890	4/1/18	BABCOCK LABORATORIES, INC	BC80356-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MIMO/MUG	165.00
			BC80357-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MIMO/MUG	15.00
			BC80358-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BC80688-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BC80902-0030	028636	660-6300-471.23-32	COLIFORMS P/A BY MIMO/MUG	165.00
			BC81064-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BC81065-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
163891	3/29/2018	BEAUMONT CHERRY VALLEY WATER	0001851		660-6300-471.27-14	RECHARGE USE@NOBLE CREEK PHASE 1- JAN - FEB 2018	6,847.68
163892	3/29/2018	BEAUMONT DO IT BEST HOME CENTER	453096	028527	001-3600-461.30-02	FOUNTAIN REPAIR KITS	423.24
			453523	028527	001-3200-412.36-00	BIBB WASHERS & WRENCH SET	20.77
			453604	028527	111-4900-432.30-01	PLIERS, PUMP, HANDSAW	115.56
			453741	028527	100-4900-431.36-00	ARMOR EDGE CABLE STRIPPER	28.00
			453782	028527	001-3600-461.36-00	PARKS SUPPLIES	35.53
			453788	028527	001-3200-412.30-02	1/2" 4X8 PLYWOOD	51.00
			2018-07		001-2300-424.33-90	ACO SERVICES DECEMBER 2017	9,322.15
163893	3/29/2018	BEAUMONT, CITY OF				ACO SERVICES OCTOBER 2017	11,357.79
						ACO SERVICES OCTOBER 2017	12,311.09
						WORK ON WELL #4 9 HOURS OT	32.00
163894	3/29/2018	BERNARD, KEVIN	MEAL 07/29/17	028861	670-7000-473.25-06	VEST DEUSENBERRY	598.01
163895	3/29/2018	BPS TACTICAL, INC	18010065	028800	001-2200-421.36-04	JANITORIAL SUPPLIES	738.92
163896	3/29/2018	BT SUPPLIES WEST	806333	028800	001-3200-412.36-03	JANITORIAL SUPPLIES-NOV	328.81
			807432	028800	001-3200-412.36-03	JANITORIAL SUPPLIES-DEC	645.64
			808209	028800	001-3200-412.36-03	JANITORIAL SUPPLIES-FEB	1,107.24
			809480	028800	001-3200-412.36-03	JANITORIAL SUPPLIES-FEB	1,736.92
			910194	028800	001-3200-412.36-03	JANITORIAL SUPPLIES-FEB	95.00
163897	3/29/2018	CALIFORNIA ASSOCIATION OF CODE	300007280		001-2740-442.23-05	DEBBIE SHUBIN-ANNUAL DUES PROFESSIONAL	95.00
163898	3/29/2018	CALIFORNIA ASSOCIATION OF CODE	300005881		001-2740-442.23-05	ARTHUR CHACON-ANNUAL DUES PROFESSIONAL	1,638.00
163899	3/29/2018	CALIFORNIA, STATE OF	283327	028550	001-2200-421.33-31	JANUARY 2018 LIVE SCAN CUST # 142831	175.00
			287148		001-2700-421.33-31	JAN BLOOD ALCOHOL	1,729.00
			289107		001-2200-421.33-94	FEBRUARY 2018 LIVE SCAN CUSTOMER # 142831	105.00
			292294	028550	001-2200-421.33-31	FEBRUARY 2018 BLOOD ALCOH ANALYSIS	70.00
			292345	028550	001-2200-421.33-31	OCT/NOV BLOOD ALCOHOL	1,876.98
163900	3/29/2018	CALIFORNIA, STATE OF	292948	028564	370-2200-421.26-05	CLETS - OCT, NOV & DEC 17	3,500.00
163901	3/29/2018	CAPITAL REALTY ANALYSTS, INC	18-2078-A	028563	856-9500-490.93-15	RAMSEY & HATAWAY CIP	6,155.67
163902	3/29/2018	CAROLLO ENGINEERS	0164841	028259	661-6300-471.90-78	INT. MASTER PLAN	4,940.10
					662-6300-471.90-10	INT. MASTER PLAN	5,465.08
					681-8000-454.90-78	INT. MASTER PLAN	139.00
163903	3/29/2018	CDW GOVERNMENT, INC	1217628	028524	001-2200-421.36-00	XEROX 3YR WARRANTY	2,833.00
163904	3/29/2018	CHICAGO TITLE COMPANY	00085457		001-1210-412.33-11	CLTA STANDARD OWNERS POLICY PROP : RAMSEY STREET	1,633.68
163905	3/29/2018	COLONIAL INSURANCE	3229614-0401565		001-0000-204.30-00	TERM LIFE PREMIUMS MARCH 2018	2,008.11
					001-0000-204.80-02	CANCER PREMIUMS MARCH 2018	2,648.48
					001-0000-204.80-03	UNIVERSAL LIFE PREMIUMS MARCH 2018	3,249.85
					001-0000-204.80-09	ACCIDENT PREMIUMS MARCH 2018	6,249.19
					001-0000-204.80-11	SUPPLEMENTAL DISABILITY MARCH 2018	1,676.13
					001-0000-204.80-12	CRITICAL ILLNESS PREMIUMS MARCH 2018	1,271.72
					001-0000-204.80-16	HOSPITAL CONFINEMENT MARCH 2018	700.00
163906	3/29/2018	COUNSELING TEAM INTERNATIONAL, THE	42050		700-5040-480.23-07	FEBRUARY 2018 EMPLOYEE SUP	2,390.00
163907	3/29/2018	COUTS HEATING & COOLING, INC	SRVCE08158	028625	001-3200-412.30-21	A/C REPAIR AT SENIOR CEN.	395.00
			SRVCE08166	028625	001-3200-412.30-21	A/C REPAIR AT CITY HALL	188.56
163908	3/29/2018	CUSTOM TROPHIES & U-NEEK AWARDS	018183	028877	001-1400-412.36-00	CERTIFICATE FOLDERS	2,097.00
163909	3/29/2018	CYBERTIME NETWORK COMMUNICATIONS	1533-1804	028574	703-3700-480.30-19	INTERNET FEED	5,700.00
			1534-1804		660-6300-471.26-07	MICROWAVE BACKBONE	383.00
163910	3/29/2018	DEPARTMENT OF COMMUNITY SERVICES &	180228CBANIN	028551	001-0000-218.22-21	NON-CITY UTILITY ACCOUNT OVER PAYMENT	40.51
163911	3/29/2018	DEX MEDIA	610056237380		001-2200-421.23-01	WEB ADVERTISING	23.25
163912	3/29/2018	DIRECTV	33729006543		001-2200-421.26-09	PD MOBILE COMMAND SATLLITE MAR 9,2018 - APR 8,2018	117.00
163913	3/29/2018	FERGUSON, PRAET & SHERMAN	21865	028564	700-5040-480.33-11	SERVICES THRU 02/08/2018 BA # 1805	621.00
163914	3/29/2018	FISHER, ROBERT	TUITION REIMB18		001-1300-412.25-09	TUITION REIMBURSEMENT 3/18 DRUGS, JUSTICE & SOCIETY	31.69
163915	3/29/2018	FOSTER, SCOTT	TRAVEL 3/18		001-4000-461.23-05	CPRS 2018 CONF MEALS 03/13/2018 & 03/16/2018	45.71
163916	3/29/2018	FRONTIER COMMUNICATIONS	2091885918MAR18		001-2200-421.26-05	209-188-5918 FEB 28,2018 - MAR 27,2018	



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163916	4/1/18	FRONTIER COMMUNICATIONS	2091895918MAR18		001-2400-422.26-05	209-188-5918 FEB 28, 2018 - MAR 27, 2018	85.35
					001-4500-412.26-05	209-188-5918 FEB 28, 2018 - MAR 27, 2018	1,040.36
					660-6300-471.26-05	209-188-5918 FEB 28, 2018 - MAR 27, 2018	488.60
					670-7000-473.26-05	209-188-5918 FEB 28, 2018 - MAR 27, 2018	220.93
					702-3800-480.26-05	209-188-5918 FEB 28, 2018 - MAR 27, 2018	56.39
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	307.96
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	318.60
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	117.69
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	127.10
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	47.28
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	56.50
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	102.62
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	103.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	109.22
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	987.31
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	109.22
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	41.80
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	184.11
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	19.42
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	420.26
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	29.61
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	25.28
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	52.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	141.69
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	51.05
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	88.40
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	18.44
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	2,105.77
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	661.44
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	640.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	2.85
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	4.47
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	2.86
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	4.27
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	1,125.84
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	59.60
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	510.37
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	106.28
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	68.13
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					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	117.87
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	35,052.82
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	8,898.01
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	963.33
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	933.42
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	100.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	450.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	195.92
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	16.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	16.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	38.88
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	16.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	2,965.00
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	135.32
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	803.47
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	418.04
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	25.28
					001-2200-421.26-05	213-019-7968 FEB 7, 2018 - MAR 6, 2018	461.51

City of Banning  
Warrant List Detail March 2018

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163936	4/1/18	OFFICE DEPOT					
			112387382001	028526	001-1200-412.36-00	CITY MANAGER OFF SUPPLIES	118.62
			112521703001	028526	670-7000-473.36-00	DESK STORAGE, MASK, CVR	240.01
			112522000001	028526	670-7000-473.36-00	USB CHARGERS	33.32
			112522001001	028526	670-7000-473.36-00	CAMERA CASE	34.10
			112572053001	028526	001-1900-412.36-00	OFFICE SUPPLIES FOR ASD	105.89
			113310539001	028526	001-1900-412.36-00	OFFICE SUPPLY CREDIT	(17.07)
			113310943001	028526	001-1900-412.36-00	OFFICE SUPPLIES ASD	105.89
			113887333001	028526	001-1900-412.36-00	OFFICE SUPPLY CREDIT	(86.82)
			113887366001	028526	670-7000-473.36-00	MARK, CALC, LAM SHTS	206.14
			114271595001	028526	700-5040-480.36-00	OFFICE SUPPLIES	59.98
			114271595002	028526	700-5040-480.36-00	OFFICE SUPPLIES	15.07
			115809002001	028526	001-1900-412.36-00	OFFICE SUPPLIES FOR ASD	72.80
			115874513001	028526	670-7000-473.36-00	MARKERS, SHEET PROT	31.13
			55751000.001		670-0000-131.00-00	LOCKING TIE, CABLE TIES PO NUM 028759	800.04
			55776871.001		670-0000-131.00-00	LOAD BREAK ELBOW PO NUM 028759	1,761.71
163937	3/29/2018	ONE SOURCE DISTRIBUTORS					
163938	3/29/2018	P&P UNIFORMS					
			412857/4	028875	001-2200-421.36-04	SHIRT DEUSENBERRY	51.60
			412882/4	028875	001-2200-421.36-04	UNIFORM NIETO	613.51
			413014/4	028875	001-2200-421.36-04	UNIFORM SOL AVILA	621.89
			P100209	028884	001-2200-421.23-19	SERVICE CALL - PD DEPT	83.00
			20180330		001-0000-204.25-00	PAYROLL SUMMARY	422.67
163939	3/29/2018	PACIFIC ALARM SERVICE					
163940	3/29/2018	PARS					
163941	3/29/2018	PROFORMA EXPRESS GRAPHICS					
163942	3/29/2018	PRUDENTIAL OVERALL SUPPLY					
			9015602168	028862	001-2200-421.23-02	CITATIONS	1,163.03
			22578552	028553	660-6300-471.25-02	UNIFORMS-WATER	50.00
			22578613	028553	761-3110-480.25-02	FSR UNIFORMS	26.23
			22582100	028553	660-6300-471.25-02	UNIFORMS - WATER	69.45
			22582102	028553	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22582104	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
					610-5800-434.25-02	UNIFORM SERVICE	165.32
					610-5850-434.25-02	UNIFORM SERVICE	4.93
			22582157	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
					702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			22582159	028553	100-4900-431.25-02	STREET UNIFORMS	15.20
			22582167	028553	001-3600-461.25-02	PARKS UNIFORMS	6.65
			22582170	028553	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	5.68
			3821	028813	001-2200-421.33-11	INVESTIGATION SVCS	
			90153444	028525	001-3000-442.23-01	15344 ORDINANCE #1513	5,510.00
163943	3/29/2018	RCS INVESTIGATIONS & CONSULTING LLC					
163944	3/29/2018	RECORD GAZETTE, THE					
163945	3/29/2018	RELIABLE WORKPLACE SOLUTIONS					
			AR60986		001-2200-421.30-06	B/W & COLOR COPIES W793P102594 & W795P402369	69.35
			AR60988		001-2200-421.30-06	B/W & COLOR COPIES E183MA10503	70.16
			AR62671		001-2200-421.30-06	B/W & COLOR COPIES W794P900072	163.66
			AR62672		001-2200-421.30-06	B/W & COLOR COPIES W793P102594 & W795P402369	91.03
			AR62674		001-2200-421.30-06	B/W & COLOR COPIES E183MA10503 1/20 - 2/19	364.80
			AR64084		001-4000-461.32-06	SR CTR COPIER	14.28
163946	3/29/2018	RICHARDS WATSON GERSHON					
			215856		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	133.57
			215857		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	12,356.79
			215858		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	1,110.00
			215859		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	11,632.70
			215860		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	3,998.53
			215861		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	7,863.20
			215862		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	1,422.00
			215863		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	1,667.90
			215864		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	3,550.00
			215865		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	1,567.50
			215866		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	6,303.50
			215867		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	2,007.50
			215868		002-0000-222.30-27	JANUARY 2018 LEGAL SVCS	728.99
					002-2800-361.41-02	JANUARY 2018 LEGAL SVCS	1,137.00
					002-2800-441.33-04	JANUARY 2018 LEGAL SVCS	(1,137.00)
			215869		700-5300-480.33-04	JANUARY 2018 LEGAL SVCS	1,137.00
							2,120.00



**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
163946	4/1/18	RICHARDS WATSON GERSON	215870		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	675.00
			215871		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	330.00
			215872		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	852.50
			215873		700-5300-480.33-04	JANUARY 2018 LEGAL SRVCS	2,695.00
163947	3/29/2018	RIVERSIDE, COUNTY OF	FEBRUARY 2018		001-2200-321.18-06	PARKING CITATION ASSESSMENT FEBRUARY 2018	685.00
163948	3/29/2018	SAN GORGONIO PASS DESIGN AND PRINT	10231	028536	001-2200-421.23-02	BUSINESS CARDS OFC	214.42
163949	3/29/2018	SANDOVAL, ANA	WILEAGE 3/1/18		001-4000-461.25-05	INTERVIEW PANEL - CITY OF PERRIS	40.38
163950	3/29/2018	SHOVE, TED	TUITION 3/2018		001-1300-412.25-09	TUITION REIMBURSEMENT 3/18 PRINCIPLES OF OCC EPIDEMI	1,912.29
163951	3/29/2018	SHRED-IT USA, LLC	8124134822	028681	001-2200-421.23-07	PD SHRED SVC : 02/07/18	97.20
			8124337439	028681	001-4500-412.33-11	CITY HALL P/U 3/03/18	54.00
			23458		700-5300-480.33-04	RECEIVERSHIP ATTORNEY FEBRUARY 2018	1,714.25
163952	3/29/2018	SILVER & WRIGHT, LLP	2015215072MAR18		660-6300-471.26-04	WELL 9 - 7070 PLANT D-5 FEB 12, 2018 - MAR 14, 2018	37.55
163953	3/29/2018	SOUTHERN CALIFORNIA EDISON	2196273304MAR18		660-6300-471.26-04	DEL RITA BOOSTER STATION FEB 12, 2018 - MAR 14, 2018	78.59
			7401583	028630	660-6300-471.26-04	BACKGROUND SCREENING FEES	66.27
163954	3/29/2018	STERLING TALENT SOLUTIONS	204875	028652	761-3100-480.23-52	TRANS MANAGER FEB 2018	222.81
163955	3/29/2018	SUPERION	32134061	028921	680-8000-454.23-32	CANISTER BAG, SUPPLIES	695.00
163956	3/29/2018	TESTAMERICA LABORATORIES, INC	CITYHALL 4/2018		001-2060-446.26-09	99 E RAMSEY ST - 3/25-4/24 ACCT # 8448410810051007	80.54
163957	3/29/2018	TIME WARNER CABLE	CORPYARD4/18		670-7000-473.26-07	176 E LINCOLN ST 3/5-4/24 ACCT # 8448410810332241	826.14
			F100562/1808	028581	610-5800-434.23-06	INSTRUCTORS COURSE-ROBLES DIONA JUNE 4-6, 2018	140.00
163958	3/29/2018	TRANSPORTATION SAFETY INSTITUTE	27460	028682	001-2200-421.23-45	JANUARY 2018 CITATIONS	383.20
163959	3/29/2018	TURBO DATA SYSTEMS INC	302974		100-4900-431.38-57	STREET SWEEPER SUPPLIES	204.92
163960	3/29/2018	UNITED ROTARY BRUSH CORPORATION	9800648700		001-1900-412.26-05	FINANCE CELL - CLAYTON, R DEC 27, 2017 - JAN 26, 2018	27.51
163961	3/29/2018	VERIZON WIRELESS	9800648701		001-2200-421.26-05	PD CELL PHONE 570653806 DEC 27, 2017 - JAN 26, 2018	152.04
			9802459180	028868	001-2740-442.26-05	CODE ENFORCEMENT IPADS DEC 27, 2017 - JAN 26, 2018	76.02
			6826		001-1300-412.26-05	HUMAN RESOURCES CELL JAN 27, 2018 - FEB 26, 2018	46.98
			5D 9468 MAR18		001-1900-412.26-05	FINANCE CELL - CLAYTON JAN 27, 2018 - FEB 26, 2018	25.21
163962	3/29/2018	WELDROR'S SUPPLY AND STEEL	9802459180		001-2200-421.26-05	PD CELL PHONES 570653806 JAN 27, 2018 - FEB 26, 2018	152.04
163963	3/29/2018	WELLS FARGO CARD SERVICES INC	6826		001-7740-442.26-05	PD CELL PHONES 570653806 JAN 27, 2018 - FEB 26, 2018	76.02
			5D 9468 MAR18		660-6300-471.36-08	CYLINDERS-NITRO, OXY, ARGON	2,003.60
					001-1000-411.36-07	DOMINO'S PIZZA CITY COUNCIL MEETING 3/13	37.93
						SUBER SUBS+ 2/27 CITY COUNCIL MEETING	29.08
						SUBER SUBS+ 2X2 SCHOOL BOARD	29.08
						JOBS AVAILABLE SUBSCRIPTION 2018	45.00
						SUBER SUBS+ ORAL BOARD LUNCH-FLEET MG	23.67
						APPA - JASON SMITH REGISTR ENGINEERING & OPER TECH C	745.00
						CMUA 86TH ANNUAL CONF TOM MILLER	895.00
						HOTELS.COM - JASON SMITH APPA CONFERENCE 4/29-5/02	889.45
						HOTELS.COM - TOM MILLER CMUA CONFERENCE 3/25-27	615.54
						SOUTHWEST - JASON SMITH APPA CONF NORTH CAROLINA	408.00
						CWEA - CHRIS THORNTON 4/17-4/20 SACRAMENTO, CA	93.00
						CWEA - JEROME MOLENDOR 4/17-4/20 SACRAMENTO, CA	93.00
						SOUTHWEST - CWEA CONF THORNTON & MOLENDOR	565.92
						PO APPLICANT POLYGRAPH	225.00
163964	3/29/2018	YOUNGBLOOD & ASSOCIATES	3073A	028644	001-1300-412.33-32	PAYROLL PPE 2/25/2018	339,487.36
9006193	3/2/2018	WELLS FARGO BANK	PPE 02/25/2018		001-0000-204.10-00	PAYROLL TAX DEPOSIT PPE 2/25/2018	19,801.94
9006194	3/5/2018	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 02/25/2018		001-0000-204.12-00	FEDERAL INCOME TAX PPE 2/25/2018	51,591.53
9006195	3/5/2018	INTERNAL REVENUE SERVICE	PPE 02/25/2018		001-0000-204.11-00	FICA MEDICARE/FICA REGULAR PPE 2/25/2018	85,966.54
					001-0000-204.13-00	VEBA CONTRIBUTIONS PPE 2/25/2018	500.00
9006196	3/6/2018	WELLS FARGO BANK	PPE 02/25/2018		001-0000-204.80-14	QUARTER END 12/31/2017	2,940.00
9006197	3/7/2018	CALIFORNIA, STATE OF	LOS74639904		700-5030-480.40-03	CAL PERS 457 CONTRIBUTION PPE 2/25/2018	48,992.41
9006198	3/8/2018	CALPERS 457 PLAN - 450260	PPE 2/25/2018		001-0000-204.16-00	RETIREMENT BENEFITS PPE 2/25/2018	81,941.90
9006199	3/8/2018	CA. ST. PUBLIC EMPLOYEES	PPE 2/25/2018		001-0000-204.20-00	PAYROLL PPE 3/11/2018	332,809.60
9006200	3/16/2018	WELLS FARGO BANK	PPE 3/11/2018		001-0000-204.10-00	FEDERAL INCOME TAX PPE 3/11/2018	44,230.96
9006201	3/16/2018	INTERNAL REVENUE SERVICE	PPE 3/11/2018		001-0000-204.13-00	FICA MEDICARE/FICA REGULAR PPE 3/11/2018	16,569.66
					001-0000-204.12-00	CREDIT AGAINST FINALIZATN REPORT RECEIVABLE	80,089.32
9006202	3/19/2018	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 3/11/2018		001-0000-112.00-00	MEDICAL CONTRIBUTIONS PPE 3/11/2018	4,383.25
9006203	3/19/2018	TASC	PPE 3/11/2018		001-0000-204.80-04	DEPENDENT CARE CONTRBTNS PPE 3/11/2018	544.18

**City of Banning**  
**Warrant List Detail March 2018**

Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
9006204	3/22/2018	CALPERS 457 PLAN - 450260	PPE 3/11/2018		001-00000-204.16-00	CAL PERS 457 CONTRIBTNS PPE 3/11/2018	37,464.90
9006205	3/22/2018	CA. ST. PUBLIC EMPLOYEES	PPE 3/11/2018		001-00000-204.20-00	RETIREMENT BENEFITS PPE 3/11/2018	82,571.32
9006206	3/23/2018	WELLS FARGO BANK	PPE 3/11/2018		001-00000-204.80-14	VEBA CONTRIBUTIONS PPE 3/11/2018	700.00
9006207	3/23/2018	CA. ST. EMPLOYMENT DEV. DEPT.	WIC 3/22/18		001-00000-204.12-00	PAYROLL TAX DEPOSIT MANUAL CHECKS 3/22/18	485.86
9006208	3/23/2018	INTERNAL REVENUE SERVICE	WIC 3/22/18		001-00000-204.11-00	FEDERAL INCOME TAX MANUAL CHECKS 3/22/18	1,209.46
					001-00000-204.13-00	FICA MEDICARE/FICA REGULAR MANUAL CHECKS 3/22/18	1,152.68
9006209	3/30/2018	WELLS FARGO BANK	PPE 3/25/2018		001-00000-204.10-00	PAYROLL PPE 3/25/2018	325,678.87
9006210	3/31/2018	TASC	PPE 2/25/2018		001-00000-112.00-00	CREDIT AGAINST FINALIZATN REPORT RECEIVABLE PPE2/25	(4,864.93)
					001-00000-204.80-04	MEDICAL CONTRIBUTIONS PPE 2/25/2018	4,320.75
					001-00000-204.80-05	DEPENDENT CARE CONTRBTNS PPE 2/25/2018	544.18
<b>Grand Total</b>							<b>8,005,309.90</b>
						Less Voided / Reissued Checks from Prior Period	<b>(791.00)</b>
						Less Voided Checks Prior Period	
						Add Payroll Checks	<b>14,601.61</b>
						Total Remittance for Month	<b>8,019,120.51</b>



## Voided Checks

March 2018

Date	Check	Vendor #	Reason	Amount	Check	Vendor #	Amount
3/8/2018	163496	7070	Unable to attend training	\$ 36.00			
3/22/2018	163376	3561	Merchant didn't receive it	\$ 675.00	163877	3561	\$ 675.00
3/22/2018	160859	5163	Stale dated check	\$ 16.00	163828	5163	\$ 16.00
3/22/2018	160364	6942	Stale dated check	\$ 12.00	163761	6942	\$ 12.00
3/22/2018	161384	7186	Stale dated check	\$ 16.00	163873	7186	\$ 16.00
3/22/2018	162014	4985	Stale dated check	\$ 40.00	163868	4985	\$ 40.00
3/29/2018	160698	6927	Stale dated check	\$ 32.00	163894	6927	\$ 32.00
<b>TOTALS</b>				<b>\$ 827.00</b>			<b>\$ 791.00</b>

**Payroll**  
**March 2018**

Start	End	Date	Description	Check Total	
11323	11340	3/2/2018	WARRANT REGISTER	\$	4,863.81
11341	11355	3/16/2018	WARRANT REGISTER	\$	2,585.29
11356	11357	3/22/2018	MANUAL CHECKS	\$	5,002.29
11358	11369	3/20/2018	WARRANT REGISTER	\$	2,150.22
<b>TOTALS</b>				<b>\$</b>	<b>14,601.61</b>
<b>35 CHECKS USED</b>					



Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M	6585	11323	.00
	OFFICE OF THE ATTORNEY GENERAL		11324	241.38
	UNITED STATES TREASURY		11325	125.50
	CALIF. STATE DISBURSEMENT UNIT		11326	180.46
	TRACY YOUNGBLOOD		11327	223.39
	FRANCHISE TAX BOARD		11328	48.72
	FRANCHISE TAX BOARD		11329	106.21
	LAPHAM, SIERRA G		11330	242.87
4000-461	PAUGA, LYLE	4397	11331	561.61
4000-461	ALDERMAN, LUKE D	6408	11332	158.94
4010-461	QUINN, MELISSA S	220	11333	231.44
4010-461	FRANCHISE TAX BOARD	6748	11334	173.97
	GREEN, NATASHA D	2765	11335	1,428.60
5800-434	UNITED STATES TREASURY		11336	260.00
	MARY NELL WARE		11337	300.00
	FRANCHISE TAX BOARD		11338	75.00
	US DEPT OF EDUCATION		11339	311.88
	CALIF. STATE DISBURSEMENT UNIT		11340	193.84
	Total Checks -		18	4,863.81

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M OFFICE OF THE ATTORNEY GENERAL UNITED STATES TREASURY CALIF. STATE DISBURSEMENT UNIT TRACY YOUNGBLOOD FRANCHISE TAX BOARD	6585	11341 11342 11343 11344 11345 11346 11347	.00 241.38 125.50 180.46 223.39 97.78 180.28
4000-461	LAPHAM, SIERRA G	4397	11348	92.01
4010-461	ALDERMAN, LUKE D	220	11349	301.15
4010-461	QUINN, MELISSA S CALIF. STATE DISBURSEMENT UNIT UNITED STATES TREASURY MARY NELL WARE FRANCHISE TAX BOARD US DEPT OF EDUCATION CALIF. STATE DISBURSEMENT UNIT	6748	11350 11351 11352 11353 11354 11355	69.23 260.00 300.00 75.00 245.27 193.84
Total Checks -				15 2,585.29



Employee	Employee Number	Check Date	Gross Pay	With Hold	Net Pay	Advance Out	Payed Back	Dir Dep	Check Amount	Check Number
****	Grand Totals		7533.85	2531.56	5002.29	.00	.00	.00	5002.29	
2	Employees									
	2 Checks									
	0 Regular checks amount -			.00						
	0 Supplemental checks amount -			.00						
	0 Advance checks amount -			.00						
	0 Void checks amount -			.00						
	2 Manual checks amount -			5,002.29						
	0 Replacement checks amount -			.00						

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
	OFFICE OF THE ATTORNEY GENERAL		11358	241.38
	CALIF. STATE DISBURSEMENT UNIT		11359	180.46
	TRACY YOUNGBLOOD		11360	223.39
	FRANCHISE TAX BOARD		11361	91.93
4000-461	LAPHAM, SIERRA G	4397	11362	157.75
4010-461	ALDERMAN, LUKE D	220	11363	103.17
4010-461	QUINN, MELISSA S	6748	11364	197.98
	CALIF. STATE DISBURSEMENT UNIT		11365	69.23
	UNITED STATES TREASURY		11366	260.00
	FRANCHISE TAX BOARD		11367	75.00
	US DEPT OF EDUCATION		11368	356.09
	CALIF. STATE DISBURSEMENT UNIT		11369	193.84
	Total Checks -		12	2,150.22





## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Laurie Sampson, Executive Assistant

**MEETING DATE:** May 8, 2018

**SUBJECT:** List of Contracts Approved Under the City Manager's Signature Authority

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### **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:

  
\_\_\_\_\_  
Rochelle Clayton, Interim City Manager

# **ATTACHMENT 1**

List of Contracts



Contracts, Change Orders and Sole Sources Approved Within City Manager Signature Authority (April 1, 2018 - April 30, 2018)

City Manager Approval	Vendor Name	Description of Item/Service	Compensation Amount (Contract Total)	Department/Division	Comments
5-Apr-2018	Albert A. Webb Associates	Traffic Survey Services - Amendment #1	\$ 17,700.00	PW - Engineering	04/10/18: Amendment #1 change order processed to extend contract.
24-Apr-2018	The Record Gazette	Advertising	\$ 25,000.00	City Wide	Exempt from Procurement-Advertising. FY19 PO Renewal
5-Apr-2018	Terminix Commercial	Pest Control	\$ 6,016.00	PW - B/M	
24-Apr-2018	The Press-Enterprise	Advertising	\$ 25,000.00	City Wide	Exempt from Procurement-Advertising. FY19 PO Renewal
24-Apr-2018	Matich Corporation	PG 64-10 (Asphalt Binder)	\$ 5,000.00	PW - Streets	
20-Apr-2018	Dooley Enterprises	Ammunition	\$ 16,075.55	Police Dept.	04/20/18: Sole Source to CM for approval.

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## **CITY OF BANNING CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager  
Robert Meteau Jr., Deputy Human Resources Director

**PREPARED BY:** Rochelle Clayton, Interim City Manager

**MEETING DATE:** May 8, 2018

**SUBJECT:** Adoption of Resolution 2018-56, Approving the Tentative Agreement for a Successor Memorandum of Understanding Between the City of Banning and the Banning Police Management Association for the period of July 1, 2017 through June 30, 2019.

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### **RECOMMENDATION:**

Adoption of Resolution 2018-56 approving the tentative agreement for a successor Memorandum of Understanding (deal points) and the Memorandum of Understanding ("MOU") between the City of Banning ("City") and the Banning Police Management Association Employee Unit (BPMA) for the period July 1, 2017 through June 30, 2019.

### **JUSTIFICATION:**

Section 3505.1 of the Meyers-Milias-Brown Act provides that "If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding". Once approved by the governing body of a local agency, a memorandum of understanding becomes a binding agreement between the employee organization and the local agency.

### **BACKGROUND:**

The preceding MOU between the City and the BPMA expired on June 30, 2017. The City negotiation team had numerous communication exchanges and meetings with the BPMA representatives in 2017-2018.

Accordingly, the City has negotiated and all parties have agreed on an MOU based upon the prior BPMA MOU with all changes detailed in the attached Tentative Agreement between the City and BPMA. The primary changes are summarized as follows:

- A two (2) year term from July 1, 2017 through June 30, 2019
- All represented Unit members shall receive overtime at a rate of 1.5 times their base hourly rate for events not funded by the City
- The City will contribute to each member's cafeteria account an amount equal to a maximum of \$15,600 for fiscal year 2018, or an increase of \$50 per month from the prior fiscal year; and \$16,200 for fiscal year 2019, or an increase of \$50 per month from the prior fiscal year.

The BPMA MOU 2017-2019 represents the full and complete negotiated and agreed upon MOU. Upon approval of the tentative agreement, BPMA MOU 2017-2019 and adoption of Resolution 2018-56, the MOU shall be ratified and fully executed.

**OPTIONS:**

1. Do not ratify the Tentative Agreement and BPMA MOU 2017-2019, and continue negotiations.
2. Ratify the Tentative Agreement and BPMA MOU 2017-2019 with adoption of Resolution 2018-56.

**FISCAL IMPACT:**

The fiscal impact is approximately \$1,200 for fiscal year 2017-2018 and \$1,800 for fiscal year 2018-2019.

**ATTACHMENTS:**

1. Resolution 2018-56 (BPMA MOU 2017-2019)
2. Resolution 2016-111 (BPMA MOU 2016-2017)

Approved by:

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Rochelle Clayton  
Interim City Manager



# **ATTACHMENT 1**

(RESOLUTION 2018-56 BPMA MOU 2017-2019)

## RESOLUTION 2018-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING APPROVING THE TENTATIVE AGREEMENT FOR A SUCCESSOR MEMORANDUM OF UNDERSTANDING (DEAL POINTS) AND APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BANNING POLICE MANAGEMENT ASSOCIATION REPRESENTING THE POLICE MANAGEMENT EMPLOYEES UNIT AND THE CITY OF BANNING FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2019**

**WHEREAS**, the City of Banning ("City") has formally recognized the Banning Police Management Association ("BPMA") as the exclusive employee organization for the Police Management employees bargaining unit; and

**WHEREAS**, the prior Memorandum of Understanding between the City and the BPMA expired on June 30, 2017; and

**WHEREAS**, the City and BPMA have successfully met and conferred reached a Tentative Agreement For A Successor MOU between the City and the BPMA employees for the period of July 1, 2017 through June 30, 2019 pursuant to the Meyers-Milias-Brown Act ("MMBA")(Gov't Code Sections 3500-3511) and the City's Employer-Employee Relations Resolution No. 2010-45; and

**WHEREAS**, MMBA Section 3505.1 provides that:

"If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding"; and

**WHEREAS**, the City labor representative and the BPMA representatives have also jointly and concurrently prepared and signed, and the BPMA has ratified, a proposed successor BPMA Memorandum of Understanding Deal Points for the period July 1, 2017 through June 30, 2019, where once approved by the governing body of a local agency becomes a binding agreement between the employee organization and the local agency.

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

**SECTION 1.** That the City Council approves the Tentative Agreement For A Successor MOU between the City and Banning Police Management Association for the period of July 1, 2017 through June 30, 2019, a fully executed copy of which is provided herewith as Exhibit A and by this reference made a part hereof.



**SECTION 2.** That the City Council approves the Memorandum of Understanding Between the City and the Banning Police Management Association for the period July 1, 2017 through June 30, 2019.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of May, 2018.

**ATTEST:**

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk

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

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon

**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-56, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



## **EXHIBIT A**

Tentative Agreement for a Successor Memorandum of Understanding between the City  
of Banning and the Banning Police Management Association

[Agreement is attached]

**TENTATIVE AGREEMENT FOR A SUCCESSOR  
MEMORANDUM OF UNDERSTANDING**

**Between**

**The City of Banning and  
The Banning Police Management Association**

**Police Management Unit Employees**

**March 28, 2018**

1. All terms and conditions of prior Memorandum of Understanding ("MOU") between the City and the Banning Police Management Association ("BPMA"), Police Management Employees shall continue unless expressly modified or changed herein.
2. Article 1.3 – Term – The term of the successor shall be effective July 1, 2017 through June 30, 2019. Except as otherwise provided herein, the successor MOU between the City and the BPMA relative to wages, hours, and other terms and conditions of employment shall remain in force until its term expires at close of business on June 30, 2019.
3. Article 11 – Salaries – All BPMA represented Unit members shall receive no cost of living ("COLA") salary increase. Both parties agree, however, to reopen to discuss a COLA upon the City's 2018-2020 Budget adoption.
4. Article 12.1 – Overtime-Exempt Status – When overtime is funded by revenue sources outside the City (i.e. grants and/or contracts for services by other law enforcement agencies) the overtime rate will be one and one-half times (1.5) the member's base hourly rate of pay.
5. Article 12.2 – Overtime-Unanticipated Patrol Shortages/Critical Incidents – Overtime for unanticipated patrol shortages and critical incidents during a period of staff shortage, and when pre-approved by the Police Chief or Captain, Lieutenants may be authorized to provide such coverage and receive overtime at a rate of one times the member's base hourly rate of pay (straight time).
6. Article 12.3 – Overtime-Hours Worked – Article number shall change from 12.2 to 12.3.
7. Article 20.6 – Holiday Leave – The City has recognized the two additional holidays of Christmas Eve and New Year's Eve for City employees that shall now be recognized by this unit.
8. Article 21.1 – Cafeteria Plan City Contributions – Effective July 1, 2017, increase monthly cafeteria plan by \$50 per month or \$15,600 annually; this will not constitute changes to existing medical and dental plans until the next open enrollment period. The



cafeteria increase will be effective the month following adoption by City Council. Unit members shall be paid the retroactive amount due, based on the effective month and their date of hire. For example, if the cafeteria increase is effective May 2018, the retroactive amount of \$50/month from July to April, or \$500 if hired prior to July 1, 2017, will be paid to the member. Employees hired after July 1, 2017 will receive a prorated retroactive amount.

Effective July 1, 2018, the cafeteria plan contribution will be increased by \$50 to \$1,350 per month or \$16,200 annually to each Unit member.


The Successor MOU, effective July 1, 2019, shall consider the cafeteria plan contribution to be increased by \$50 to \$1,400 per month, or \$16,800 annually to each Unit member.


9. Article 21.4 – California Law Enforcement Association Reimbursement – Article number shall change from 21.1 (part of Cafeteria Plan City Contributions) to 21.4 as a separate article. Unit members will receive up to \$24.00 per month towards the California Law Enforcement Association (“CLEA”) disability policy.

10. Article 29 – Re-Openers – The parties agree to reopen to discuss a COLA upon the City’s 2018-2020 Budget adoption.


**SIGNATURES OF BOTH PARTIES:**

**CITY OF BANNING**

  
\_\_\_\_\_  
Rochelle Clayton, Interim City Manager

  
\_\_\_\_\_  
Robert Meteau, Deputy HR Director

**BANNING POLICE MANAGEMENT ASSOCIATION**

  
\_\_\_\_\_  
Captain Phil Holder, Lead Negotiator

  
\_\_\_\_\_  
Vincent Avila, Negotiator

# **ATTACHMENT 2**

(RESOLUTION 2016-111 BPMA MOU 2016-2017)



MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF BANNING,  
AND  
THE CITY OF BANNING POLICE MANAGEMENT ASSOCIATION  
July 1, 2016 – June 30, 2017

## TABLE OF CONTENTS

	<u>Page</u>
ARTICLE 1 PREAMBLE .....	1
1.1 Introduction.....	1
1.2 Recognition.....	1
1.3 Term.....	1
1.4 Represented Classifications .....	1
ARTICLE 2 CONTINUATION OF RULES & POLICIES.....	1
2.1 Other Written Policies.....	1
2.2 Meet and Confer .....	1
2.3 Past Practice.....	2
ARTICLE 3 EMPLOYEE RIGHTS.....	2
3.1 Non-Discrimination .....	2
3.2 BPMA Membership .....	2
3.3 Rights Granted by State and Federal Law .....	2
ARTICLE 4 MANAGEMENT RIGHTS .....	2
ARTICLE 5 DUES DEDUCTION.....	3
5.1 Dues Deduction.....	3
5.2 Sufficient Earnings.....	3
5.3 Non-Pay Status.....	3
5.4 Cancellation .....	3
5.5 Funds Transmission .....	3
5.6 Indemnification .....	3
ARTICLE 6 BPMA REPRESENTATIVES.....	3
ARTICLE 7 BULLETIN BOARDS.....	4
7.1 Authorized Postings.....	4



## TABLE OF CONTENTS (cont.)

	<u>Page</u>
7.2 Posted Notices.....	4
ARTICLE 8 MEMORANDUM OF UNDERSTANDING COPIES .....	4
ARTICLE 9 MEETINGS .....	4
9.1 Items of Mutual Concern .....	4
9.2 Use of City Facilities .....	4
ARTICLE 10 HOURS OF WORK.....	5
10.1 Schedules .....	5
10.2 Department Head Discretion.....	5
10.3 Schedule Changes .....	5
10.4 Outside Employment .....	5
ARTICLE 11 SALARIES, PERFORMANCE EVALUATIONS, & PROBATIONARY PERIOD.....	5
11.1 Assignment to Ranges.....	5
11.2 Salary Survey .....	6
11.3 Probation Period.....	6
ARTICLE 12 OVERTIME.....	6
12.1 Exempt Status .....	6
12.2 Hours Worked.....	7
ARTICLE 13 ACTING PAY AND PROMOTION PAY .....	7
13.1 A Unit employee temporarily assigned by management to fill a vacancy in a higher classification .....	7
13.2 Unit employees promoted to work in a higher classification .....	7
13.3 Unit employees assigned to temporary assignments .....	7
ARTICLE 14 PAY FOR JURY DUTY.....	7

## TABLE OF CONTENTS (cont.)

	<u>Page</u>
ARTICLE 15 EQUIPMENT & UNIFORM ALLOWANCE.....	7
15.1 The City will provide Unit employees safety equipment .....	7
15.2 The City agrees to pay a uniform allowance .....	7
15.3 The City shall reimburse Unit employees.....	8
15.4 The Department Head or his designee may at his or her discretion authorize Unit employees to carry optional weapons .....	8
ARTICLE 16 MILEAGE, MEALS AND OTHER TRAVEL REIMBURSEMENT .....	8
16.1 The City will reimburse expenses .....	8
16.2 Accommodation arrangements .....	8
16.3 Unit employee attending a City directed educational program .....	8
16.4 At the conclusion of the educational program .....	8
16.5 Scheduling of training/educational programs .....	8
ARTICLE 17 TUITION AND BOOKS REIMBURSEMENT & TRAINING .....	9
17.1 Tuition Reimbursement .....	9
17.2 Training.....	9
ARTICLE 18 EDUCATION INCENTIVE PAY .....	9
18.1 Education Incentive Pay .....	9
ARTICLE 19 SICK AND BEREAVEMENT LEAVE .....	11
19.1 Sick Leave Accrual .....	11
19.2 Sick Leave Use .....	11
19.3 Sick Leave Cash Out.....	11
19.4 Sick Leave Conversion to Deferred Compensation.....	11
19.5 Sick Leave Payment Upon Separation.....	11
19.6 Use of Other Leave.....	11



## TABLE OF CONTENTS (cont.)

	<u>Page</u>
19.7 Bereavement Leave.....	11
ARTICLE 20 VACATION, HOLIDAY AND PERSONAL LEAVE.....	12
20.1 Vacation Leave Accrual.....	12
20.2 Vacation Leave Maximum Accrual.....	12
20.3 Vacation Leave Approval Required.....	12
20.4 Vacation Leave Payment Upon Termination.....	13
20.5 Vacation Leave Excess Hours Payment .....	13
20.6 Holiday Leave.....	13
20.7 Holiday Leave Accrual .....	13
20.8 Holiday Leave Approval Required .....	13
20.9 Holiday Leave Payment Upon Termination .....	13
20.10 Personal Leave Time.....	14
20.11 Promotional Pay Outs of Leave.....	14
ARTICLE 21 MEDICAL AND DENTAL INSURANCE.....	14
21.1 Cafeteria Plan City Contributions.....	14
21.2 Cash In Lieu.....	14
21.3 Flexible Spending Account.....	15
21.4 Eye Wear Reimbursement .....	15
ARTICLE 22 RETIREMENT AND MEDICARE.....	15
22.1 Contributions to CalPERS .....	15
22.2 CalPERS Formulas .....	16
22.3 F.I.C.A .....	16
ARTICLE 23 MISCELLANEOUS BENEFITS.....	16
23.1 Life Insurance .....	16

## TABLE OF CONTENTS (cont.)

	<u>Page</u>
23.2 Direct Deposit.....	17
23.3 Utility Allowance.....	17
23.4 Gun Loan .....	17
23.5 Tools/Equipment.....	17
23.6 City Cell Phone .....	17
23.7 City Vehicle .....	18
ARTICLE 24 LAYOFFS AND RE-EMPLOYMENT .....	18
24.1 Layoff Provision Statement of Purpose.....	18
24.2 Layoff Reasons .....	18
24.3 Layoff Notice .....	18
24.4 Layoff Order .....	18
24.5 Reduction of Class .....	19
24.6 Equal Seniority.....	19
24.7 Reemployment Rights.....	19
24.8 Reduction in Workweek .....	19
ARTICLE 25 GRIEVANCE AND DISCIPLINE APPEALS PROCEDURE.....	19
25.1 Procedure .....	19
25.2 Definitions.....	19
25.3 Informal Step .....	20
25.4 Step One.....	20
25.5 Grievances Related to MOU Interpretation .....	21
25.6 Grievances Related to Discipline.....	21
25.7 Step Two .....	21
25.8 Modification of Time Limits .....	21



## TABLE OF CONTENTS (cont.)

	<u>Page</u>
ARTICLE 26 SEVERABILITY CLAUSE .....	21
ARTICLE 27 COMPLETE AGREEMENT .....	22
27.1 Entire Agreement .....	22
27.2 Items Not Covered .....	22
ARTICLE 28 INVESTIGATION DOCUMENTS AND MATERIALS .....	22
ARTICLE 29 RE-OPENERS .....	22
ARTICLE 30 RATIFICATION AND EXECUTION .....	23

## ARTICLE 1 PREAMBLE.

1.1 Introduction. This Memorandum of Understanding (hereinafter referred to as the MOU) is entered into between the City of Banning, a California municipal corporation (hereinafter referred to as the "City") and the authorized representatives of the Banning Police Management Association (hereinafter referred to as the BPMA), a California unincorporated nonprofit labor association, as the exclusively recognized employee organization for the Police Management Unit (hereinafter referred to as the Unit) relative to wages, hours, and other terms and conditions of employment as provided by Sections 3500 - 3511 of the California Government Code, otherwise known as the Meyers-Milias-Brown Act (hereinafter referred to as the "MMBA").

1.2 Recognition. The City hereby formally recognizes the BPMA as the only recognized employee organization representing Unit employees presently or hereafter employed by the City and eligible for inclusion in the Unit. It is understood that this MOU shall constitute a bar to any petition or request for recognition of any employee organization to represent any other employee bargaining unit which includes classifications of employees covered by this MOU or such petitions to represent such employees at any time during the term hereof except for express "window periods" set forth in the City's Employer-Employee Relations Resolution. This provision shall not preclude employees from otherwise exercising their rights as may be provided by the MMBA or the City's Employer-Employee Relations Resolution.

1.3 Term. Except as otherwise provided herein, this MOU between the City and the BPMA relative to wages, hours, and other terms and conditions of employment shall become effective upon City Council adoption and thereafter shall remain in full force and effect until its term expires at close of business on June 30, 2017.

1.4 Represented Classifications. This MOU covers Unit employees in the classification of Police Lieutenant and Police Captain.

## ARTICLE 2 CONTINUATION OF RULES & POLICIES.

2.1 Other Written Policies. Subject to the terms of this MOU, all City ordinances, resolutions, rules and regulations, including the City's Employer-Employee Relations Resolution (currently Resolution 2010-45), the City's Employees Handbook covering the Rules and Regulations of the Personnel System, the City's Administrative Policies, and the Banning Police Department Policy Manual shall continue to apply during the term of this MOU.

2.2 Meet and Confer. The City and the BPMA agree to meet and confer during the term of this MOU over the adoption, amendment or revision, including repeal, of all City ordinances, resolutions, rules and regulations, including the City's Employer-Employee Relations Resolution (currently Resolution 2010-45), the City's Employees Handbook covering the Rules and Regulations of the Personnel System, the City's Administrative Policies, and the Banning Police Department Policy Manual, to the extent that such documents contain mandatory subjects of bargaining pursuant to the MMBA.



Should an impasse be reached following such meet and confer sessions, the provisions of the Employer- Employee Relations Resolution (Resolution 2010-45) shall apply to resolve the impasse.

2.3 Past Practice. For purposes of this MOU, a "past practice" shall be defined as an unwritten policy, procedure or work rule, whether or not it affects a mandatory subject of bargaining, and upon which the City, the BPMA and the Unit employees may have relied through a course of conduct. As of the effective date of this MOU, all past practices are void, and of no further force or effect.

### ARTICLE 3 EMPLOYEE RIGHTS.

3.1 Non-Discrimination. The provisions of this MOU shall apply to Unit employees without illegal discrimination based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (including pregnancy, childbirth and related medical condition), sexual orientation, age, citizenship status, or any other basis protected by applicable law, nor will there be any discrimination with respect to hiring, retention or any condition of employment because of membership or non-membership in the BPMA, or because of any activities or refraining from activities on behalf of the BPMA.

3.2 BPMA Membership. The BPMA will accept into membership all eligible persons who are members of the Unit without regard to, race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (including pregnancy, childbirth and related medical condition), sexual orientation, age, or any other basis protected by applicable law.

3.3 Rights Granted by State and Federal Law. Except as otherwise provided in this MOU, Unit employees shall have all rights which may be exercised in accordance with State and Federal Law, and applicable ordinances, resolutions, rules and regulations. However, Unit employees shall not have the right to grieve a violation of any such law, ordinance, resolution or rule, except as specifically set forth herein.

### ARTICLE 4 MANAGEMENT RIGHTS.

The BPMA recognizes and agrees that the City and its representatives have the responsibility and the authority to manage and direct all operations and activities of the City including, but not limited to, the exclusive right to determine the mission of its constituent departments, commissions and boards and the processes and the materials to be employed; the right to subcontract any work or operation; to expand or diminish services; to determine the procedures and standards of selection for employment and promotion; determine classifications; direct its employees; take disciplinary action; relieve its employees of duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted and to assign work to employees and to establish and change work schedules and assignments and to determine the days and hours when the employees shall work; take all necessary actions to carry out its mission in

emergencies; and, exercise complete control and discretion over its organization and work performance technology.

## **ARTICLE 5 DUES DEDUCTION.**

5.1 Dues Deduction. The City shall deduct one month's current and periodic BPMA dues from the wages and/or leave benefits of each Unit employee who voluntarily executes and delivers to the City a payroll deduction authorization form.

5.2 Sufficient Earnings. The Unit employee's earnings must be regularly sufficient after other legal and required deductions are made to cover the amount of the dues deduction authorized. When a Unit employee is in a non-pay status for an entire pay period, no withholding will be made to cover that pay period from future earnings.

5.3 Non-Pay Status. In the case of a Unit employee who is in a non-pay status during only part of the pay period, and the salary is not sufficient to cover the full withholding, no deduction shall be made. In this connection, all other legal and required deductions have priority over BPMA dues.

5.4 Cancellation. A Unit employee's authorization for deduction of dues may be canceled at any time by written notice from the employee to the City with a copy to the BPMA. A Unit employee's deduction authorization shall automatically be canceled if the employee leaves the employ of the City or is transferred out of the Unit.

5.5 Funds Transmission. The aggregate amount of such deductions by the City shall be transmitted monthly to the BPMA President or his or her designee. The City shall provide the BPMA President or his or her designee with a list each month indicating the dues deducted from the pay of any represented Unit employee and those Unit employees for whom no deduction was made pursuant to the provisions of Sections 5.2 and 5.3. The BPMA shall notify the City of the names of its President and other officers and designees each year following election of the board and appointment of members to committees to which the BPMA is entitled to appoint members under this MOU.

5.6 Indemnification. The BPMA shall indemnify, defend, and hold the City harmless against any and all claims made, and against any suit instituted against the City arising from or otherwise in any way involving deduction of employee organization dues. In addition, the BPMA shall refund to the City any amounts paid to it in error upon presentation of supporting evidence.

## **ARTICLE 6 BPMA REPRESENTATIVES.**

Two (2) employees selected by the BPMA may attend scheduled meetings with City management during regular hours without loss of pay, provided that such employees shall not leave their work station or assignment without first providing twenty-four (24) hour notice to the Department Head. Additional employees who are not on duty may participate at no additional cost to the City. Such meetings shall be scheduled in a manner consistent with the City's operating requirements and work schedules. Nothing herein shall



be deemed to preclude the scheduling of such meetings at hours other than such employee's regular working hours, in which event attendance shall be without pay.

## **ARTICLE 7 BULLETIN BOARDS.**

7.1 Authorized Postings. The City will furnish adequate bulletin board space where currently available. The Department Head shall designate the bulletin boards to be used for posting notices. Bulletin boards may be used for the following notices:

- (a) Scheduled BPMA Meetings, Agenda and Minutes.
- (b) Information on BPMA Elections and the Results.
- (c) Posting of BPMA special, recreational, and related bulletins.
- (d) Reports of Official Business of BPMA, including Reports of Committees or the Board of Directors
- (e) MOU, Pay Scales, Job Announcements, Promotion Lists, etc.
- (f) Such other items as may be approved by the Department Head upon request of the BPMA.

7.2 Posted Notices. Posted notices shall not be defamatory or violate any of the City's policies, nor shall they advocate election or defeat of candidates for public office. All notices to be posted may be dated and signed by an authorized representative of the BPMA. The BPMA may give notices to Unit employees through the use of the City mail system and/or the City computer e-mail system.

## **ARTICLE 8 MEMORANDUM OF UNDERSTANDING COPIES.**

The City shall provide the BPMA with one (1) original and one (1) copy of this MOU after it has been fully executed by the parties. The City shall also provide a copy of the executed MOU to any Unit employee hired or promoted into the Unit after the effective date of the MOU. The City may charge for any additional copies. The BPMA shall be responsible for providing copies of this MOU to represented employees at BPMA expense.

## **ARTICLE 9 MEETINGS.**

9.1 Items of Mutual Concern. Upon mutual agreement of both the City and the BPMA, the parties may meet to discuss and consult on items of mutual concern. A meeting conducted under this section shall not constitute a meet and confer or hearing under any grievance procedure.

9.2 Use of City Facilities. The BPMA may be granted permission to use City facilities for the purpose of meeting with employees to conduct BPMA business provided space for such meetings can be made available without interfering with City needs. The

BPMA shall be held fully responsible for any damages to and security of any facility that is used by the BPMA.

#### **ARTICLE 10 HOURS OF WORK.**

10.1 Schedules. Unless modified by the Department Head as set forth in section 10.2 and 10.4 below, Unit employees shall have a work schedule as assigned by the Department Head.

10.2 Department Head Discretion. Unit employees may be assigned to a work schedule consisting of the days and hours as determined by the Department Head.

10.3 Schedule Changes. The Department Head in the exercise of his or her discretion may change the work schedule and/or work period of Unit employees. Accordingly, work schedule and work period changes are not subject to meet and confer requirements. The Department Head shall notify the BPMA regarding any change in work schedule and/or work period no later than thirty (30) days before the date the change is implemented.

10.4 Outside Employment. Prior to any Unit employee accepting outside employment, he or she shall request and receive authorization from the Department Head and Administrative Services Director. Authorization for outside employment shall be made according to the policies and procedures in place at the time of request.

#### **ARTICLE 11 SALARIES, PERFORMANCE EVALUATIONS, & PROBATIONARY PERIOD.**

11.1 Assignment to Ranges. Effective July 1, 2016, upon adoption of this MOU, all Unit employees will be placed on ranges with defined steps as shown on the salary schedule in Attachment A. The salary range for Police Lieutenant is 87 and the Police Captain is 92. The salary table is calibrated in approximate 2.5% increments. Unit members will receive a cost of living adjustment (COLA) salary increase of two percent (2%) of base salary effective July 1, 2016, which is reflected in Attachment A.

In exchange for relinquishing all Personal Leave Time accruals of 98 hours annually (and cash outs of 60 hours annually), a three percent (3%) salary increase will be assigned to the ranges with defined steps on the salary schedule as shown in Attachment B, effective the first pay period after the adoption of the BPMA 2016-2017 MOU.

- (a) No Unit employee shall be granted a step increase unless and until such employee has obtained an overall meets requirements evaluation rating consistent with the applicable administrative policies of City.
- (b) A first denial of a step increase shall not be an allowable subject of the exercise of employee rights under any grievance procedure afforded by the City or this MOU.



- (c) A Unit employee denied a step increase for failing to achieve an overall meets requirements performance rating shall be entitled to be re-evaluated in six (6) months from the date of the performance evaluation which led to the denial of the step increase. If the employee's overall performance is rated meets requirements, then the employee shall be granted the appropriate step increase effective the first pay period following the six month re-evaluation period. Such step increase shall not be retroactive.
- (d) If the employee's performance continues to fail to achieve an overall meets requirements performance rating after the six (6) month re-evaluation period, then the employee shall be given a final denial of a step increase for the remainder of the regular evaluation period. Denial of a step increase under this subsection may, at the employee's option, be subject to the non-binding grievance procedure provided for in this MOU.

11.2 Salary Survey. The parties deem satisfied and completed the required salary surveys and classification study for positions covered by this MOU, the parties will use as comparison cities the following ten (10) cities: Beaumont, Blythe, Cathedral City, Colton, Desert Hot Springs, Hemet, Indio, Montclair, Palm Springs, and Rialto.

11.3 Probation Period. All employees appointed to a position represented by the BPMA shall serve a twelve (12) month probationary period. The probationary period shall be considered a part of the examination and selection process and shall not include any time served under any limited service or provisional appointment but shall date from the time of appointment to a regular position. After serving six (6) months in the probationary period, the Unit employee shall be eligible for a six (6) month merit increase based upon a satisfactory performance evaluation. This will be the employee's new anniversary date for future performance evaluations/merit increases. Unit employees will also receive a probationary review at the completion of their probationary period. City employees who have previously successfully completed a probationary period and who are subsequently promoted into or within the Unit, shall serve a six (6) month probationary period in the new position. Any BPMA Unit employee promoted from the Banning Police Officers Association (BPOA) unit, who fails to pass probation, may return to the position previously held, with BPOA approval.

## ARTICLE 12 OVERTIME.

12.1 Exempt Status. All Unit employees covered by this MOU are qualified exempt management employees under the FLSA and as such are not eligible for overtime pay, except as authorized by City Policy A-32. When overtime is funded by revenue sources outside the City (i.e. grants and/or contracts for services by other law enforcement agencies) the overtime rate will be equivalent to the top-step premium rate for a Staff Sergeant. Any assigned hours which are not worked shall be accounted through a reduction in accrued leave. Accruals, and reductions in accruals, are based on an eighty (80) hour pay period.

12.2 Hours Worked. "Hours worked" means time spent in required court appearances as set forth in Article 14, and time paid for vacation, holidays, personal leave and administrative leave for officer involved shooting or other non-disciplinary leave.

#### **ARTICLE 13     ACTING PAY AND PROMOTION PAY.**

13.1 A Unit employee temporarily assigned by management to fill a vacancy in a higher classification, when the vacancy is created by a departure, or when the incumbent is absent in excess of twenty (20) work days, shall be compensated from the first day working such assignment, and consecutive days worked thereafter, at the lowest pay range of the incumbent which is at least five percent (5%) above the acting employee's normal rate of compensation while working in the higher classification. The conditions of this subsection are a prerequisite to the receipt of any higher acting pay. At such time as an employee is no longer performing work out of his permanent classification, he/she shall be compensated at his/her regular rate of pay for his/her permanent classification.

13.2 Unit employees promoted to work in a higher classification shall be paid five percent (5%) more than the employee received in the lower classification.

13.3 Unit employees assigned to temporary assignments to perform work out of an employee's permanent classification shall be limited in duration to six (6) months in any one (1) year. A time extension to the temporary assignment beyond the initial six months may be made with the concurrence of the BPMA in writing.

#### **ARTICLE 14     PAY FOR JURY DUTY: COURT APPEARANCES, "ON CALL" DUTY.**

Any Unit employee who shall be summoned for attendance to any court for jury duty during his or her normal working hours shall be deemed to be on duty and there shall be no loss of salary, but any jury fees received by him or her shall be paid into the City treasury. Any employee who shall be called as a witness arising out of and in the course of his or her City employment shall be deemed to be on duty and there shall be no loss of salary, but any witness fees received by him or her shall be paid into the City treasury. An employee absent from work due to being a witness, plaintiff or defendant in a non-work related matter shall not be entitled to be paid during such absence, except that he or she may, however, use Vacation Leave, Holiday Leave and Personal Leave for such absence. In no event shall an employee be compensated for time in court as a defendant in a criminal case.

#### **ARTICLE 15     EQUIPMENT & UNIFORM ALLOWANCE.**

15.1 The City will provide Unit employees safety equipment in accordance with California state law. Said safety devices and safeguards shall remain the property of the City and their use may be required and regulated by the Department Head or his or her designee.

15.2 The City agrees to pay a uniform allowance of \$110 per month to Unit employees. Payment of the uniform allowance will be paid equally between the first two pay periods each month. Such money shall be used for the purpose of purchasing and



maintaining uniforms in order that employees who wear regulation uniforms may maintain a professional appearance.

15.3 The City shall reimburse Unit employees the reasonable replacement value of personal property, not including uniforms for which the above uniform allowance is paid, which is destroyed in the course and scope of their employment. The employee shall make application for reimbursement by presenting to the Department Head the damaged or destroyed article. Personal property subject to this provision consists of personal property necessary to fulfill the employee's job duties and that is approved in advance for use on the job. Replacement for prescription eyewear is limited to \$200 per pair. Replacement for watches is limited to \$50. Sums paid hereunder shall be secondary to any applicable insurance. If an individual pays a sum of money to the City pursuant to a court order as restitution for damaging the uniform of a Unit employee, then the City will reimburse that amount to the Unit employee.

15.4 The Department Head or his designee may at his or her discretion authorize Unit employees to carry optional weapons. Nothing in this MOU shall require the Chief of Police to approve the use of any specific weapon or ammunition.

#### **ARTICLE 16 MILEAGE, MEALS AND OTHER TRAVEL REIMBURSEMENT.**

16.1 The City will reimburse expenses for meals, lodging and tuition when a Unit employee attends a City directed educational program. Reimbursement shall be equal to but not exceed the amount permitted under applicable P.O.S.T. standards. If the Unit employee's meals and lodging expenses exceed reimbursement provided by P.O.S.T., then the Unit employee may be required to demonstrate that such expenses are reasonable by providing receipts for all expenses and written justification. Only reasonable expenses will be reimbursed. Reimbursement for meals, lodging or travel are subject to IRS rules for reporting compensation through payroll or reimbursement through accounts payable.

16.2 Accommodation arrangements for attendance at a City directed educational program shall be made by the Unit employee. The City agrees to provide any accompanying information concerning available lodging arrangements for the program to the Unit employee as soon as it becomes available to the City.

16.3 Upon request, a Unit employee attending a City directed educational program shall receive an advance up to the P.O.S.T. established limits established for the particular educational program.

16.4 At the conclusion of the educational program, the Unit employee shall show by certificate awarded or some other manner that the program was attended and completed.

16.5 Except as otherwise set forth in this MOU, the scheduling of training/educational programs shall be done in accordance with Departmental procedures.

## ARTICLE 17 TUITION AND BOOKS REIMBURSEMENT & TRAINING

17.1 Tuition Reimbursement. Tuition paid reimbursements shall be limited to \$3,500 per fiscal year and will be reimbursed to all permanent Unit employees, for professional and technical courses approved by the Administrative Services Director and taken in an accredited educational institution provided that:

- (a) The subject matter of the course relates directly to and contributes toward the employee's position with the City.
- (b) The employee has received at least a competent proficiency rating on their last evaluation report.
- (c) The employee has furnished evidence that the course has been completed with at least a "C" or "pass" grade.
- (d) Requests for reimbursement must be completed and returned to the Human Resources Department within three (3) weeks after receipt of course completion documentation. (No reimbursement will be made without bona fide receipts or documentation).
- (e) Reimbursements will be made only after proof of completion of course with 'C' average or "pass" and satisfactory receipts of payment for tuition are approved by the Human Resources Department.

17.2 Training. The City agrees to pay, as outlined herein, the travel and subsistence expenses of Unit employees for professional and official travel, meetings, and occasions required to continue the professional development of employee and to adequately pursue necessary official and other functions of employer, and such national, regional, state and local governmental groups provided it is budgeted in the annual operations budget and approved by the Department Head. Time spent in City required and approved training or conferences, including travel time shall be included as time worked. The City shall not pay for the costs incurred to meet minimum job requirements.

## ARTICLE 18 EDUCATION INCENTIVE PAY.

18.1 Education Incentive Pay. Educational incentive pay for Unit employees shall be earned as follows:

- (a) Possession of an Intermediate POST Certificate entitles the employee to \$200 a month; and possession of a Regular or Specialized Advanced Certificate, Regular or Specialized Supervisory Certificate, Regular or Specialized Management Certificate, Regular or Specialized Executive Certificate, entitles the employee to \$300 a month.
- (b) Possession of an Associate of Arts/Science Degree in any academic field entitles the employee to \$75 per month.

- (c) Possession of a Bachelors of Arts/Science Degree in any academic field entitles the employee to \$150 per month.
- (d) Possession of a Masters of Arts/Science Degree in any academic field entitles the employee to \$225 per month.
- (e) Possession of a Ph.D. in any academic field entitles the employee to \$300 per month.
- (f) Possession of an Intermediate POST Certificate and an Associate of Arts/Science Degree in any academic field entitles the employee to \$275 per month; Possession of an Intermediate POST Certificate and a Bachelors of Arts/Science Degree in any academic field entitles the employee to \$350 per month; Possession of an Intermediate POST Certificate and a Masters of Arts/Science Degree in any academic field entitles the employee to \$425 per month; Possession of an Intermediate POST Certificate, and a Ph.D. in any academic field entitles the employee to \$500 per month.
- (g) Possession of the Regular or Specialized Advanced Certificate, Regular or Specialized Supervisory Certificate, Regular or Specialized Management Certificate, Regular or Specialized Executive Certificate and an Associate of Arts/Science Degree in any academic field entitles the employee to \$375 per month; Possession of the Regular or Specialized Advanced Certificate, Regular or Specialized Supervisory Certificate, Regular or Specialized Management Certificate, Regular or Specialized Executive Certificate, and a Bachelors of Arts/Science Degree in any academic field entitles the employee to \$450 per month; Possession of the Regular or Specialized Advanced Certificate, Regular or Specialized Supervisory Certificate, Regular or Specialized Management Certificate, Regular or Specialized Executive Certificate, and a Masters of Arts/Science Degree in any academic field entitles the employee to \$525 per month; Possession of the Regular or Specialized Advanced Certificate, Regular or Specialized Supervisory Certificate, Regular or Specialized Management Certificate, Regular or Specialized Executive Certificate, and a Ph.D. in any academic field entitles the employee to \$600 per month.
- (h) For all Police Management Unit members who are employed with the City at the time of the execution of this MOU, possession of 60 semester units from an accredited college with a minimum of 39 units being in an occupationally related field (i.e. Police Science, Social Science, Political Science, Public Administration, etc.) shall entitle the employee to receive pay of \$100 per month. Determination as to whether courses are occupationally related will be made by the Department Head with right of appeal to the City Manager.
- (i) The amounts in this article shall not be pyramided except as set forth above.



## ARTICLE 19 SICK AND BEREAVEMENT LEAVE.

19.1 Sick Leave Accrual. Unit employees shall accrue ninety-six (96) hours of Sick Leave per fiscal year, which shall be accrued pro-rata per pay period in amounts of three and sixty-nine hundredth (3.69) hours until the ninety-six hours are met. Sick Leave shall accrue up to a cap of three hundred-twenty (320) hours. Excess leave balances account may be used for time off or cashed out per MOU or City policy.

19.2 Sick Leave Use. Sick Leave, shall be granted only where consistent with the City's Sick Leave and Family Leave policy (currently AP-1 and AP-02).

19.3 Sick Leave Cash Out. All sick leave shall accrue in a "Bank." Any Unit employee may cash out hours from any sick bank leave has accrued into up to a maximum of ninety-six (96) hours, at straight time at the current rate of pay, but will not be allowed to cash out below forty (40) hours. Any sick leave cash out request must be made no later than November 1st of each year and the payment shall be made in the last check issued in November of each year while employed.

19.4 Sick Leave Conversion to Deferred Compensation. Any Unit member may convert to Deferred Compensation hours from the "Bank" sick leave that has accrued up to a maximum of ninety-six (96) hours, at straight time at the current rate of pay, but will not be allowed to convert out of the "Bank" below forty (40) hours. Beginning with the eleventh (11th) year of City service, Unit members may convert fifty percent (50%) of the value of the total amount of their accrued sick leave "Bank", but will not be allowed to convert out of the "Bank" below forty (40) hours, to either Deferred Compensation, or the Retiree Health Savings, if available.

19.5 Sick Leave Payment Upon Separation. Upon separation, service retirement, disability retirement, or termination, a Unit member shall be eligible to receive a cash payment for accrued sick leave in the "Bank" in an amount equivalent to straight time, to a maximum of ninety-six (96) hours. In addition, beginning the tenth (10) year of continuous City service, all hours accrued in the "Bank" shall be eligible for conversion to cash in an amount equivalent to thirty percent (30%) of such unused sick leave upon separation. Beginning with the 11th year of City service, Unit members may convert fifty (50%) percent of the value of the total amount of their sick leave bank upon separation, to either Deferred Compensation, or the Retiree Health Savings, if available. Any cash payments made in accordance with this section shall be computed based upon the employees' final compensation rate and shall be paid within one payroll period of the effective date of separation. Public Safety employees are currently eligible for Sick Leave conversion up to 90% of the sick leave bank to CalPERS credit as members of CalPERS safety pool.

19.6 Use of Other Leave. Unit employees who have exhausted all accumulated Sick Leave while on Sick Leave may utilize accrued Vacation, Holiday or Personal leave.

19.7 Bereavement Leave. All Unit employees who have passed their probation are granted bereavement leave. In the event of the death of a member of their family,

including spouse, domestic partner, mother, father, brother, sister, child, stepchild, grandchild, or grandparent of the employee or any one of the same relatives of the employee's spouse or domestic partner, the employee shall be allowed twenty-four (24) hours of bereavement leave for each death of a family member. In the event of the death of a spouse or domestic partner or multiple family deaths occurring within a twenty-four (24) hour period, the employee shall be allowed forty (40) hours of bereavement leave.

In addition to the foregoing bereavement leave, the employee may also utilize up to sixteen (16) hours from accrued sick leave, if there is a death of a family member and up to forty (40) hours from accrued sick leave in the event of the death of a spouse, domestic partner or multiple family deaths. If the employee has insufficient accumulated sick leave to exercise this option, the employee may utilize accrued vacation, or personal leave for the additional bereavement leave.

## **ARTICLE 20 VACATION, HOLIDAY AND PERSONAL LEAVE.**

20.1 Vacation Leave Accrual. Unit employees shall accrue Vacation Leave in accordance with the following schedules:

- (a) One (1) through four (4) years of service: ten (10) eight (8) hour days per year = three and eight-hundredth (3.08) hours per pay period
- (b) Beginning the fifth (5th) year through the ninth (9th) year: fifteen (15) eight (8) hour days per year = four and sixty-two hundredth (4.62) hours per pay period
- (c) Beginning the tenth (10th) year & thereafter: twenty (20) eight (8) hour days per year = six and fifteen hundredth (6.15) hours per pay period

20.2 Vacation Leave Maximum Accrual. Vacation Leave may be accrued to a maximum of three-hundred twenty (320) hours for Unit employees. If an employee has accumulated the maximum allowed under this Article, said employee will receive no further vacation leave accruals until said employees uses a portion of his/her vacation leave and his/her vacation leave accruals have been reduced below the maximum. There shall be no retroactive receipt of any vacation leave which does not accrue as a result of the caps set forth in this Article.

20.3 Vacation Leave Approval Required. Vacation leave may be taken with approval of the Unit employee's supervisor, and as otherwise consistent with the policies of the City. Vacation leave may be taken at any time following the completion of a six (6) month probationary period for lateral hires. No probationary period will be required for internally promoted Unit employees. Vacation leave taken shall not be in excess of that actually accrued at the time such vacation leave is taken. Vacation leave must be approved a minimum of fourteen (14) days in advance of the first (1st) day of such vacation. Exceptions may be made to the fourteen (14) day notice requirement for emergencies or at the discretion of the employee's supervisor.

20.4 Vacation Leave Payment Upon Termination. Any Unit employee whose employment is terminated and who has accrued, has earned and vested vacation leave shall be paid for such vacation leave within one payroll period of the effective date of such termination. Any unit member may elect to have the remaining balance of any hours accrued as vacation converted to Deferred Compensation at the member's current rate of pay.

20.5 Vacation Leave Excess Hours Payment. Unused vacation accrual in excess of eighty (80) hours may be paid off at the option of the employee up to a maximum of eighty (80) hours per fiscal year.

20.6 Holiday Leave. If, during the term of this MOU, the City Council recognizes an additional holiday for City employees, the accrual rate for Unit employees shall be adjusted accordingly. Holiday leave other than City recognized holidays (City Hall closed) must be approved a minimum of fourteen (14) days in advance of the first day of such leave. Exceptions may be made to the fourteen (14) day notice requirement for emergencies or at the discretion of the employee's supervisor. City recognized Holidays are as follows:

New Year's Day  
Martin Luther King Day  
President's Day  
Memorial Day  
Fourth of July  
Labor Day  
Veteran's Day  
Thanksgiving  
Day after Thanksgiving  
Christmas

20.7 Holiday Leave Accrual. Unit employees shall accrue Holiday leave at the rate of three and sixty-nine hundredths (3.69) hours per pay period. Holiday leave may be accrued to a maximum of ninety-six (96) hours per unit member. Effective the first full pay period in July 2013, one hundred percent (100%) of the existing leave balance will be moved to a unique leave account. During fiscal year 2014 and thereafter, any hours that exceed the regular cap of ninety-six (96) hours will not be accrued.

20.8 Holiday Leave Approval Required. Holiday Leave must be approved a minimum of fourteen (14) days in advance by the Department Head or his or her designee of the first day of such Holiday leave. Exceptions may be made to the fourteen (14) day notice requirement for emergencies or at the discretion of the City by the Department Head.

20.9 Holiday Leave Payment Upon Termination. Any Unit employee, who is about to terminate his/her employment, and has earned Holiday leave to his/her credit, shall be paid for such holiday leave within one payroll period of the effective date of such termination at the employee's then current rate of pay.



20.10 Personal Leave Time. Effective the first pay period after the adoption of the BPMA 2016-2017 MOU, Unit members shall no longer accrue or receive paid personal leave time, which was previously accrued at a rate of three and seventy-seven hundredths (3.77) hours per pay period, nor shall any Unit member have the option to cash out any Personal Leave Time remaining in the leave bank.

20.11 Promotional Pay Outs of Leave. Prior to implementation of a promotion to a different bargaining unit, the City shall be entitled to cash out at the employee's current pay rate all vacation, holiday and personal leave banks in excess of one hundred (100) hours per each leave bank.

## ARTICLE 21 MEDICAL AND DENTAL INSURANCE.

21.1 Cafeteria Plan City Contributions. The City agrees to the following contribution to each Unit member's cafeteria account: Effective July 1, 2016, increase monthly cafeteria plan by \$50 per month; this will not constitute changes to existing medical and dental plans until the next open enrollment period. The cafeteria increase will be paid as a \$600.00 one-time lump sum payable in the first full pay period after adoption of the MOU for employees hired prior or by July 1, 2016; employees hired after July 1, 2016 will receive a prorated amount.

Effective July 1, 2017 the cafeteria plan contribution will be increased to \$1,250 per month. The City contributions may be used toward any City benefit offered under the cafeteria plan. Unit members will continue to receive up to \$20.00 per month towards the California Law Enforcement Association disability policy.

Said cafeteria contribution shall first be used to provide for health insurance for the employee. Employee shall be covered by health insurance with a City approved health plan unless the employee provides proof to the City that employee is covered by another acceptable health plan as determined by the City's Human Resources Department. The balance may be used for any of the following or any combination thereof:

- (a) Health insurance for employee's spouse and/or dependents.
- (b) Dental Plan for employee, spouse and/or dependents.
- (c) Eye care plan for employee, spouse and/or dependents.
- (d) Term life insurance on employee's life.
- (e) Deferred compensation programs.
- (f) Supplemental insurance options.

21.2 Cash In Lieu. Unit employees may elect to receive ninety-two and five-tenth percent (92.5%) of the balance of the Cafeteria Plan in cash as CalPERS non-includable taxable income.

21.3 Flexible Spending Account. During the term of this Agreement, the City shall maintain an Internal Revenue Section 125 program which will allow employees to allocate specified amounts of monthly pre-tax salary or wages for the reimbursement of medical care expenses or dependent care expenses or both, as well as health and welfare insurance premiums, with the exception of the City's disability insurance premiums.

21.4 Eye Wear Reimbursement. The City will reimburse Unit employee and/or employee's dependents a maximum of \$250 for eyewear every two (2) years.

## ARTICLE 22 RETIREMENT AND MEDICARE.

### 22.1 Contributions to CalPERS.

- (a) Unit members shall pay their own full employee contribution to the California Public Employees Retirement System (CalPERS). The City no longer pays any portion of the normal contributions required to be paid by the employee as allowed under California Government Code Section 20691.
- (b) Per the California Public Employees' Pension Reform Act of 2013 (PEPRA), all Unit employees hired by the City on or after January 1, 2013 and not determined by CalPERS to be "classic" members will also be subject to paying at least fifty percent (50%) of the City's normal costs for their respective Public Safety Retirement Plan as described more fully below.
- (d) Per the California Public Employees' Pension Reform Act of 2013 (PEPRA), the parties agree to meet and confer on the impacts of implementing equal sharing of "normal costs" by December 31, 2017. To the extent PEPRA imposes any other changes, the City and BPMA agree to meet and confer over such changes.

### 22.2 CalPERS Formulas.

- (a) The City agrees to continue to pay the employer's portion of the "Three Percent at Fifty" (3% @ 50) Public Safety CalPERS Retirement for Public Safety (sworn personnel) employees, including the "single highest year" benefit, for all Unit employees hired on or before December 20, 2012.
- (b) City Council adopted and implemented resolutions providing for two tiered retirement for Unit employees hired on or after December 20, 2012, providing for the retirement plan known as 2% @ 50 retirement formula. All new employees hired after December 20, 2012 and determined by CalPERS to be "classic" members shall receive the 2% @ 50 retirement formula. All Unit employees hired by the City on or before December 20, 2012 shall remain at the current existing 3% @ 50 retirement formula.
- (c) Per PEPRA, new employees hired by the City on or after January 1, 2013 and not determined by CalPERS to be "classic" members shall receive the

retirement plan known as "The Safety Option Plan Two Formula (2% @ 57).

- (d) All new employees hired by the City on or after January 1, 2013 shall also be required to have their final compensation defined as the highest average annual final compensation during a consecutive 36 month period, subject to the statutory cap imposed by PEPRA. Current employees, hired before December 20, 2012 will maintain the "single highest year" benefit.
- (e) CalPERS shall determine which retirement plan the new employees are eligible to receive based on CalPERS regulations. For instance, a BPOA employee that is in the 3% @ 50 retirement formula plan will continue in that plan if promoted to the BPMA. Likewise, CalPERS shall determine which retirement plan the new employees are eligible whether for the previously implemented "Two Percent at Fifty" (2% @ 50) retirement formula with final compensation defined as the highest average annual final compensation during a consecutive thirty-six (36) month period or shall only be eligible for the newly created retirement plan known as "the safety Option Plan Two Formula" (2.7% @ 57) with final compensation defined as the highest average annual final compensation during a consecutive thirty-six (36) month period.

22.3 F.I.C.A. Unit employees shall pay the employee portion of FICA and the City shall be responsible for payment of the employer's portion.

## **ARTICLE 23 MISCELLANEOUS BENEFITS.**

23.1 Life Insurance. The City will pay for life insurance in the amount of \$150,000 and Unit employees will pay the taxes on the portion of the premium attributable to coverage above \$50,000.

23.2 Direct Deposit. All Unit employees shall be paid by direct deposit of their payroll check into an account of their choice, except those employees who either do not hold an account with a financial institution that offers direct deposit or who do not hold an account of any type and such employees will be required to pay a \$10 administration fee per payroll. It shall be the responsibility of the employee to establish and maintain such account.

23.3 Utility Allowance. The City shall pay \$150 per month per Unit member household as a discount against the cost of electric and water service during the period of such residency. In no event shall the City pay more than \$150 per household.

23.4 Deferred Compensation Plan. The City has established a deferred compensation plan under Section 457 of the IRS code. Unit employees may participate in this plan at their own expense and at their option. Employees may opt to deposit into their established deferred compensation account, any funds paid to them under any leave pay out provisions in this MOU. Deposits into deferred compensation accounts shall be subject to IRS rules and regulations.



23.5 Gun Loan. The City has established a loan program for those public safety members approved by the Chief of Police who wish to purchase a weapon. Repayment of the loan shall be through payroll deduction. Proof of registration of the gun with the State of California will be provided to Human Resources within three (3) months of purchase. The complete policy is established in Resolution 2005-66.

23.6 Tools/Equipment. The City hereby agrees to finance at no interest the purchase of any job-related tools or equipment, including personal computers that serve the professional development of any Unit employee over the term of this MOU. Such tools and equipment shall be approved in advance by the Department Head and Administrative Services Director. Repayment to the City by the Unit employee shall be made by payroll deductions until the amount loaned is completely repaid. The maximum period for repayment shall be two years.

23.7 City Cell Phone. Unit Members are in essential management positions within the Banning Police Department. It is imperative they have the ability to immediately communicate with on-duty employees of the department 24/7. Subsequently, the City issues a cell phone (smartphone or tablet device) to each member to accomplish this necessity. The BPMA has requested permission to use their City issued devices for personal use in order to eliminate the need for Unit employees to carry two cell phones, one for City business and one for personal use, as they conduct their daily activities both on and off-duty. Unit employees shall elect in writing at the beginning of each fiscal year whether they want to be allowed to use their City issued cell phone for personal use. In return, each Unit employee who voluntarily participates in this program will be authorized to use their City issued devices for both business and personal use and waive any right or expectation of privacy for such personal use. Unit employees who elect to participate in this program shall be required to pay twenty (\$20) dollars each month towards a City cell phone plan that will cover both business and personal use of the City issued cell phone. Payment shall be made through a payroll deduction. Should a Unit employee not want to participate in this program, his/her use of the City provided cell phone/device will continue to be governed by the appropriate City and/or departmental policies and procedures. Understanding that City issued cell phones are the property of the City, each Unit employee participating in this program understands and agrees that the City shall retain the right to audit all City owned cell phones at any given time without notice, including text messages, and that all City issued cell phone records may be subject to public disclosure regardless of public or personal use thereof. All other rules and regulations shall apply except that personal use shall be permitted. Review of the phone records shall be coordinated with the Chief of Police to ensure records related to confidential investigations remain protected. Unit employees shall always conduct themselves professionally when using the City provided cell phone, so as not to embarrass themselves or the City of Banning. Unit members may elect to keep the phone number upon separation from the City and will pay any porting costs prior to separation.

23.7 City Vehicle. The City shall issue a City "emergency" vehicle as defined by the California Vehicle Code to Unit employees to use in their official duties subject to the City vehicle assignment policy. In the event the City vehicle is unavailable or its use

is restricted from take home use, then Unit employees shall receive a vehicle allowance of \$250.00 per month as compensation for the loss of the take home vehicle.

#### **ARTICLE 24 LAYOFFS AND RE-EMPLOYMENT.**

24.1 Layoff Provision Statement of Purpose. The purpose of this Article is to provide a fair and equitable basis for the reduction in force of permanent employees due to insufficient work or lack of funds.

24.2 Layoff Reasons. The City of Banning retains the right to determine when a lack of work or lack of funds condition exists. Lack of work means that a category of work effort within the City can be fulfilled with fewer employees at a level of service acceptable to the City. Lack of funds means that the City in its sole discretion has determined that it cannot sustain operations at the current level of employment within the funding available. For the purpose of this subsection, the determination of the City shall be binding.

24.3 Layoff Notice. Any layoff initiated under the provisions of this MOU can take place at any time during the year. The City shall notify the affected Unit employees in writing at least twenty (20) working days prior to the employee's last day of work. The City reserves the right to pay the employee for such twenty (20) day period or any remaining portion thereof, and to require the employee to immediately vacate City property. A copy of any notice will be forwarded to the appropriate BPMA representative. Any notice of layoff shall specify the reason for the layoff and the effective date. The form, timing and procedure of any such notice shall be subject to the established grievance procedure for due process purposes, provided however, the City's decision to layoff is not subject to the grievance procedure except to the extent of any alleged illegal basis. The date of the layoff shall not be delayed by the pendency of a grievance.

24.4 Layoff Order. Any layoff shall be effective within the job classification or job classifications selected by the City. Once the City has determined which classification or classifications will be affected by the layoff, the order of layoff shall be based on seniority among employees in the classification with "satisfactory job performance" except where layoff is for economic reasons which shall follow the seniority rule. "Satisfactory job performance" as used in this section shall be established when an employee has not more than two (2) overall less than satisfactory evaluations within the past five (5) years. For purposes of this Article, seniority is defined as the length of uninterrupted service within the classification of employees to be laid off as measured from the date of the layoff notice.

24.5 Reduction of Class. Any Unit employee who has been designated to be laid off may choose to be reduced in class and compensation to a lower class or position within the Unit, but only if the employee has greater seniority in that lower class or position than those employees currently in the lower class or position. In the event a reduction in class occurs, the Unit employee will be placed at the top step of the range established in the lower classification in the job series that the employee has previously held. In the event the classification is covered by the BPOA MOU, then the designated employee will be subject to the provisions outlined in the BPOA MOU. Seniority for purposes of layoff shall be

determined by the total continuous time served by an employee in his/her current position in addition to any time served by the employee in a position in the same job series. If an employee leaves the service of the City for any period of time the employee's prior service shall not be considered as service for the purpose of calculating the employee's seniority for any purpose.

24.6 Equal Seniority. If two (2) or more employees subject to layoff have equal class seniority, then the determination as to who has greater seniority shall be based upon total length of uninterrupted service with the City.

24.7 Reemployment Rights. Laid off employees will be eligible for reemployment under the provisions of the Personnel Rules.

24.8 Reduction in Workweek. The Personnel Rules authorize the City Council to change or alter the workweek by resolution.

## **ARTICLE 25     GRIEVANCE AND DISCIPLINE APPEALS PROCEDURE.**

25.1 Procedure. Subject to the provisions of this MOU, any permanent Unit employee who has a grievance, as defined below, or has been disciplined, as defined below, shall be entitled to have the matter reviewed through the procedures outlined in this Article. This Article shall also include and satisfy all rights which a permanent Unit employee may have under California Government Code Section 3304(b).

### **25.2     Definitions:**

- (a) For the purposes of, and subject to the terms, provisions and conditions of, this MOU, "grievance" is defined as a dispute between an employee and the City, or the BPMA and the City, over the interpretation or application of this MOU, or the second denial of a step increase to an employee or a contested layoff where the employee contends that due process was not followed or some MOU provision or law has been violated in reaching the layoff decision. The decision to layoff remains within the sole discretion of the City and is not subject to meet and confer. The term "grievance" does not include "discipline" as defined herein.
- (b) For the purposes of, and subject to the terms, provisions and conditions of, this MOU, "discipline" is limited to any action taken by the City against a permanent Unit member which is punishment or recognized discipline of the employee and which includes but is not limited to (i) an involuntary termination from City employment (ii) involuntary suspension from employment without pay or reduction in pay, (iii) involuntary move from one job classification to another job classification where the second job classification has a lower rate of pay at the top step than the top step of the job classification from which the employee was moved, or (iv) involuntary reduction in step within a job classification.



25.3 Informal Step. An attempt shall be made to ascertain all facts and adjust any grievance on an informal basis between the employee and, if he or she desires, the employee's representative, on the one hand, and the Police Chief, on the other hand. Presentation of such grievance shall be in writing and made within fourteen (14) calendar days of the incident causing the grievance, or the date on which the employee first became aware of it.

25.4 Step One. If a grievance or discipline dispute is not adjusted to the satisfaction of the employee and the BPMA under the procedures set forth immediately above, the employee or his/her representative may submit written notice to the City Manager of his/her intent to submit the matter to mediation. Such written notice must be delivered to the City Manager within fourteen (14) calendar days after the date of the Chief of Police's written decision on discipline or oral response to written grievances. The BPMA agrees that submission of any matter to mediation must be by mutual agreement of the BPMA and the City, with each party to bear their own costs. If the parties mutually agree to mediation, the following procedures apply:

- (a) Within seven (7) calendar days of receipt of the written notice from the BPMA requesting mediation, the BPMA and the City shall request a list of seven (7) local mediators from the Federal Mediation and Conciliation Service.
- (b) Within fourteen (14) calendar days of receipt of the list of local mediators, the City and the BPMA shall attempt to agree on a mediator to preside at the mediation. If the parties do not agree on a mediator, the City and the BPMA shall take turns striking the names of mediators from the FMCS list until one (1) name remains. The BPMA shall strike the first name.
- (c) The parties shall contact the mediator to arrange for a mutually convenient time and date for the mediation.
- (d) The parties shall split equally the costs of the mediation.

25.5 Grievances Related to MOU Interpretation. On grievances pertaining to the interpretation or administration of this MOU, the BPMA agrees that after mediation, if the parties have not reached a successful resolution, then the matter is referred to the City Manager for final decision after a hearing and the City Manager's decision shall be final. On disputes related to discipline, the procedure set forth below shall apply.

25.6 Grievances Related to Discipline. On grievances related to discipline, the written notice in Step One above shall set forth in detail the employee's and/or BPMA's view of the basis for the disciplinary dispute and shall separately set forth the issue or issues to be submitted to an advisory arbitrator, instead of a mediator. The procedures set forth below shall then be followed thereafter.

- (a) Within seven (7) calendar days of receipt of the written notice of appeal of discipline, the City and the BPMA shall request a list of seven (7) local arbitrators from the Federal Mediation and Conciliation Service.

- (b) Within fourteen (14) calendar days of receipt of the list of arbitrators, the City and the BPMA shall attempt to agree on an arbitrator to preside at the advisory arbitration hearing. If the parties do not agree on an arbitrator, the BPMA and the City shall take turns striking the names of arbitrators from the FMCS list until one (1) name remains. The BPMA shall strike the first name.
- (c) The parties shall contact the arbitrator to arrange for a mutually convenient time and date for the advisory arbitration hearing.
- (d) The City shall pay for the costs of the advisory arbitrator.

25.7 Step Two. Within seven (7) calendar days after the BPMA and City receive the advisory arbitrator's recommendation on the dispute related to discipline, either the BPMA or the Police Chief may submit written argument to the City Manager as to whether the arbitrator's opinion should be accepted, rejected or modified. Within fourteen (14) calendar days after the seven (7) day-period above has expired, the City Manager shall advise the BPMA and the Police Chief whether the City Manager is accepting, rejecting, or modifying the advisory arbitrator's recommended decision. The decision of the City Manager shall be final and binding.

25.8 Modification of Time Limits. The above time limits may be modified by mutual agreement of the City and the employee and/or the BPMA.

#### **ARTICLE 26 SEVERABILITY CLAUSE.**

If any of the provisions contained in this MOU are determined to be unlawful, then only such provision(s) shall be deleted from this MOU with the remainder of this MOU remaining in force and effect. Upon the issuance of a decision by a court of competent jurisdiction declaring any section of this MOU to be unlawful, unenforceable, unconstitutional, or not applicable, the parties agree to meet and confer as soon as possible concerning only those sections.

#### **ARTICLE 27 COMPLETE AGREEMENT.**

27.1 Entire Agreement. This MOU is the entire agreement between the parties, terminating all prior agreements, whether written or oral, arrangements and practices, and, except as otherwise provided herein, shall conclude all meetings and conferences during the term of this MOU.

27.2 Items Not Covered. All terms and conditions of employment not covered by this MOU shall continue to be subject to the City's direction and control.

#### **ARTICLE 28 INVESTIGATION DOCUMENTS AND MATERIALS.**

The City shall continue to maintain investigation documents and material in accordance with the City's Records Management Program as set forth in Administrative Policy No. A-28, which was adopted by Resolution No. 2013-24.

**ARTICLE 29 RE-OPENERS.**

During the term of this MOU, unless otherwise provided, the parties shall not meet and confer with respect to any subject or matter whether or not referred to in this MOU, unless mutually agreed to otherwise.



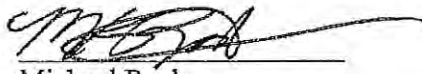
## RATIFICATION AND EXECUTION.


This MOU has been developed as a result of meet and confer sessions between authorized representatives of the City and the BPMA regarding issues related to wages, hours and other terms and conditions of employment. The City's representatives and the BPMA have reached an understanding as to certain recommendations to be made to the City Council for the City of Banning and have agreed that the parties hereto will jointly urge said Council to adopt a new wage and benefit resolution which will provide for the changes contained in said joint recommendation. The parties hereto acknowledge that this MOU shall not be in full force and effect until adoption by the Banning City Council.

In witness whereof, the parties have caused their signatures to be affixed this 7<sup>th</sup> day of November, 2016.

City of Banning

Banning Police Management Association

  
\_\_\_\_\_  
Michael Rock  
City Manager

  
\_\_\_\_\_  
Phil Holder  
President

  
\_\_\_\_\_  
Rochelle Clayton  
Administrative Services Director/Deputy City Manager

**RESOLUTION NO.**  
**2016-111**  
**ATTACHMENT A**

**BANNING POLICE MANAGEMENT ASSOCIATION'S SALARY SCHEDULE**  
**EFFECTIVE JULY 1, 2016**

<u>Position</u> <u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>	<u>Step 11</u>	<u>Step 12</u>	<u>Step 13</u>
Police Lieutenant 87	Hourly 45,236.00 Biweekly 3,618.88 Annual 94,090.92	46,389.80 3,711.18 96,490.80	47,573.00 3,805.84 98,951.90	48,786.40 3,902.91 101,475.76	50,030.08 4,002.46 104,064.01	51,306.99 4,104.55 106,718.26	52,615.55 4,209.24 109,440.22	53,957.55 4,316.60 112,231.60	55,333.77 4,426.70 115,094.18	56,745.51 4,539.61 118,029.77	58,192.40 4,655.39 121,040.24	59,676.77 4,774.13 124,127.49	61,198.88 4,895.90 127,293.49
Police Captain 92	Hourly 51,180.05 Biweekly 4,094.44 Annual 106,455.36	52,485.99 4,198.87 109,170.61	53,824.66 4,305.97 111,955.12	55,197.44 4,415.79 114,810.64	56,605.33 4,528.42 117,739.00	58,049.11 4,643.93 120,742.05	59,529.77 4,762.37 123,821.70	61,048.00 4,883.84 126,979.90	62,605.11 5,008.41 130,218.65	64,201.99 5,136.15 133,540.00	65,839.55 5,267.16 136,946.08	67,518.88 5,401.50 140,439.02	69,240.09 5,539.27 144,021.06



**RESOLUTION NO.**  
**2016-111**  
**ATTACHMENT B**

**BANNING POLICE MANAGEMENT ASSOCIATION'S SALARY SCHEDULE  
EFFECTIVE NOVEMBER 21, 2016**

Attachment "B"

<u>Position Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>	<u>Step 11</u>	<u>Step 12</u>	<u>Step 13</u>
Police Lieutenant 87	46,593.1 3,727.45 96,913.65	47,781.5 3,822.52 99,385.53	49,000.2 3,920.02 101,920.45	50,250.0 4,020.00 104,520.04	51,531.7 4,122.54 107,185.93	52,846.1 4,227.68 109,919.81	54,194.0 4,335.52 112,723.42	55,576.2 4,446.10 115,598.55	56,993.8 4,559.50 118,547.00	58,447.4 4,675.79 121,570.66	59,938.2 4,795.06 124,671.45	61,467.0 4,917.36 127,851.32	63,034.8 5,042.78 131,112.29
Police Captain 92	52,715.9 4,217.27 109,649.02	54,060.4 4,324.84 112,445.73	55,439.3 4,435.14 115,313.77	56,853.3 4,548.27 118,254.96	58,303.4 4,664.28 121,271.17	59,790.5 4,783.24 124,364.32	61,315.6 4,905.24 127,536.35	62,879.5 5,030.36 130,789.29	64,483.3 5,158.66 134,125.21	66,128.0 5,290.24 137,546.20	67,814.6 5,425.17 141,054.46	69,544.3 5,563.55 144,652.19	71,318.1 5,706.45 148,341.69



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Ted Shove, Economic Development Manager

**MEETING DATE:** May 8, 2018

**SUBJECT:** Resolution 2018-50, Authorizing a Letter of Opposition to Assembly Bill 2065 (Ting)

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### **RECOMMENDED ACTION:**

That the City Council approve Resolution 2018-50, authorizing an opposition letter to AB 2065 (Ting).

### **GOAL STATEMENT:**

Economic Development Goal #4: "Improve the competitive position of the City, appropriately use the City's properties, and develop the east side." Proposed legislation AB 2065 would further diminish the City's ability to dispose of real property for commercial development and would require housing sponsors to get the first right to negotiate for a City determined "surplus property", regardless of compatibility with the General Plan.

### **BACKGROUND:**

The City is unique in that it has several subsidiary governmental operations that include: electric utility, water/wastewater district, housing authority, successor agency to the former redevelopment agency, and the airport. All of these operations have the potential for disposing of real property through the course of their long term operations. Subsequently, AB 2065 is proposing to expand and broaden the term "dispose of" to include the sale, lease, transfer, and/or other conveyance of surplus land.

As presently drafted, AB 2065 makes no provision or regard for requiring local agencies, upon declaring a property "surplus", that property should be offered up to housing



developers regardless of existing and established zoning (uses). In effect, AB 2065 provides a conduit for requiring local agencies to provide first right to potential housing developers, regardless of land use compatibility (example: housing project could be adjacent to airport or wastewater treatment facility). In effect, a local agency would be required to send a *Notice of Availability* of the “surplus” property to housing sponsors via the local Council of Governments. Preference in negotiations would be given to entities proposing the “deepest average level of affordability for affordable units”.

### **JUSTIFICATION:**

The City Council is devoted to long term economic growth and responsible housing development in accordance with the City’s General Plan. By approving the draft Letter of Opposition, it formalizes the City’s position to preserve its rights to dispose of property in accordance with current state law. The draft letter also provides suggested amendments and include:

- Amending the proposed language of “dispose of” to limit it exclusively to sale transactions;
- Restrict requirement to exclude sites within incompatible land uses (as determined by the City’s General Plan);
  - Provide for housing sponsors to participate in negotiations as first, but not exclusive right to negotiate; and
- Remove requirement for local agency to transmit *Notice of Availability* prior “to participating in any formal or informal negotiations” regarding the site (this prevent local agencies from determining fair market value and erodes the elected body’s decision-making process).

There is a shortage of housing inventory statewide and AB 2065 has elements that would encourage housing development, however, as currently proposed, it could erode the ability of local governmental operations and cause the placement of housing within incompatible uses, increasing the potential for litigation and compromising public health and safety.

### **FISCAL IMPACT:**

None.

### **OPTIONS:**

1. Approve as recommended.
2. Do not approve and provide alternative direction.

**ATTACHMENTS:**

1. Resolution 2018-50
2. Letter of Opposition - Draft

Approved by:



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Rochelle Clayton  
Interim City Manager

# **ATTACHMENT 1**

Resolution 2018-50



## **RESOLUTION 2018-50**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, OPPOSING CALIFORNIA ASSEMBLY BILL 2065 (TING)**

**WHEREAS**, on February 7, 2018 AB 2065 (Ting) was introduced to the Assembly Committee on Local Government; and

**WHEREAS**, Assembly Bill 2065 (Ting), seeks to introduce additional onerous requirements on local agencies in connection with disposing of real property assets;

**WHEREAS**, Assembly Bill 2065 (Ting) broadly defines the term “dispose of” to include the sale, lease, transfer, or other method of conveyance; and

**WHEREAS**, Assembly Bill 2065 (Ting) effectively requires housing sponsors to be provided with exclusive first right to negotiate the disposition of “surplus land” not specifically exempt under the Bill; and

**WHEREAS**, Assembly Bill 2065 (Ting) further imposes onerous requirements for local agencies to offer and negotiate with housing sponsors and/or school districts with respect to real property assets for which use for housing would be incompatible with surrounding land use (.e.g., adjacent to wastewater treatment or airport facilities); and

**WHEREAS**, Assembly Bill 2065 (Ting), as currently drafted places additional restrictions and undue hardship on the City and its subsidiary agencies in connection with the sale, lease, transfer, or other method of conveyance of real property; and

**WHEREAS**, the passage of Assembly Bill 2065 (Ting), as currently drafted would also restrict the City’s ability to create jobs and promote economic development through disposing of real property.

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

SECTION 1. The Banning City Council adopts Resolution 2018-50 opposing California Assembly Bill 2065 (Ting).

SECTION 2. The Mayor is authorized to execute an opposition letter to AB 2065 and transmit it to the Bill’s author.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of May, 2018.

---

George Moyer, Mayor  
City of Banning

**ATTEST:**

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Sonja De La Fuente, Deputy City Clerk  
City of Banning

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

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Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon

**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-50, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



# **ATTACHMENT 2**

Letter of Opposition - Draft



## City of Banning Office of the City Council

April 5, 2018

The Honorable Phil Ting  
California State Assembly State Capitol Building  
Sacramento, CA 95814

RE: Assembly Bill 2065 (Ting) – Oppose Unless Amended [As Introduced]

Dear Assembly Member Ting:

On behalf of the Banning City Council, this letter is to inform you that we must oppose AB 2065 as it has been introduced. AB 2065 would place onerous new requirements on the City of Banning and its associated entities when the City or those entities seek to dispose of any land that qualifies as surplus property under your bill. The City's operations include a municipal airport, electric utility, water and wastewater entities, housing authority, and successor agency to the former redevelopment agency. Each of these entities hold property necessary to execute the governmental operations of the City and its associated entities.

AB 2065 adds more specificity to the types of agencies subject to the Surplus Land Act, by adding sewer, water, utility, joint powers authorities, and successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state to the list of agencies that are mandated to follow certain requirements before disposing of surplus land. AB 2065 also redefines and substantially broadens the term "dispose of" to include the sale, lease, transfer, or other conveyance of surplus land.

The new definition of disposal would be very problematic for many public agencies including the City of Banning that have valid reasons to sell, lease or otherwise protect land they own (for instance, conservation easements may be sold or granted for sensitive species protection or as mitigation, or property held for future facility needs may be leased out until the property is needed). Under AB 2065, attempting to lease land in support of a public agencies' governmental function would trigger the

requirements for the disposal of surplus land. In addition, entering into a long-term agreement or easement for the protection of land would be considered transferring an interest in real property and therefore would require the public agency to first offer the land for use to schools and affordable housing developers. We ask the author to consider amending the definition of “disposal” in AB 2065 to apply only to the sale of surplus land in areas of the city that have compatible land uses.

As written, AB 2065 would require public agencies to offer up properties next to wastewater, solid waste facilities, airports, or electrical substations for affordable housing projects and school construction, which may be incompatible land uses, because the public agency may be leasing those properties (or later determine they are “surplus”) for uses compatible with those facilities. We ask you to consider amendments that would require public agencies to only offer land for sale that is compatible with existing uses (as determined by the City’s General Plan) for school facilities or affordable housing, rather than subjecting all land, regardless of its zoning and the appropriateness for school facilities or affordable housing, to the Surplus Land Act.

Finally, AB 2065 would require a local agency, prior to participating in any formal or informal negotiations for the conveyance of property, to notice the availability of the property. There may be good reasons for an agency to have informal negotiations, particularly if the disposition is time sensitive. Moreover, informal discussions can give a good sense of potential market value. If the agency complies with the Act by providing notice and negotiation in good faith that should be all that is required.

As you consider revisions to AB 2065, an important point to consider is that schools and housing developers should not retain an exclusive right to negotiate for “surplus” land. If the local agency is not able to come to terms, there should be nothing precluding the agency from opening up negotiations with non-school and housing entities.

We support expanding opportunities for affordable housing which many communities in California desperately need. We respectfully suggest that AB 2065 can be a part of the solution if it is amended to make it workable for all types of public agencies and situations and urge your consideration of our request for amendments.

Sincerely,

George Moyer, Mayor





## **CITY OF BANNING CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Art Vela, Director of Public Works

**MEETING DATE:** May 8, 2018

**SUBJECT:** Resolution 2018-51, Approving the Third Amendment to the Landscape Maintenance Services Agreement for City Facilities with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal year 2018/2019 in the Amount of \$46,180

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### **RECOMMENDED ACTION:**

Adopt Resolution 2018-51, approving the Third Amendment to the Landscape Maintenance Services Agreement for City Facilities with Artistic Maintenance, Inc. of Lake Forest California for Fiscal year 2018/2019 in the amount of \$46,180.

### **BACKGROUND:**

On September 1, 2015 staff solicited proposals from qualified companies to provide landscape maintenance services for public properties throughout the City. The scope of work for these services includes turf management; shrub bed maintenance; tree care and pruning; fertilization; environmental weed and pest control; irrigation equipment maintenance and operations.

On November 10, 2015 City Council approved Resolution 2015-95, "Approving a Landscape Maintenance Services Agreement with Artistic Maintenance, Inc. of Lake Forest, California". On June 14, 2016, upon annual review of services and within the renewal option, City Council approved Resolution 2016-40 extending the agreement for FY 2016/2017 through June 30, 2017. Most recently, on May 9, 2017, Council approved the Second Amendment with Artistic Maintenance under Resolution 2017-47 in the amount of \$46,180 exercising the renewal option and extending the agreement to June 30, 2018.

The services provided to the City include the following locations and rates:

	DESCRIPTION	LOCATION	QUANTITY	MONTHLY RATE	TOTAL
A.	Ramsey Street Medians	Highland Springs Ave. to Sunset Ave.	12 Months	\$1,500	\$18,000
B.	City Hall (building and parking lot)	99 E. Ramsey St.	12 Months	\$700	\$8,400
C.	Police Station	125 E. Ramsey St.	12 Months	\$275	\$3,300
D.	Police Station Northeast Parking Lot	125 E. Ramsey St.	12 Months	\$165	\$1,980
E.	Fire Station Building	5261 W. Wilson St.	12 Months	\$150	\$1,800
F.	Community & Senior Center	769 & 789 San Gorgonio Ave.	12 Months	\$575	\$6,900
G.	Aquatic Center	749 N. San Gorgonio Ave.	12 Months	\$275	\$3,300
H.	As Needed Services	TBD	TBD	TBD	\$2,500
	Total			\$3,640	\$46,180

#### **JUSTIFICATION:**

The Public Works Department does not have the required field staff needed to maintain the identified landscape areas, therefore it is necessary to retain a landscape maintenance contractor to provide these services.

Artistic Maintenance, Inc. has continued to provide the City with affordable services at an acceptable level at City facilities since 2014 and has also agreed not to increase the rates, therefore staff recommends the renewal of the landscape maintenance agreement for Fiscal Year 2018/2019.

If approved, this will be the fourth year Artistic Maintenance Inc. will provide the landscape maintenance services with one single year renewal option remaining.

**FISCAL IMPACT:**

The Landscape Maintenance Services Agreement is for an amount "not to exceed" \$46,180. The agreement will be funded by the following operational budgets:

ITEM	ACCOUNT NO.	DESCRIPTION	AMOUNT
1.	001-2200-421.23-29	Contractual Services/Landscape Maintenance; Police	\$7,080
2.	001-3200-412.23-29	Contractual Services/Landscape Maintenance; Building Maintenance	\$8,400
3.	001-4000-461.23-29	Contractual Services/Landscape Maintenance; Recreation	\$2,057
4.	001-4010-461.23-29	Contractual Services/Landscape Maintenance; Aquatics	\$1,650
5.	001-4050-462.23-29	Contractual Services/Landscape Maintenance; Senior Center	\$3,086
6.	610-5800-434.23-29	Contractual Services/Landscape Maintenance; Transit	\$3,407
7.	100-4900-432.23-29	Contractual Services/Landscape Maintenance; Street	\$18,000
8.	TBD	Additional Services as Needed for miscellaneous repairs	\$2,500
		<b>TOTAL</b>	<b>\$46,180</b>

**ALTERNATIVE:**

City Council may direct staff to not approve as presented and discontinue services. If requested, staff could proceed with a new RFP to obtain the required services. With this option, there would be a gap in service as it would take some time to process. The City does not have the staff resources to perform the landscape maintenance tasks.

**ATTACHMENTS:**

1. Resolution 2018-51
2. Proposed Draft Third Amendment

Approved by:

  
\_\_\_\_\_  
Rochelle Clayton  
Interim City Manager



# **ATTACHMENT 1**

Resolution 2018-51

## **RESOLUTION 2018-51**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AMENDMENT NO. 3 TO THE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES WITH ARTISTIC MAINTENANCE, INC., FOR FISCAL YEAR 2018/2019 IN THE AMOUNT OF \$46,180**

**WHEREAS**, on September 1, 2015, staff solicited proposals from qualified companies to provide landscape maintenance services for public properties throughout the City; and

**WHEREAS**, the scope of work for these services includes turf management; shrub bed maintenance; tree care and pruning; fertilization; environmental weed and pest control; irrigation equipment maintenance and operations; and additional repairs and replacements as needed, for all locations identified in the Request for Proposals; and

**WHEREAS**, on November 10, 2015, City Council approved Resolution 2015-95 approving an Agreement for Construction Services with Artistic Maintenance Inc. for landscape maintenance services for public properties throughout the City; and

**WHEREAS**, on June 14, 2016, City Council approved Resolution 2016-40, approving the First Amendment to the Agreement; and

**WHEREAS**, on May 9, 2017, City Council approved Resolution 2017-47, approving the Second Amendment to the Agreement; and

**WHEREAS**, Artistic Maintenance, Inc. has continued to provide the City with affordable service at an acceptable level and has agreed to not increase the rates; therefore, under approval of this Resolution, the City intends to approve Amendment No. 3 to Agreement for Landscape Maintenance Services (formerly known as the Agreement for Contract Services, in Amendment No. 2) in the amount of \$46,180; and

**WHEREAS**, with this approval this will be the fourth year Artistic Maintenance, Inc. will provide landscape maintenance services with one single year renewal option remaining; and

**WHEREAS**, funding is available in the operational budgets of the Police, Streets, Building Maintenance, Community Center, Senior Center Division, and Transit Division accounts for the Fiscal Year 2018/2019 Landscape Maintenance Services Agreement in the amount of "not to exceed" \$46,180.

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

SECTION 1. The Banning City Council adopts this Resolution 2018-51 approving Amendment No. 3 to the Agreement for Landscape Maintenance Services with Artistic Maintenance, Inc., a California corporation in the amount of "not to exceed" \$46,180 for Fiscal Year 2018/2019.

SECTION 2. The Interim City Manager or her designee is authorized to make necessary budget adjustments, appropriations and transfers related to this amendment.

SECTION 3. The Interim City Manager or her designee is authorized to execute Amendment No. 3 to the Agreement for Landscape Maintenance Services with Artistic Maintenance, Inc., a California corporation.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

**ATTEST:**

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk  
City of Banning

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

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon



**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-51, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

# **ATTACHMENT 2**

Proposed Third Amendment

AMENDMENT NO. 3 TO AGREEMENT FOR  
LANDSCAPE MAINTENANCE SERVICES

**THIS AMENDMENT NO. 3 TO THE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES** (“Amendment No. 3”) by and between the **CITY OF BANNING** (“CITY”) and **ARTISTIC MAINTENANCE, INC.** (“Contractor”) is effective as of the 1<sup>st</sup> day of July, 2018.

**RECITALS**

A. On November 10, 2015, CITY adopted City Council Resolution No. 2015-95, which authorized CITY and Contractor to enter into that certain Agreement for Construction Services dated October 28, 2015 (“Agreement”). The Agreement provided that Contractor would to provide those services specified in the Scope of Work attached to the Agreement as Exhibit “A” (hereafter, “Landscape Maintenance Services”). Pursuant to Section 3.5 of the Agreement, CITY had the option to renew the Agreement for an additional four (4) terms of one (1) year each.

B. On June 14, 2016, CITY exercised the first option to renew the Agreement for an additional one-year term, ending on June 30, 2017, by adopting City Council Resolution No. 2016-40 and by entering into that certain Amendment No. 1, dated July 1, 2016 (“Amendment No. 1”).

C. On May 9, 2017, CITY exercised the second option to renew the Agreement for an additional one-year term, ending on June 30, 2018, by adopting City Council Resolution No. 2017-47 and by entering into that certain Amendment No. 2, dated July 1, 2017 (“Amendment No. 2”).

D. On May 8, 2018, CITY adopted City Council Resolution No. 2018-51, which authorized the exercise of the third option to renew the Agreement for an additional one-year term, ending on June 30, 2019, and the increase in compensation for services provided under the Agreement.

E. CITY and Contractor now desire to amend the Agreement in accordance with Resolution No. 2018-51 to include additional compensation for the extended contract term in an annual amount of Forty-Six Thousand One Hundred Eighty Dollars (\$46,180.00) and to extend the contract period to June 30, 2019.

**TERMS**

1. **Contract Changes.** The Agreement is amended as follows:

(a) The name of this Agreement is amended to “Agreement for Landscape Maintenance Services”. Hereafter, all references in the Agreement to “Construction Agreement By and Between City of Banning and Artistic Maintenance, Inc.”, or “Agreement for Construction Services Between City of Banning and Artistic Maintenance, Inc.” or “Agreement for Contractual Services Between City of Banning and Artistic Maintenance, Inc. for Landscape Maintenance Services for City Owned Properties” , or



“Agreement for Contract Services By and Between the City of Banning and Artistic Maintenance, Inc., a California Corporation” shall be understood to refer to this Agreement, as amended.

(b) Section 2.1 of the Agreement is amended to provide that Consultant’s total compensation for the period from July 1, 2018 through June 30, 2019 shall not exceed Forty-Six Thousand One Hundred Eighty Dollars (\$46,180.00).

(c) Section 3.5, “Term” of the Agreement is hereby amended to exercise the second renewal option extending the contract period to June 30, 2019.

2. **Continuing Effect of Agreement.** Except as amended by this Amendment No. 3, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No. 3, whenever the term “Agreement” appears in the Agreement, it shall mean the Agreement, as amended by Amendment No. 1, Amendment No. 2, and this Amendment No. 3.

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** CITY and Contractor each ratify and reaffirm each and every one of the respective rights and obligations arising under the Agreement. Each party represents and warrants to the other that there have been no written or oral modifications to the Agreement other than as provided herein. Each party represents and warrants to the other that the Agreement is currently an effective, valid, and binding obligation.

Contractor represents and warrants to CITY that, as of the date of this Amendment, CITY is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

CITY represents and warrants to Contractor that, as of the date of this Amendment, Contractor is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

4. **Adequate Consideration.** The parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

5. **Authority.** The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

[SIGNATURES ON FOLLOWING PAGE]

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

**CITY:**

CITY OF BANNING

\_\_\_\_\_  
Rochelle Clayton, Interim City Manager

ATTEST:

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin G. Ennis, Esq., City Attorney

**CONTRACTOR:**

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name:

Title:

Address:

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

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On \_\_\_\_\_, 2016 before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

### OPTIONAL

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

CAPACITY CLAIMED BY SIGNER		DESCRIPTION OF ATTACHED DOCUMENT
<input type="checkbox"/>	INDIVIDUAL	
<input type="checkbox"/>	CORPORATE OFFICER	
	TITLE(S) _____	TITLE OR TYPE OF DOCUMENT _____
<input type="checkbox"/>	PARTNER(S) <input type="checkbox"/> LIMITED <input type="checkbox"/> GENERAL	
<input type="checkbox"/>	ATTORNEY-IN-FACT	
<input type="checkbox"/>	TRUSTEE(S)	NUMBER OF PAGES _____
<input type="checkbox"/>	GUARDIAN/CONSERVATOR	
<input type="checkbox"/>	OTHER _____	
SIGNER IS REPRESENTING: (NAME OF PERSON(S) OR ENTITY(IES)) _____ _____		DATE OF DOCUMENT _____
		SIGNER(S) OTHER THAN NAMED ABOVE _____





**CITY OF BANNING  
CONSENT ITEM**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Art Vela, Public Works Director/City Engineer

**MEETING DATE:** May 8, 2018

**SUBJECT:** Resolution 2018-55, Approving the Renewal of the Landscape Maintenance Contract for Landscape Maintenance District No. 1 with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal Year 2018/2019 in the Amount of \$78,105.

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**RECOMMENDED ACTION:**

Adopt Resolution 2018-55, Approving the Renewal of the Landscape Maintenance Contract for Landscape Maintenance District No. 1 with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal Year 2018/2019 in the Amount of \$78,105.

**BACKGROUND:**

The City Council approved the formation of LMD No. 1 by adopting Resolution 1990-59 on August 14, 1990. An additional five tracts and three tentative tracts were annexed into LMD No. 1 ("Annexation No. 1") when the City Council approved Resolution 2005-36 on May 10, 2005.

LMD No. 1 currently consists of sixteen (16) accepted tracts: Tract Nos. 21882, 22810, 22811, 22913, 23446 (including the median on Highland Home Road), 23598, 28252, 29721, 30186, 30222 (including Richard Sanchez Park), 30793, 31833, 31834, 31835, 32109, and 30906. Tract No. 36969 has not been accepted thus far.

The purpose of LMD No. 1 is for the maintenance and servicing of landscape medians and parkways, perimeter strips and backup walls, landscaped hillsides with high visibility, side slopes adjacent to sidewalks, retention basins, and the irrigation of the above facilities. LMD No. 1, by special benefit assessments, provides funding for the servicing and maintenance of designated landscape areas within the City of Banning. A

map displaying LMD No. 1 and boundaries of each tract is attached herewith as Attachment 3.

A Request for Proposals (RFP) was prepared and advertised in March of 2014. On May 13, 2014, the City Council approved Resolution 2014-24, awarding the contract for the operation and maintenance of LMD No. 1 to Artistic Maintenance, Inc. Subsequently, on May 12, 2015, Resolution 2015-35, renewing the initial contract with Artistic Maintenance, Inc., was approved by the City Council. On May 24, 2016, the City Council approved Resolution 2016-34, renewing Artistic Maintenance's contract for a second time. On May 9, 2017, the initial contract with Artistic Maintenance was renewed and approved by the City Council for a third time through Resolution No. 2017-45.

The scope of work includes providing all of the labor, tools, materials, and equipment necessary to provide landscape maintenance services of LMD No.1. This includes performing weekly maintenance and inspection, checking the operation of all irrigation systems and identifying required repairs and, if necessary, the labor for replacing trees, flowers or shrubs within landscaped areas that are maintained under the contract.

As originally approved, the Contract Agreement is for a term of twelve (12) months (\$5,120.00/month; \$61,440.00/year) with the possibility of an option to renew for up to four (4) single additional years (for a total of five (5) single years) upon a satisfactory yearly review of the previously provided services. If approved, extensions to the Contract Agreement will terminate no later than June 30, 2019. This upcoming Fiscal Year, Artistic Maintenance asked for a Consumer Price Index (CPI) increase of 2.71% as permitted per the original RFP. This is the first CPI increase request since the contract was approved to begin July 1, 2014.

#### **JUSTIFICATION:**

The Public Works Department does not have the required field staff needed to maintain the LMD No. 1 landscape areas, therefore it is necessary to retain a landscape maintenance contractor to provide these services.

Artistic Maintenance, Inc., of Lake Forest, California, has provided satisfactory landscape operation and maintenance services throughout their contract and during Fiscal Year 2017/2018 and this is the first time they have requested that the contract amount be increased by a CPI this upcoming Fiscal Year. Staff therefore recommends the renewal of the landscape maintenance contract.

If this contract renewal is approved, it will be the fourth and final renewal for Artistic Maintenance, Inc. to maintain the LMD No. 1. A RFP for the operation and maintenance of LMD No. 1 will be prepared and advertised early next year.

**FISCAL IMPACT:**

Fund No. 111 (Landscape Maintenance Assessment District No.1) will be utilized to fund this contract renewal for Fiscal Year 2018/2019 in the amount of \$78,105. Account No. 111-4900-432-23.29 (Landscape Maintenance) in the amount of \$63,105 will fund the monthly operation and maintenance portion of the agreement and Account No. 111-4900-432-30.01 (Repair/Maintenance-Grounds/Fields) in the amount of \$15,000 will be used to fund miscellaneous labor costs related to irrigation repairs and landscaping materials.

**ALTERNATIVE:**

Reject staff's recommendation. If rejected, staff can prepare a Request for Proposal and solicit proposals. This option would require some time to process, therefore, a maintenance contract would be required while a new agreement is established. The Public Works Department currently does not have sufficient staff to maintain the LMD No. 1 landscape areas in house.

**ATTACHMENTS:**

1. Resolution No. 2018-55
2. Proposed Draft Amendment No.3
3. LMD No. 1 Map for FY 2018/19

Approved by:



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Rochelle Clayton  
Interim City Manager



# **ATTACHMENT 1**

Resolution 2018-55

## **RESOLUTION 2018-55**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE RENEWAL OF THE LANDSCAPE MAINTENANCE CONTRACT FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1 WITH ARTISTIC MAINTENANCE, INC. OF LAKE FOREST, CALIFORNIA FOR FISCAL YEAR 2018/2019 IN THE AMOUNT OF \$78,105**

**WHEREAS**, at its regularly scheduled meeting on August 14, 1990, the City Council adopted Resolution No. 1990-59, authorizing the formation of Landscape Maintenance District (LMD) No. 1; and

**WHEREAS**, at its regularly scheduled meeting on May 10, 2005, the City Council adopted Resolution 2005-36, ordering the annexation of an additional five tracts and three tentative tracts ("Annexation No. 1") to the City's LMD No. 1; and

**WHEREAS**, at its regularly scheduled meeting on May 13, 2014, the City Council adopted Resolution 2014-24, awarding a contract for the operation and maintenance of the City of Banning's LMD No.1 for a term of one (1) year with the option to renew the Contract Agreement for up to four (4) additional single years upon a satisfactory yearly review of the previously provided services; and

**WHEREAS**, at its regularly scheduled meeting on May 12, 2015, Resolution 2015-35, renewing the initial contract with Artistic Maintenance, Inc., was approved by the City Council; and

**WHEREAS**, at its regularly scheduled meeting on May 24, 2016, the City Council approved Resolution 2016-34, approving the second renewal of the initial contract with Artistic Maintenance, Inc.; and

**WHEREAS**, at its regularly scheduled meeting on May 9, 2017, the City Council approved Resolution 2017-45, approving the third renewal of the initial contract with Artistic Maintenance, Inc.; and

**WHEREAS**, Artistic Maintenance, Inc., of Lake Forest, California, has provided satisfactory service to the City over the past fiscal year; and

**WHEREAS**, the Contract Agreement with Artistic Maintenance, Inc. was for a term of twelve (12) months (\$5,120/month; \$61,440/year) with the possibility of an option to renew for up to four (4) single additional years upon a satisfactory yearly review of the previously provided services; and

**WHEREAS**, staff recommends the renewal of the Contract Agreement with Artistic Maintenance, Inc. for Fiscal Year 2018/2019 to include a Consumer Price Index increase of 2.71% (\$5,258.75/month; \$63,105/year) and requests the addition of

\$15,000 be made to fund miscellaneous irrigation repairs and landscape replacement; and

**WHEREAS**, Account No. 111-4900-432-23.29 (Landscape Maintenance) in the amount of \$63,105 will fund the monthly operation and maintenance portion of the agreement and Account No. 111-4900-432-30.01 (Repair/Maintenance-Grounds/Fields) in the amount of \$15,000 will be used to fund miscellaneous operations related to irrigation repairs and landscape replacement.

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

SECTION 1. That the landscape maintenance services contract renewal for LMD No. 1 is hereby renewed with Artistic Maintenance, Inc. of Lake Forest, California, in the amount of \$78,105.

SECTION 2. That the Administrative Services Director is authorized to make all necessary budget adjustments, appropriations and transfers.

SECTION 3. That the Interim City Manager is authorized to execute the Contract Agreement renewal for a one year term with Artistic Maintenance, Inc. of Lake Forest, California.

**PASSED, ADOPTED AND APPROVED** this 8<sup>th</sup> day of May, 2018.

---

George Moyer, Mayor  
City of Banning

**ATTEST:**

---

Sonja De La Fuente, Deputy City Clerk  
City of Banning



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

\_\_\_\_\_  
Kevin G. Ennis, Esq., City Attorney  
Richards, Watson & Gershon

**CERTIFICATION:**

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-55 was adopted by the City Council of the City of Banning at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Sonia De La Fuente, Deputy  
City Clerk, City of Banning,  
California

# **ATTACHMENT 2**

Proposed Draft Amendment No. 3

AMENDMENT NO. 3 TO AGREEMENT FOR LANDSCAPE MAINTENANCE  
ASSESSMENT DISTRICT NO. 1 SERVICES

**THIS AMENDMENT NO. 3 TO THE AGREEMENT FOR LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 1 SERVICES** ("Amendment") by and between the **CITY OF BANNING** ("CITY") and **ARTISTIC MAINTENANCE, INC.**, a California Corporation ("Contractor") is effective as of the 1<sup>st</sup> day of July, 2018

**RECITALS**

A. On May 13, 2014, CITY adopted City Council Resolution No. 2014-24, which authorized CITY and Contractor to enter into that certain Agreement for Contract Services dated June 1, 2014 ("Agreement"). The Agreement provided that Contractor would provide Operation and Maintenance services for Landscape Maintenance District No. 1. Pursuant to Section 1.1 of the Agreement, the CITY had the option to renew the Agreement for four (4) terms of one (1) year each.

B. On May 12, 2015, CITY exercised the first option to renew the Agreement for an additional one-year term, ending on June 30, 2016, by adopting City Council Resolution No. 2015-35 and by entering into that certain Agreement for Contract Services between the CITY and CONTRACTOR, dated July 1, 2015 ("Agreement").

C. On May 24, 2016, CITY exercised the second option to renew provided under the Agreement for an additional one-year term, ending on June 30, 2017, by adopting City Council Resolution No. 2016-34 and by entering into that certain Amendment No. 1, dated July 1, 2016 ("Amendment No. 1")

D. On May 9, 2017, CITY exercised third option to renew the Agreement for an additional one-year term, ending on June 30, 2018, by adopting City Council Resolution 2017-45 and by entering into that certain Amendment No. 2, dated July 1, 2017, ("Amendment No. 2").

E. On May 8, 2018, CITY adopted City Council Resolution No. 2018-55, which authorized the exercise of the forth option to renew the Agreement for an additional one-year term, ending on June 30, 2019, and the increase in compensation for services provided under the Agreement.

D. CITY and CONTRACTOR now desire to amend the Agreement in accordance with Resolution No. 2018-55 to include additional compensation for the extended contract term in an annual amount of Seventy-Eight Thousand One Hundred Five Dollars (\$78,105.00).



## TERMS

1. **Contract Changes.** The Agreement is amended as follows:

- (a) The name of this Agreement is amended to "Agreement for Landscape Maintenance Assessment District No. 1 Services". Hereafter, all references in the Agreement to "Construction Agreement By and Between City of Banning and Artistic Maintenance, Inc.", or "Agreement for Construction Services Between City of Banning and Artistic Maintenance, Inc.", or "Agreement for Contractual Services Between City of Banning and Artistic Maintenance, Inc. for Landscape Maintenance Assessment District No. 1 Services", or "Agreement for Contract Services By and Between the City of Banning and Artistic Maintenance, Inc., a California Corporation" shall be understood to refer to this Agreement, as amended.
- (b) Section 2.1 of the Agreement is amended to provide that Consultant's total compensation for the period from July 1, 2018 through June 30, 2019 shall not exceed Seventy-Eight Thousand One Hundred Five Dollars (\$78,105.00).
- (c) Scope of Services (Exhibit A-1): Exhibit "A" to the Agreement is hereby amended to include the additional services as provided in the attached Exhibit "A-1".
- (d) Compensation (Exhibit C-1): Exhibit "C", to the Agreement is hereby amended to include additional compensation as provided in the attached Exhibit "C-1".
- (e) Schedule (Exhibit D-1): Exhibit "D" to the Agreement is hereby amended to include the additional services as provided in the attached Exhibit "D-1".

These exhibits do not amend the existing exhibits but pertain to the additional services performed hereunder.

2. **Continuing Effect of Agreement.** Except as amended by this Agreement, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement, as amended by this Amendment to the Agreement.

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** CITY and Contractor each ratify and reaffirm each and every one of the respective rights and obligations arising under the Agreement. Each party represents and warrants to the other that there have been no written or oral modifications to the Agreement other than as provided herein. Each party represents and warrants to the other that the Agreement is currently an effective, valid, and binding obligation.

Contractor represents and warrants to CITY that, as of the date of this Amendment, CITY is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

CITY represents and warrants to Contractor that, as of the date of this Amendment, Contractor is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

4. **Adequate Consideration.** The parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

5. **Authority.** The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

[SIGNATURES ON FOLLOWING PAGE]

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

**CITY:**

CITY OF BANNING

\_\_\_\_\_  
Rochelle Clayton, Interim City Manager

ATTEST:

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin G. Ennis, Esq., City Attorney

**CONTRACTOR:**

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name:

Title:

Address:

**Two signatures are required if a corporation.**

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



## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On \_\_\_\_\_, 2017 before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

### OPTIONAL

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

<b>CAPACITY CLAIMED BY SIGNER</b>	<b>DESCRIPTION OF ATTACHED DOCUMENT</b>
<input type="checkbox"/> INDIVIDUAL	
<input type="checkbox"/> CORPORATE OFFICER	
<div style="text-align: center;">TITLE(S)</div> <input type="checkbox"/> PARTNER(S) <input type="checkbox"/> LIMITED <input type="checkbox"/> <input type="checkbox"/> GENERAL	_____ TITLE OR TYPE OF DOCUMENT
<input type="checkbox"/> ATTORNEY-IN-FACT	
<input type="checkbox"/> TRUSTEE(S)	_____ NUMBER OF PAGES
<input type="checkbox"/> GUARDIAN/CONSERVATOR	
<input type="checkbox"/> OTHER _____	
<b>SIGNER IS REPRESENTING:</b> (NAME OF PERSON(S) OR ENTITY(IES)) _____ _____	_____ DATE OF DOCUMENT
	_____ SIGNER(S) OTHER THAN NAMED ABOVE

## **EXHIBIT "A-1"**

### **SCOPE OF SERVICES**

#### **I. Contractor will perform the following services for the Operation and Maintenance of Landscape Maintenance District No. 1:**

##### **A. Turf Management**

###### **1. Lawn Mowing**

- a. For all turf areas, Contractor will inspect and police the grounds for litter and debris prior to each mowing and dispose of it.
- b. Turf will be mowed one time per week during active growing periods, and as often as required during slow periods of growth to maintain a neat and manicured appearance, weather permitting.
- c. Mowing height for all irrigated lawn areas will be no less than 1 ½" and no more than 2 ½" for a finished cut height unless otherwise requested. Turf will be cut at a uniform height. Mowing equipment is to be kept sufficiently sharp and properly adjusted through daily servicing to provide a cleanly cut grass blade. Grass blade bruising, tearing, and shredding are to be prevented. Mowing pattern will be varied where possible to reduce rutting and compaction of grade. Any excess clippings will be dispersed and/or collected to prevent damage and unsightly appearance of lawns.

###### **2. Edging & String Trimming**

All sidewalks, curb lines, concrete slabs, tree circles, and bed edges will be edged as often as necessary to maintain a neat and manicured appearance. String trimming will be performed around all trees, shrubs, road signs, guard posts, utility poles, and other obstacles.

###### **3. Cleaning of Walks**

At the conclusion of each visit, walks adjacent to work areas will be blown clean.

##### **B. Shrub Bed Maintenance**

1. Landscaped areas will be policed throughout the growing season for weeds, litter, and debris. Particular attention will be paid to entryways, focal points, and high traffic areas.

2. Planter beds will be groomed to promote an attractive, fresh appearance.
3. Concrete swales (if applicable) to be kept clear of miscellaneous dirt and debris.
4. Complete trimming, edging, and weeding of all shrub and ground cover areas will be done on a cyclical basis. Major pruning will be done following flowering or during plant's dormant season.
  - a. Pruning to be performed by contractor's designated staff member who is trained and demonstrates competency in proper pruning techniques.
  - b. Prune shrubbery and hedges at established maintenance height.
  - c. Prune groundcover as required to contain perimeter growth to within bed areas where adjacent to walks, curbs, and structures. Mature groundcover will be maintained at a consistent appearance with a beveled or rolled edge at hard surfaces.
  - d. Shearing of plants will occur only where previous practice has been to shear, or as directed.
  - e. Removal of leaves and debris from lawns, planter beds, and walkways will be completed throughout the year as needed to maintain a clean appearance.

#### **C. Tree Care & Pruning**

1. All trees will be "skirted" as needed to allow for pedestrian and vehicle clearance. Remove lower branches of trees when in conflict with growth of planting beneath. On trees that are over 12' only low hanging branches that are considered a hazard to pedestrians or vehicles will be pruned as part of this agreement.
2. All trees under 12' total height will be pruned to remove weak, dead, damaged, and diseased portions of the plant for natural growth development.
  - a. Cuts will be flush and clean, leaving no stubs or tearing of bark. Major pruning will be done following flowering or during plant's dormant season.
  - b. Pruning to be performed by contractor's designated staff member who is trained and demonstrates competency in proper pruning techniques.
3. Monitor trees that are staked or guyed. Loosen and/or remove supports when appropriate to prevent girdling of the trunk and encourage root support.

#### **D. Fertilization**

1. Contractor will provide all labor and materials to fertilize lawn, shrubs and ground cover to maintain proper nutrient levels and provide a consistent, healthy appearance.
2. Turf, shrub and ground cover areas will be fertilized with specially formulated products, including well-balanced, slow-release fertilizers customized seasonally by contractor.
3. Fertilizer product will be selected based on plant type and season.



#### **E. Environmental Weed and Pest Control Program**

1. All applications of herbicides or pesticides will be performed under the direction of a California Licensed & Certified Pest Control Specialist. All safety precautions will be taken in the handling and application of chemicals as stated on manufacturer's labels.
2. Broadleaf turf weeds will be treated as needed in the spring and fall with applicable materials.
3. Weeds in shrub, planter beds, ground cover areas, tree circles, and sidewalk cracks adjacent to landscaped areas will be controlled a manual weeding program or by the use of selective herbicides, including pre-emergent herbicides.
4. Planting areas will be monitored for insect and disease infestations. Moles, field mice, ground squirrels, gophers, and other rodent activity will be monitored. Notification of problems and recommendations for timely appropriate, control measure will be made.
5. Material Safety Data Sheets (MSDS) for all chemicals used on site(s) are available from Contractor to clients in accordance with EPA and OSHA regulations.
6. Contractor will at all times be in compliance with requirements for hazardous materials communications programs. Pest control specialists are to be trained and supervised in the safe application, storage, and disposal of chemicals in accordance with EPA, OSHA, and DPR regulations.

#### **F. Irrigation Equipment and Operation**

1. Schedule all irrigation controllers on project to maximize existing irrigation systems efficiency. Controller programs will be adjusted as determined by weather and plant requirements. Controllers will be shut off during periods of rain. Watering will be scheduled for night or early morning unless instructed differently by City's representative.
2. Clean and adjust the sprinkler system to provide the best coverage possible form existing system. Turn on each zone, monitor for leaks or malfunctioning parts, and adjust for proper spray arch and maximum efficiency.
3. Upon inspection, any accidental damage or vandalism caused by others shall be reported to owner promptly. Repair and/or replacement of any damaged or malfunctioning components beyond Contractors control will be submitted as an extra.
4. Irrigation damage shall be repaired or replaced within the following time limits:
  - a. Mainline irrigation breaks shall be repaired within two (2) hours.
  - b. All other irrigation repair and/or replacement shall be completed within one (1) working day.
  - c. Damage caused to the irrigation system by Contractor shall be repaired immediately at no charge.

#### **G. General Conditions**

1. City is responsible for all costs associated to water.
2. Contractor will provide uniformed staff supervised by fully trained Supervisors and/or Area Managers. Radio, cellular phone, and pager communications will be in use during regular business hours and emergency after-hours communication will be available.
3. Inspection of site(s) will be made regularly and problems, if found, will be discussed by contractor and the City. Written, comprehensive inspection reports will be provided, upon request.
4. Debris generated by landscape activities will be removed from the site unless prior arrangements are made. Debris collected by the Contractor will be recycled and or composted. Contractor will submit a monthly diversion summary report stating diverted quantities and facilities utilized for recycling the material.
5. The Contractor shall furnish all labor, tools, materials, and equipment to provide landscape maintenance services as set forth in these specifications.
6. The Contractor shall be available twenty-four (24) hours a day, seven (7) days a week to respond to all emergencies within two (2) hours of notification.
7. All damage to existing improvements (turf, shrubs, trees, curb, gutter, sidewalk, sprinkler systems, etc.) located within areas, and adjacent to areas under maintenance, which in the opinion of the City Engineer are due to the Contractor's operation, shall be repaired or replaced at the Contractor's expense with similar materials and in an approved manner.
8. All damages to turf, ground cover, shrubs or trees shall be repaired or replaced by the Contractor within five (5) working days at no cost to the City.
  - a. Damage to turf shall be repaired by replacement with the appropriate variety of sod; reseeding shall not be considered as an adequate repair.
  - b. Damage to ground cover shall be repaired by replacement with the appropriate variety of plant material. Size and spacing shall be determined by the City Engineer.
  - c. Damage to shrubs may be corrected by appropriate pruning; however, if in the opinion of the City Engineer the damage is severe, the shrub shall be removed and replaced with a similar variety and size.
  - d. Damage to trees shall be repaired in the following manner:

- a. Minor damage such as bark lost from mechanical equipment shall be remedied by a qualified Tree Surgeon or Arborist.
  - b. If the damage results in the loss of the tree, or a recommendation of removal, the damaged tree shall be removed and replaced with a similar variety and size.
- 9. All damage resulting from chemical application and/or operation, either by spray-drift, improper application, lateral leaching, or other means, shall be corrected in accordance with the previous provisions and the soil conditioned to ensure its ability to support plant life.
- II. As part of the Services, Contractor will prepare and deliver the following tangible work products to the City:**

Monthly summary reports providing monthly quantities diverted and description of facilities utilized to divert debris (i.e.; green waste recycling facilities, composting etc.)
- III. In addition to the requirements of Section 6.2, during performance of the Services, Contractor will keep the City appraised of the status of performance by delivering the following status reports:**

None
- IV. All work product is subject to review and acceptance by the City, and must be revised by the Contractor without additional charge to the City until found satisfactory and accepted by City.**
- V. Contractor will utilize the following personnel to accomplish the Services:**

Monico Sanchez or designated personnel approved by the City.



**EXHIBIT "B-1"**

**SPECIAL REQUIREMENTS  
(Superseding Contract Boilerplate)**

"Intentionally Left Blank"

**Exhibit "C-1"**  
**Schedule of Compensation**

**I. Contractor shall perform the following tasks at the following rates.**

ITEM NO.	TRACT NO.	SPECIFIC LOCATION	MONTHLY RATE	ANNUAL RATE
1.	21882	Per Site Visit	\$205.42	\$2,465.04
2.	22810	Per Site Visit	\$25.68	\$308.16
3.	22811	Per Site Visit	\$25.68	\$308.16
4.	22913	Per Site Visit	\$77.03	\$924.36
5.	23446	Per Site Visit	\$385.16	\$4,621.92
6.	23598	Per Site Visit	\$333.81	\$4,005.72
7.	28252	Hathaway Street, per Plans & site visit	\$77.03	\$942.36
8.	28252	Retention Basin, per Plans & site visit	\$282.45	\$3,389.40
9.	29721	Per Site Visit and Plans	\$231.10	\$2,773.20
10.	30186	Retention Basin, per Plans & site visit	\$410.84	\$4,930.08
11.	30186	Mountain Avenue, Wilson Street and Interior Streets, except Retention Basin, per Plans & site visit	\$590.58	\$7,086.96
12.	30222	Richard Sanchez Park, per Plans & site visit	\$333.81	\$4,005.72
13.	30222	Mountain Avenue and interior streets, per Plans & site visit	\$487.87	\$5,854.44
14.	30793	Per Site Visit and Plans	\$231.10	\$2,773.20
15.	31833	Per Site Visit and Plans	\$231.10	\$2,773.20
16.	31834	Per Site Visit and Plans	\$231.10	\$2,773.20
17.	31835	Per Site Visit and Plans	\$200.28	\$2,403.36
18.	32109	Per Site Visit and Plans	\$231.10	\$2,773.20
19.	30906	Retention Basin, per Plans & site visit	\$231.10	\$2,773.20
20.	30906	Mountain Avenue, per Site Visit and Plans	\$435.01	\$5,220.12
21		Miscellaneous Services as needed as requested and approved by the City of Banning	To Be Determined	\$15,000.00
<b>GRAND TOTAL:</b>				\$78,105.00

- II. Within the budgeted amounts for each Task, and with the approval of the Contract Officer, funds may be shifted from one Task sub-budget to another so long as the Contract Sum is not exceeded per Section 2.1, unless Additional Services are approved per Section 1.9.**
- III. The City will compensate Contractor for the Services performed upon submission of a valid invoice. Each invoice is to include:**
  - A.** Line items for all personnel describing the work performed, the number of hours worked, and the hourly rate.
  - B.** Line items for all materials and equipment properly charged to the Services.
  - C.** Line items for all other approved reimbursable expenses claimed, with supporting documentation.
  - D.** Line items for all approved subcontractor labor, supplies, equipment, materials, and travel properly charged to the Services.
- IV. The total compensation for the Services shall not exceed \$78,105.00 as provided in Section 2.1 of this Agreement.**



## **EXHIBIT "D-1"**

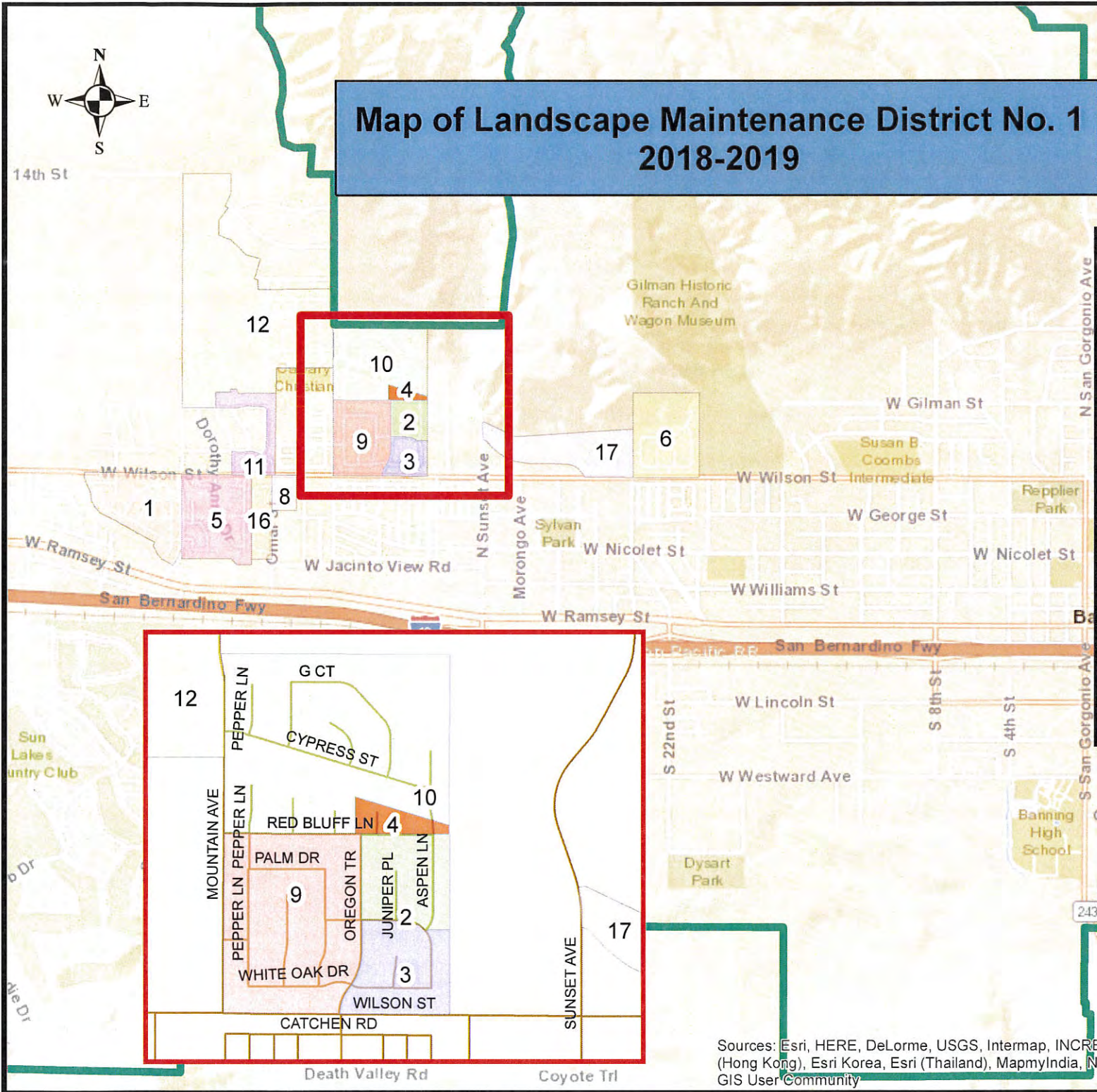
### **SCHEDULE OF PERFORMANCE**

- I. Contractor shall perform all Services monthly in accordance with a schedule to be developed by Contractor and subject to the written approval of the Contract Officer.**
- II. Contractor shall deliver the following tangible work products to the City by the following dates.**

Monthly summary reports providing monthly quantities diverted and description of facilities utilized to divert debris (ie: greenwaste recycling facilities, composting etc.) due on the last day of each month.
- III. The Contract Officer may approve extensions for performance of the services described in Exhibit "A" in accordance with Section 3.2.**
- IV. The Contract is for a term of twelve (12) months with the possibility of an option to renew for up to two (2) single additional years upon a satisfactory yearly review of the previously-provided services. A request for Agreement renewal shall propose a new Contract Sum for services during the renewal period. A renewal of this Agreement shall occur each year ending June 30, for the contract price submitted, only if additional single years are approved by the City, and terminate no later than June 30, 2019. Any renewal of this Agreement exceeding \$25,000 shall be approved by the City Council.**

# **ATTACHMENT 3**

LMD No. 1 Map for FY 2018/19







## **CITY OF BANNING CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Patty Nevins, Community Development Director

**MEETING DATE:** May 8, 2018

**SUBJECT:** Review of Draft Municipal and Zoning Code Amendments to Allow, Regulate and Zone for Certain Commercial Cannabis Uses: Indoor Commercial Cultivation, Manufacturing Level 1, and Testing Laboratories; and Review of a Draft Ballot Measure to Impose a Municipal Tax on Such Activities

### **RECOMMENDED ACTION:**

Staff recommends that the City Council:

1. Discuss the draft Municipal and Zoning Code amendments (Regulatory Permit and Conditional Use Permit) recommended by the cannabis ad hoc committee and provide direction to staff regarding any desired modifications to the draft regulations created to allow, regulate and zone for indoor commercial cannabis cultivation, cannabis manufacturing level 1, and cannabis laboratory testing uses; and
2. Discuss the recommended ballot measure to impose a municipal tax on such activity and provide direction to staff regarding any desired modifications to the ballot measure.

### **COMMITTEE RECOMMENDATION:**

On April 23, 2018, the cannabis ad hoc committee appointed by the City Council to consider potential changes to the City's current ordinances related to cannabis reviewed the draft Municipal and Zoning Code amendments and the draft tax measure and provided input. The attached documents reflect the changes discussed at the April 23<sup>rd</sup> ad hoc meeting, as well as additional changes made by staff and the City attorney's office.

## **BACKGROUND:**

At an April 10, 2018 City Council workshop on cannabis, the City Council directed staff to proceed with the drafting of ordinances to allow commercial cannabis cultivation, limited manufacturing, and potential laboratory testing uses in the City's Industrial zoning district, subject to passage of a cannabis tax measure.

## **JUSTIFICATION:**

With direction from the cannabis ad hoc committee, staff has drafted regulations consistent with City Council direction to appropriately regulate certain commercial cannabis uses, dependent upon passage of a tax measure to appear on the November 2018 ballot. Staff requests preliminary review of the regulations prior to finalizing for public hearings.

The proposed conditional use permit regulations will amend Title 17 (Zoning) of the Banning Municipal Code and thus will require a public hearing and recommendation from the Planning Commission followed by a public hearing and determination from the City Council; consideration is anticipated to be agendaized for the Planning Commission's June 6, 2018 meeting and the City Council's June 26, 2018 meeting. The proposed regulatory permit regulations will amend Title 5 (Business License and Regulations) of the Banning Municipal Code and, along with the proposed ballot measure, will be a part of the public hearing and will require a determination from the City Council; consideration is anticipated to be agendaized for the City Council's June 26, 2018 meeting.

## **OPTIONS AND ISSUES:**

Both the ad hoc committee and city staff, after reviewing state law and other cities' regulatory programs regarding commercial cannabis activity, have identified options for adopting a regulatory approach for indoor commercial cannabis, manufacturing, and testing laboratory facilities in the City.

### **Approach**

The options incorporated into the attached ordinances include:

- Adopting amendments to the City's Municipal Code to create a regulatory permit requirement for the purpose of investigating and regulating the operators of commercial cannabis businesses.
- Adopting amendments to the City's Zoning Code to create a Cannabis Conditional Use Permit to regulate indoor commercial cultivation, limited cannabis manufacturing uses, and cannabis testing laboratories in the Industrial

- zoning district, subject to certain limitations and requirements and subject to a recommendation by the Planning Commission and approval by the City Council.
- Adopting fees (to be determined at a future date) for the processing of applications and to pay the reasonable cost of the City's regulatory program.
  - Adopting a tax on commercial cultivation activities so as to generate revenue for the City's General Fund. (Pursuant to Propositions 62, 26 and 218, if the City would like to generate revenue for the City's General Fund that would exceed the City's regulatory program costs, then the City would need to impose a tax on the activity. Propositions 26 and 218 require municipal tax measures to be approved by the voters of the City).

#### Consistency with Existing Regulations

The proposed regulations will also require amending the City's current regulations under Chapter 5.34 – Marijuana Cultivation pertaining to personal cultivation in order to clearly distinguish between personal and commercial cultivation, ensure consistency in verbiage used, and make other recommended changes to the regulations. Proposed consistency modifications to Chapter 5.34 will be brought back to the City Council along with the new regulations in June.

#### **FISCAL IMPACT:**

The City's current ordinances related to cannabis regulation do not result in any significant fiscal impact other than the cost to enforce the City's current prohibitions on commercial cannabis activity.

Potential positive fiscal impact could be derived from taxing allowed uses depending on the number and size of cultivation operations, and the number of manufacturing and testing laboratory facilities, and the tax rate imposed. The ad hoc committee recommends a tax of up to \$25 per square foot - initially set at \$15 per square foot - for commercial cultivation, and a tax of 10% of gross receipts for manufacturing and testing laboratory uses. The potential fiscal impacts of these taxes are unknown at this time and will depend upon the level of permitted activity.

Staff has found revenue figures and revenue projections prepared for other cities; however, where found, revenue figures have not been specific as to numbers and types of uses, and revenue projections have not been similar to uses proposed in Banning; thus the figures are not helpful for providing an idea of what might be expected here. Anecdotally, staff notes that a recent article in the Orange County Register indicated that the city of Berkeley took in over \$38,000 in January 2018 based only on medical marijuana sales, and that the city of Perris saw \$41,124 in taxes from marijuana businesses in January and February. Until January 30, 2018, Perris permitted medical cannabis dispensaries, cultivation, and testing.



Costs associated with processing and regulating allowed uses would be covered by imposition and collection of application and regulatory permit fees that do not exceed the reasonable cost of the City's permitting and regulatory program.

**ATTACHMENTS:**

1. Draft Regulatory Permit Ordinance
2. Draft Conditional Use Permit Ordinance
3. Draft Tax Measure

Approved by:



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Rochelle Clayton  
City Manager

# **ATTACHMENT 1**

Draft Regulatory Permit Ordinance

## ORDINANCE \_\_\_\_\_

### **AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, ESTABLISHING PROCEDURES FOR THE ISSUANCE OF CANNABIS REGULATORY PERMITS, ADDING CHAPTER 5.35 AND OTHER RELATED AMENDMENTS TO THE BANNING MUNICIPAL CODE, AND MAKING REQUIRED FINDINGS UNDER CEQA**

WHEREAS, on October 9, 2015 Governor Brown signed Assembly Bill 243, Assembly Bill No. 266, and Senate Bill 643 into law, which collectively were known as the Medical Cannabis Regulation and Safety Act (hereinafter "MCRSA"). The MCRSA established a State regulatory and licensing scheme for commercial medical cannabis businesses.

WHEREAS, on November 8, 2016, California voters approved the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA"). The AUMA made it lawful under State and local law for persons 21 years of age or older to possess and cultivate limited quantities of cannabis for personal use. The AUMA also established a State regulatory and licensing scheme for commercial adult-use cannabis businesses.

WHEREAS, on June 27, 2017, the Governor signed into law Senate Bill 94 which repealed the MCRSA, included certain provisions of the MCRSA in the licensing provisions of the AUMA, and created a single regulatory scheme for both medicinal and adult-use cannabis known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"). The MAUCRSA retains the provisions in the MCRSA and the AUMA that granted local jurisdictions control over whether cannabis businesses could operate in a particular jurisdiction. Specifically, California Business and Professions Code section 26200 provides that the MAUCRSA shall not be interpreted to supersede or limit authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under the MAUCRSA including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or to completely prohibit the establishment or operation of one or more businesses licensed by the State, within that local jurisdiction.

WHEREAS, the City Council finds that unregulated cannabis cultivation and manufacturing has the potential to adversely affect the public health and safety of Banning residents and those engaged in commercial cannabis activity. The establishment of a regulatory permitting process for cannabis cultivation, manufacturing and laboratory testing will substantially reduce this threat to the public health and safety.

WHEREAS, the City Council desires to establish reasonable regulations regarding the operation of cannabis businesses that are intended to address the potential negative impacts of unregulated cannabis businesses.

WHEREAS, the proposed Municipal Code amendments contained in this ordinance are consistent with the City's General Plan. Specifically, the proposed Municipal Code Amendments are consistent with the Industrial Goal to create a



balanced mix of non-polluting industrial land uses which provide local jobs for the City's residents. Additionally, the proposed Municipal Code Amendments are consistent with the Economic Development Element goal of creating a balanced, broadly-based economy that provides a full range of economic and employment opportunities, while maintaining high standards of development and environmental protection. The Municipal Code Amendments are also consistent with the following General Plan Policies:

Policy 1 - General Plan land use designations and allocations will facilitate a broad range of residential, commercial, industrial and institutional development opportunities.

Policy 2 - The City shall take a proactive role in the retention of existing businesses and the recruitment of new businesses, particularly those that generate and broaden employment opportunities, increase discretionary incomes, and contribute to City General Fund revenues.

WHEREAS, on June 26, 2018 the City Council considered this Ordinance at a regular meeting of the City Council at which time all persons interested in the proposed Ordinance had the opportunity and did address the City Council on these matters.

WHEREAS, on June 26, 2018, the Banning City Council adopted Ordinance No. \_\_\_\_ establishing zoning regulations and procedures for the issuance of cannabis conditional use permits in the City. This Ordinance and Ordinance No. \_\_\_\_ will only go into effect if the Banning voters approve a tax measure imposing taxes on these facilities.

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

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

**SECTION 1. CEQA**

The City Council finds and determines that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15060(c)(3), because it is not a Project as defined by the CEQA Guidelines Section 15378. Adoption of the Ordinance does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Further projects subject to the Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

The City Council further finds and determines that this Ordinance is exempt from review under the CEQA and the State CEQA Guidelines Section 15061(b)(1) which exempts a project from CEQA if the project is exempt by statute. Business and Professions Code section 26055(h) provides that Division 13 (commencing with Section

21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. Pursuant to that exemption, the City is providing that discretionary review for applications for cannabis conditional use permits will be required to include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

**SECTION 2.** Chapter 5.35 (Cannabis Regulatory Permits) is hereby added to Title 5 (Business Licenses and Regulations) of the Banning Municipal Code to read as follows:

### **“Chapter 5.35 Cannabis Regulatory Permits**

#### **Sections**

5.35.010	Definitions.
5.35.020	Cannabis Regulatory Permit Required.
5.35.030	Cannabis Regulatory Permit - Fees and Terms.
5.35.040	Cannabis Regulatory Permit Application Requirements.
5.35.050	Additional Application Requirements.
5.35.060	Decision on Cannabis Regulatory Permit.
5.35.070	Approval of Cannabis Regulatory Permit With Conditions.
5.35.080	Cannabis Regulatory Permit Renewal.
5.35.090	Premises.
5.35.100	Notification of Criminal, Civil or Administrative Action.
5.35.110	Notification of Theft, Loss, or Criminal Activity.
5.35.120	Suspending, Modifying, or Revoking Permits.
5.35.130	Initiation of Discipline and Appeals.
5.35.140	Non-Disciplinary Modification of Cannabis Business Permit.
5.35.150	Notification of Changes.
5.35.160	Remedies and Public Nuisance.
5.35.170	Joint and Several Liability.

#### **5.35.010 Definitions**

For the purpose of this Chapter, the following words and phrases shall be defined as follows:

A. “Applicant” means an owner applying for a cannabis regulatory permit pursuant to this Chapter.

B. “Bureau” means the Bureau of Cannabis Control within the California Department of Consumer Affairs.

C. “Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every

compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

D. "Cannabis business" means a cultivation facility, manufacturing facility or a testing laboratory facility.

E. "Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code.

F. "Canopy space" means the designated areas at a cultivation facility that will contain mature plants at any point in time.

G. "City" means the City of Banning.

H. "City Manager" means the City Manager or his/her designee.

I. "Convicted" or "conviction" means a plea or verdict of guilty or a conviction following a plea of nolo contendere was entered, but does not include any plea, verdict, or conviction that is expunged pursuant to California law or a similar federal or state law where the expungement was granted.

J. "Commercial cannabis activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products, or engaging in any other cannabis activity that requires a state license issued by a licensing authority.

K. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

L. "Cultivation facility" means a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

M. "Extraction" means a process by which cannabinoids are separated from cannabis plant material through chemical or physical means.

N. "Financial interest" shall have the meaning set forth in Section 5004 of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

O. "Indoors" means within a fully enclosed and secure structure.



P. "Infusion" means a process by which cannabis, cannabinoids, or cannabis concentrates, are directly incorporated into a product formulation to produce a cannabis product.

Q. "Licensing authority" means the Bureau of Cannabis Control; CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture (CDFA); the California Department of Public Health's Manufactured Cannabis Safety Branch; or any other state cannabis licensing authority.

R. "Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

S. "Manufacturing facility" means a location that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

T. "Outdoors" means any area or location not specifically meeting the definition of indoors.

U. "Owner" means any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the person applying for a permit or a permittee, unless the interest is solely a security, lien, or encumbrance.

2. The chief executive officer of a nonprofit or other entity.

3. A member of the board of directors of a nonprofit.

4. An individual who will be participating in the direction, control, or management of the person applying for a permit. An owner who is an individual participating in the direction, control, or management of the commercial cannabis business includes any of the following:

- a) A partner of a cannabis business that is organized as a partnership.

- b) A member of a limited liability company of a cannabis business that is organized as a limited liability company.

- c) An officer or director of a cannabis business that is organized as a corporation.

V. "Nonvolatile solvent" means any solvent used in the extraction process that is not a volatile solvent. For purposes of this Chapter only, nonvolatile solvents include carbon dioxide and ethanol.

W. "Package" means any container or receptacle used for holding cannabis or cannabis products.

X. "Permit" means a Cannabis Regulatory Permit issued under this Chapter.

Y. "Permittee" means any person holding a Permit under this Chapter.

Z. "Person" includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, non-profit, or any other group or combination acting as a unit, and the plural as well as the singular.

AA. "Premises" means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or permittee where the commercial cannabis activity will be or is conducted.

BB. "Significant discrepancy" means a difference in actual inventory compared to records pertaining to inventory of at least one thousand dollars (\$1,000). For purposes of determining a discrepancy, the acquisition price of the cannabis goods shall be used to determine the value of cannabis goods in a permittee's inventory.

CC. "Testing laboratory" means a laboratory, facility, or entity in the city that offers or performs tests of cannabis or cannabis products and that is both of the following:

1. Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.
2. Licensed by the Bureau.

DD. "Volatile solvent" means any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

#### **5.35.020 Cannabis Regulatory Permit Required.**

A. No person shall establish, operate or engage in commercial cannabis activity within the City unless the person has:

1. A valid business license;
2. A valid permit issued by the City pursuant to this Chapter;

3. A valid conditional use permit issued pursuant to Chapter 17.52;  
and

4. A valid license issued by a licensing authority to conduct the specific commercial cannabis activity that is being conducted on the premises.

B. The City Manager, in consultation with the Chief of Police, shall evaluate and issue or deny a permit within forty-five (45) days of receipt of a completed application.

C. Any permit that is issued shall not go into effect unless a conditional use permit is also issued by the City Council pursuant to Chapter 17.52 of the Banning Municipal Code.

#### **5.35.030 Cannabis Regulatory Permit – Fees and Term.**

A. No permit shall be issued unless the applicant pays the nonrefundable application fee and a nonrefundable permit fee in amounts to be established by resolution of the City Council.

B. A permit issued pursuant to this Chapter is valid for a term of one (1) year from the date of issuance. Renewal terms shall not exceed one (1) year.

#### **5.35.040 Cannabis Regulatory Permit Application Requirements.**

A. Each cannabis business shall obtain a separate permit. Permits are nontransferable.

B. An owner of a cannabis business may apply for a permit or permit renewal by filing an application with the City Manager. Only an owner of a cannabis business may submit an application for a permit or permit renewal.

C. No person shall knowingly make a false statement of fact or knowingly omit any information that is required in an application for a permit or permit renewal.

D. The application shall be on a form approved by the City Manager and shall include, but not be limited to, the following:

1. The type of cannabis business the applicant seeks to operate in the City, and a description of the commercial cannabis activity that will be conducted on the premises.

2. Payment of a nonrefundable application fee in an amount to be established by resolution of the City Council.

3. A description of the statutory entity or business form that will serve as the legal structure for the applicant; a copy of its formation and organizing documents, including, but not limited to, articles of incorporation, certificate of amendment,



statement of information, articles of association, bylaws, partnership agreement, operating agreement, and fictitious business name statement; and the name and address of its agent for purposes of service of process.

4. A list of every fictitious business name the applicant is operating under.

5. The first and last name, primary phone number, date of birth, social security number, and mailing address of each owner. If the permit is to be held in the name of a business entity, the owner shall also provide the legal name of the business.

6. The current name and primary and secondary telephone numbers and email addresses of at least one twenty-four (24) hour on-call manager to address and resolve complaints and to respond to operating problems or concerns associated with the cannabis business.

7. If applicable, the business trade name ("DBA") of the applicant.

8. A list of the license types and the license numbers issued by any licensing authority that the applicant holds, including the date the license was issued, the date the license will terminate and the licensing authority that issued the license.

9. Whether the applicant, or any owners, has been denied a license or has had a license suspended or revoked by any licensing authority. The applicant shall identify the type of license applied for, the name of the licensing authority that denied the application, and the date of denial.

10. The assessor's parcel number and the physical address of the premises where business will be conducted, the telephone number for the premises, and the website address and email address of the applicant's business. If the business will be conducted on a lot that is vacant at the time that the application is submitted, then the applicant shall amend the application at such time that a physical address and telephone number is issued for the cannabis business.

11. The cannabis business' federal employer identification number.

12. The physical address of any other premises owned or operated by the applicant and a brief summary of the business operations at each premises.

13. A complete list of every individual, who is not an owner, that has a financial interest in the cannabis business.

14. A complete list of every owner of the cannabis business. Each individual named on this list shall submit the following information:

- a) The full name of the owner.
- b) The owner's title within the applicant entity.
- c) The owner's date of birth and place of birth.

- d) The owner's social security number or individual taxpayer identification number.
- e) The owner's mailing address.
- f) The owner's home, business, or mobile telephone number and email address.
- g) The owner's current employer.
- h) The owner's percentage of ownership interest held in the applicant entity.
- i) Whether the owner has an ownership or a financial interest in any other cannabis business licensed by a licensing authority.
- j) A copy of the owner's government-issued identification that includes the name, date of birth, physical description and picture of the owner.
- k) A copy of the DOJ and NCIC fingerprint background check for each owner procured through the Banning Police Department.
- l) If applicable, a copy of any certificate of rehabilitation issued under Penal Code section 4852.01 or dismissal issued pursuant to Penal Code section 1203.4 or 1203.41.
- m) If applicable, a detailed description of any suspension or revocation of a cannabis related license or sanctions for unlicensed or unlawful cannabis activity by a state or local governmental agency against the applicant or any of its owners or any business entity in which the applicant or any of its owners was an owner or officer within the five (5) years immediately preceding the date of the application.
- n) If applicable, a detailed description of any civil and/or criminal suit and/or judgment relating to unlawful cannabis activity against the applicant or any of its owners or a business entity in which the applicant or any of its owners was an owner or officer within the five (5) years immediately preceding the date of the application.

15. A list of all owners, managers, and employees that are authorized to carry concealed weapons.

16. A written, notarized statement from the owner of the property where the cannabis business will operate evidencing unqualified consent to the applicant operating a cannabis business on the property. The statement must specify the street address (unless the property is a vacant lot) and assessor's parcel number for the premises. The statement shall also contain the name, business address, email address and telephone number of the property owner(s) (whether business entity or individual). If applicable, a copy of the rental agreement shall also be provided.

17. If the applicant is the landowner upon which the premises is located, a copy of the title or deed to the property.

18. Evidence that the cannabis business will be compliant with the location restrictions set forth in Business and Professions Code section 26054(b) and the zoning restrictions set forth in Title 17 of the Banning Municipal Code.

19. A premises diagram which meets the requirements set forth in Section 5006 of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

20. A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on premises of the cannabis business. The security plan must be prepared by a licensed security company or individual licensed by the state. The license number shall be on the face of the security plan.

21. A detailed plan describing the air treatment system, or other methods which will be implemented to completely prevent odors generated from cannabis from being detected outside the buildings on the cannabis business site.

22. The proposed hours of operation.

23. Authorization and consent for City staff and the Police Department to seek verification of the information contained within the application.

24. An agreement whereby the applicant:

a) Releases the City of Banning, its agents, officers, elected officials, employees and attorneys, from any and all claims, injuries, damages or liabilities of any kind arising from any repeal or amendment of this Chapter or any other provision of the Banning Municipal Code, and any arrest or prosecution of the applicant or its managers, agents, employees, members or volunteers for violation of state or federal laws; and

b) Defends, indemnifies and holds harmless the City of Banning, and its agents, officers, elected officials, employees, and attorneys from and against any and all claims or actions brought by adjacent or nearby property owners or any other parties for any damages, injuries or other liability of any kind arising from operations at the cannabis business.

25. Attestation to the following statement: Under penalty of perjury, I hereby declare that the information contained within and submitted with the application is complete, true and accurate. I understand that a misrepresentation of fact, whether intentional or not, is cause for rejection of this application, denial of the permit, or revocation of a permit issued.

D. Nothing in this section is intended to limit the City Manager's ability to request additional information the City Manager deems necessary or relevant to determining an applicant's suitability for a permit or renewal of a permit. An applicant shall provide any additional information requested by the City Manager no later than seven days after the request, unless otherwise specified by the City Manager.



#### **5.35.050 Additional Application Requirements**

In addition to requirements set forth in Section 5.35.040 above, an application shall also include the following, as applicable:

A. Cannabis Cultivation Facilities. An application to operate a cannabis cultivation facility shall also contain the following information:

1. A site plan and floor plan prepared by a registered civil engineer clearly identifying that the proposed canopy space is a minimum of 10,000 square feet in size, and a maximum of 22,000 square feet in size, and that the cultivation activities will occur indoors only.

B. Cannabis Manufacturing Facilities. An application to operate a cannabis cultivation facility shall also contain the following information:

1. A detailed description of the manufacturing activity that will be conducted on the cannabis business including the type of activity that will be conducted (extraction, infusion, packaging, labeling), a description of the extraction and/or infusion methods, and the types of products that will be manufactured, packaged and labeled. The description must include a statement that volatile solvents will not be used by the manufacturing facility.

C. Cannabis Laboratory Testing Facilities. An application to operate a cannabis cultivation facility shall also contain the following information:

1. Proof of ISO/IEC 17025 accreditation by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.

#### **5.35.060 Decision on Cannabis Regulatory Permit.**

A. The City Manager, in consultation with the Police Chief, shall evaluate the application and determine whether to approve or deny the permit or permit renewal application. The City Manager shall deny a permit application or the renewal of a permit application if he or she determines that one or more of the following conditions exist:

1. The applicant has not paid all fees required for consideration of the application.

2. The application is incomplete, filed late, or is otherwise not responsive to the requirements of this Chapter.

3. The application contains a false or misleading statement or omission of a material fact.

4. The applicant, or any owner or person with a financial interest in the cannabis business, is not at least twenty-one (21) years old.

5. The applicant, or any owner or person with a financial interest in the cannabis business, has unpaid and overdue administrative penalties imposed for violations of the Banning Municipal Code.

6. The applicant, or any owner or person with a financial interest in the cannabis business, has an unpaid civil judgment imposed for violation(s) of the Banning Municipal Code.

7. The applicant, or any owner or person with a financial interest in the cannabis business is delinquent on any fee, charge for service or tax levied by the State of California or the City.

8. The applicant, or any owner or person with a financial interest in the cannabis business, has, within the five (5) years preceding the date the application is filed with the City Manager, been (1) convicted of engaging in unlawful commercial cannabis activity, (2) issued an uncontested administrative citation by a city, county, or city and county for engaging in unlawful cannabis-related activity, or (3) been the subject of a lawsuit for engaging in unlawful cannabis-related activity in which the applicant or owner was not the prevailing party.

9. The applicant, or any owner or person with a financial interest in the cannabis business, has been denied a license or permit or other authorization to engage in commercial cannabis activity by a state or local licensing or permitting authority.

10. The applicant, or any owner or person with a financial interest in the cannabis business is employed by the City's police department or the City's Community Development Department.

11. The applicant, or any of owner or persons with a financial interest in the cannabis business, has been convicted of any crime set forth in Business and Professions Code section 26057(b)(4), Fish and Game Code sections 12025 or 12025.1, Penal Code section 186.22 or any other offense which is substantially related to the qualifications, functions, or duties of the cannabis business for which application is made. In determining whether such offense is "substantially related," the City Manager shall consult with the City Attorney and thereafter apply the analysis set forth in section 5017 of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

12. The premises or the operation of the applicant's cannabis business, as described in its application, would fail to comply with any provision of the Banning Municipal Code, or any state law or regulation.

13. For permit renewal applications, the premises is substantially different from the diagram submitted by the applicant, in that the size, layout, location of common entryways, doorways or passage ways, means of public entry or exit, or limited access areas within the premises is not the same.

14. Operation of the cannabis business in the manner proposed poses a threat to the public health, safety or welfare, or violates any provision of this Chapter.

B. If none of the above-referenced conditions exist, the City Manager shall approve the permit application.

C. Within sixty (60) days of receiving a completed application for a permit, the City Manager shall notify the applicant in writing whether the permit application is approved or denied. If the City Manager denies the permit, the notice of denial shall set forth the reasons for denial and advise the applicant of the right to contest the denial pursuant to the procedures set forth in Section 5.35.130. Any notice required pursuant to this subsection shall be sent by certified mail, return receipt requested.

#### **5.35.070 Approval of Cannabis Regulatory Permit with Conditions.**

A. Upon approval of a permit or renewal of a permit, the City Manager may impose conditions in excess of the requirements set forth in this Chapter including, but not limited to, conditions relating to the operation of any cannabis business and restrictions relating to the deployment or use of the types of equipment used on the premises.

B. During the term of any permit, the City Manager may impose additional conditions on a permit when reasonably necessary to abate a violation of the Banning Municipal Code or to protect the public health, safety or welfare.

C. Review of any decision by the City Manager to impose additional conditions on a permit pursuant to this section shall be pursuant to Section 5.35.130.

#### **5.35.080 Cannabis Regulatory Permit Renewal.**

A. To renew a permit, a completed permit renewal form, payment of the permit renewal application fee, payment of the permit fee, and, if applicable, the late fee required by subsection D of this section shall be received by the City no earlier than sixty (60) calendar days before the expiration of the permit and no later than 5:00 p.m. on the last business day before the expiration of the permit. Failure to receive a notice for permit renewal does not relieve a permittee of the obligation to renew all permits as required.

B. An application for a permit renewal shall contain the following:

1. The name of the permittee. For a permittee who is a business entity, the permittee shall provide the legal business name of the applicant.
2. The permit number and expiration date.
3. The permittee's address of record and premises address.



4. An attestation that all information provided to the City in the original application for a permit is accurate and current.

C. In the event the permit is not renewed prior to the expiration date, the permittee shall not engage in commercial cannabis activity until the permit is renewed.

D. A permittee may submit a permit renewal application up to thirty (30) calendar days after the permit expires. In addition to the application fee for renewal of the permit, the permittee submitting a renewal application pursuant to this subsection shall pay a late fee in an amount established by resolution of the City Council. The payment of a late fee shall not be grounds for a defense against prosecution or enforcement of the Banning Municipal Code on the basis that the permittee operated a cannabis business without a valid or unexpired permit nor shall it be considered as a setoff to any assessment, fine, penalty or recoupment of costs of enforcement attributable to said violation.

E. A permit that has expired and has not been renewed within thirty (30) calendar days after expiration shall be deemed to have been forfeited.

F. Review of any decision by the City Manager to deny a request to renew a permit shall be pursuant to Section 5.35.130.

#### **5.35.090 Premises.**

A. A permittee shall not, without the prior written approval of the City Manager, make a physical change, alteration, or modification of the premises that alters the premises or the use of the premises from the premises diagram filed with the permit application. Material or substantial changes, alterations or modifications requiring approval include, but are not limited to, the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway or passage alters or changes limited-access areas within the premises.

B. A permittee whose premises is to be materially or substantially changed, modified, or altered is responsible for filing a request for premises modification with the City Manager. The request shall be in writing and include:

1. A new premises diagram that conforms to the requirements set forth in Section 5006 of Title 16 of the California Code of Regulations.

2. A fee in an amount to be established by resolution of the City Council.

3. Any additional documentation or information that the City Manager deems necessary to consider the request.

C. A permittee shall not sublet the premises.

#### **5.35.100 Notification of Criminal, Civil or Administrative Action.**

A. A permittee shall ensure that the City Manager is notified in writing of the criminal conviction of a permittee, owner, or employee or when a permittee, owner, or employee has been charged with a criminal offense. Notice shall either be by mail or electronic mail and shall occur within forty-eight (48) hours of the conviction or charge. The written notification shall include the date of conviction or charge, the court docket number, the name of the court in which the permittee was convicted or charged, and the specific offense(s) for which the permittee was convicted or charged.

B. A permittee shall ensure that the City Manager is notified in writing of a civil penalty or judgment rendered against the permittee or any owner either by mail or electronic mail, within forty-eight (48) hours of delivery of the verdict or entry of judgment, whichever is earlier. The written notification shall include the date of verdict or entry of judgment, the court docket number, the name of the court in which the matter was adjudicated, and a description of the civil penalty or judgment rendered against the permittee.

C. A permittee shall ensure that the City Manager is notified in writing of the revocation or suspension of a license or other authorization for a cannabis business issued by a licensing authority within forty-eight (48) hours of receiving notice of the revocation. The written notification shall include the name of the licensing authority involved, a written explanation of the proceeding or enforcement action, and the specific violation(s) that led to revocation or suspension.

#### **5.35.110 Notification of Theft, Loss, or Criminal Activity.**

A. A permittee shall notify the City Manager and the Chief of Police within twenty-four (24) hours of discovery of any of the following situations:

1. The permittee discovers a significant discrepancy in its inventory.
2. The permittee becomes aware of, or has reason to suspect, diversion, theft, loss or any other criminal activity pertaining to the operations of the permittee by any owner, person with a financial interest in the cannabis business, employee, agent or volunteer of the cannabis business or by any third party.
3. The permittee becomes aware of, or has reason to suspect, any breach of security.

B. The notification required by this Section shall be in writing and include the date and time of discovery of the occurrence of the theft or loss, the date of the occurrence of the theft or loss and a description of the incident including, when applicable, the items that were taken or lost.

#### **5.35.120 Suspending, Modifying, or Revoking Permits.**

A. The City Manager may suspend, modify, further condition or revoke any permit pursuant to the provisions of this Chapter for any of the following reasons:

1. The permittee, or any of its owners, has violated a term or condition of its permit issued pursuant to this Chapter or a term or condition of a license issued by a licensing authority.

2. The permittee, or any of its owners, has violated the Banning Municipal Code or the laws or regulations of the state.

3. The permittee or any other person performed work as an employee or volunteer or acquired a financial interest in the applicant as an owner without first undergoing fingerprinting and a DOJ/NCIC background check.

4. The permittee failed to pay a fine or administrative penalty when due.

5. The permittee failed to take reasonable steps, as defined in Section 5808 of Title 16 of the California Code of Regulations, as the same may be amended from time to time, to correct nuisance conditions on the premises, including the immediately adjacent area that is owned, leased, or occupied by the permittee, within a reasonable time after receipt of notice to abate the condition.

6. The permittee knowingly engaged in the illegal sale, or negotiations for the sale, of controlled substances, as defined in Section 5805 of Title 16 of the California Code of Regulations, upon the premises. Successive sale, or negotiations for sale, over any continuous period of time shall be deemed evidence of permission.

B. A permittee whose permit has been suspended shall conspicuously display a notice on the exterior of the permittee's premises for the duration of the suspension, and ensure that the notice remains continuously in place for the time specified. The notice shall be in at least twenty-four (24) point type and provide as follows:

#### **NOTICE OF SUSPENSION**

THE CANNABIS REGULATORY PERMIT ISSUED FOR THIS PREMISES HAS BEEN SUSPENDED FOR VIOLATION OF THE BANNING MUNICIPAL CODE

C. A permittee whose permit has been revoked shall conspicuously display a notice on the exterior of the premises indicating that the permit has been revoked. The notice shall remain continuously on the premises for at least fifteen (15) calendar days. The notice shall be in at least twenty-four (24) point type and provide as follows:

#### **NOTICE OF REVOCATION**

THE CANNABIS REGULATORY PERMIT ISSUED FOR THIS PREMISES HAS BEEN REVOKED FOR VIOLATION OF THE BANNING MUNICIPAL CODE



D. Action taken by the City Manager with respect to the suspension, modification, or revocation of a cannabis regulatory permit shall be final and conclusive. Any permit aggrieved by the suspension, modification or revocation of a cannabis regulatory permit may obtain review of such decision by appeal to the City Council pursuant to Section 5.35.130.

#### **5.35.130 Initiation of Discipline and Appeals.**

A. The City Manager may initiate suspension or revocation proceedings or impose additional conditions on a permittee by sending written notice to the permittee of the disciplinary action and grounds for the action by certified mail return receipt requested, to the permittee's business address, as set forth in the permit. The notice shall inform the permittee of its right to appeal the determination of the City Manager by sending written notice of appeal and the grounds for such appeal to the City Manager no later than ten (10) calendar days after the date in which the notice of suspension, revocation or intention to impose additional conditions was mailed. Failure to timely appeal shall result in a forfeiture of the right of appeal, and the determination of the City Manager shall be final.

B. If an application for a permit was denied by the City Manager, the applicant shall have ten (10) calendar days from the date the notice of the disposition was deposited in the mail within which to appeal the denial of the application to the City Council. If the tenth calendar day falls on a day the City is closed, the time shall be extended to the next business day.

C. The appeal shall be submitted in writing to the City Clerk. Upon receipt of a timely notice of appeal, that is accompanied by the appropriate filing fee in an amount set by resolution of the City Council, the City Clerk shall set the matter for hearing. Unless continued for good cause demonstrated, appeals shall be heard by the City Council within sixty (60) calendar days of the date notice of appeal was received by the Clerk. If an appeal is timely and properly filed together with the filing fee, any suspension or revocation is stayed during the pendency of the appeal.

D. If the appeal is timely and properly filed together with the filing fee, the City Clerk shall mail notice of the date, time and place of a hearing before the City Council to the applicant at least ten (10) days prior to the hearing. The hearing shall be commenced at the earliest possible date authorized by law.

E. After considering all of the testimony and evidence submitted at said hearing, the City Council shall decide the appeal based upon a preponderance of the evidence and issue written findings of fact no later than ten (10) days after the hearing. Hearings before the City Council shall not be bound by formal rules of evidence. Hearsay evidence may be received; however, in no event shall a decision be based solely on hearsay evidence.

F. Within five (5) business days after the City Council acts on the appeal, the City Clerk shall send to the applicant, by certified mail, return receipt requested, written notice of the disposition of the appeal.

G. Any permittee aggrieved by the decision of the City Council may obtain review of the order within ninety (90) days of notice by filing with the Riverside County Superior Court a petition for review pursuant to California Code of Civil Procedure section 1094.5. For purposes of this subsection, notice shall be the date that the decision of the City Council is mailed by first-class mail, postage prepaid, with a certificate of mailing.

#### **5.35.140 Non-Disciplinary Modification of Cannabis Regulatory Permit.**

A. The City Manager may eliminate, modify or add to any condition imposed on a permittee when he or she deems such action reasonably necessary to protect the health, safety or welfare of the public or to otherwise secure compliance with the requirements set forth in the Banning Municipal Code. The action taken on the permit and the grounds for such action shall be made in writing and sent by certified mail return receipt requested to the permittee's business address, as set forth in the permit.

B. The action by the City Manager taken pursuant to this Section may be made in conjunction with disciplinary action, in lieu of disciplinary action, or independent of disciplinary action.

C. Any person aggrieved by the action of the City Manager may appeal the decision pursuant to the procedures set forth in Section 5.35.130.

#### **5.35.150 Notification of Changes.**

A. A permittee shall notify the City Manager in writing within ten (10) calendar days of any change to any item listed in the application. The notification shall be signed by an owner.

B. No person or entity may gain a financial interest in the permittee if said person or entity is determined by the City Manager to have a disqualifying conviction within the meaning of Business and Professions Code section 26057 or is otherwise barred by reason of this Chapter.

C. If one of more of the owners of a permittee change, a new permit application and fee shall be submitted to the City within ten (10) business days of the effective date of the ownership change. A change in ownership occurs when the person receiving its interest in the cannabis business meets the definition of an owner. A change in ownership does not occur when one or more owners leave the business by transferring their ownership interest to the other existing owner(s).

#### **5.35.160 Remedies and Public Nuisance.**



A. The procedures set forth in this Chapter shall be cumulative and in addition to any other procedure or legal remedy provided for in the Banning Municipal Code or the laws of the state. Nothing in this Chapter shall be deemed to prevent the City from commencing alternative administrative, civil or criminal proceedings. Any violation of this Chapter may be subject to injunctive relief, revocation of any permit issued by the City, disgorgement and payment to the City of any and all money unlawfully obtained, costs of abatement, investigation and attorney fees or any other relief or remedy available at law or equity.

B. The City Attorney is authorized to institute administrative action pursuant to Chapters 1.20 through 1.28 of the Banning Municipal Code and to institute civil or criminal action in the Riverside County Superior Court in order to enforce the provisions of this Chapter and those provisions set forth in Title 17 of the Banning Municipal Code relating to land use for cannabis businesses.

C. A violation of any Section within this Chapter is a public nuisance.

#### **5.35.170 Joint and Several Liability.**

All permittees and owners shall be jointly and severally liable for violation of any provision set forth in this Chapter."

### **SECTION 3. SEVERABILITY**

If any section, subsection, clause or phase or portion of this code is for any reason to invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance.

The Mayor and City Council hereby declare that it would have passed the ordinance codified in this chapter; and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

### **SECTION 4. PUBLICATION, EFFECTIVE DATE OF ORDINANCE**

The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which time the same is passed and adopted. Within fifteen (15) calendar days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in a newspaper of general circulation and shall post the same at City Hall, 99 E. Ramsey Street, Banning, California. The City Clerk shall cause the ordinance to be printed, published, and circulated.

### **SECTION 5. EFFECTIVE DATE OF SECTION 2 OF THIS ORDINANCE**

Section 2 of this Ordinance shall not take effect unless Measure     , imposing a tax on cannabis businesses, is adopted by the voters at the November 2018 election, and such tax becomes operative.



DRAFT

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_,  
2018.

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

**ATTEST:**

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk  
City of Banning

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon, APC

**CERTIFICATION:**

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Banning, held on the \_\_\_\_ day of \_\_\_\_\_, 2018, and was duly adopted at a regular meeting of said City Council on the \_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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



# **ATTACHMENT 2**

Draft Conditional Use Permit Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING A CATEGORICAL EXEMPTION AND APPROVING ZONING ORDINANCE AMENDMENT 18-97501 AMENDING TITLE 17 "ZONING" OF THE BANNING MUNICIPAL CODE TO ADD CHAPTER 17.53, "CANNABIS CONDITIONAL USE PERMITS" TO ALLOW CANNABIS CULTIVATION, MANUFACTURING LEVEL 1, AND TESTING LABORATORY FACILITIES IN CERTAIN INDUSTRIAL ZONES WITH APPROVAL OF A CANNABIS CONDITIONAL USE PERMIT AND MAKING OTHER AMENDMENTS RELATED TO CANNABIS BUSINESSES**

WHEREAS, on October 9, 2015 Governor Brown signed Assembly Bill 243, Assembly Bill No. 266, and Senate Bill 643 into law, which collectively were known as the Medical Cannabis Regulation and Safety Act (hereinafter "MCRSA"). The MCRSA established a State regulatory and licensing scheme for commercial medical cannabis businesses.

WHEREAS, on November 8, 2016, California voters approved the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA"). The AUMA made it lawful under State and local law for persons 21 years of age or older to possess and cultivate limited quantities of cannabis for personal use. The AUMA also established a State regulatory and licensing scheme for commercial adult-use cannabis businesses.

WHEREAS, on June 27, 2017, the Governor signed into law Senate Bill 94 which repealed the MCRSA, included certain provisions of the MCRSA in the licensing provisions of the AUMA, and created a single regulatory scheme for both medicinal and adult-use cannabis known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"). The MAUCRSA retains the provisions in the MCRSA and the AUMA that granted local jurisdictions control over whether cannabis businesses could operate in a particular jurisdiction. Specifically, California Business and Professions Code section 26200 provides that the MAUCRSA shall not be interpreted to supersede or limit authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under the MAUCRSA including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or to completely prohibit the establishment or operation of one or more businesses licensed by the State, within that local jurisdiction.

WHEREAS, the City Council finds that unregulated commercial cannabis activities has the potential to adversely affect the public health and safety of Banning residents and those engaged in commercial cannabis activity. The City Council also finds that, if a commercial cannabis business tax is adopted by the voters, that commercial cannabis activity that is limited to certain types of cannabis cultivation, manufacturing, and testing laboratory facilities may provide financial benefits to the City as long as they are

sufficiently regulated by the City. The establishment of land use regulations for cannabis cultivation, manufacturing and testing laboratory facilities will substantially reduce this threat to the public health and safety.

WHEREAS, the City Council desires to establish reasonable zoning and land use regulations regarding the operation of cannabis businesses that are intended to address the potential negative impacts of unregulated cannabis businesses.

WHEREAS, the City Council desires to establish zoning and land use regulations through this Ordinance for commercial cannabis cultivation, manufacturing, and testing laboratory facilities that are companion elements to the City's adoption of cannabis business permit regulations and the voter's adoption of cannabis business taxes.

WHEREAS, on June 6, 2018, the Planning Commission of the City of Banning held a public hearing regarding this Ordinance, at which time all persons interested in the contents of this Ordinance had the opportunity and did address the Planning Commission on these matters. Following the receipt of public testimony the Planning Commission closed the public hearing. At the conclusion of the Planning Commission hearing, and after due consideration of the testimony, the Planning Commission adopted Resolution No. \_\_\_\_\_ recommending that the City Council adopt this Ordinance to allow cannabis cultivation facilities, manufacturing facilities and testing laboratory facilities in industrial zones.

WHEREAS, the City Council of the City of Banning held a public hearing on the proposed Ordinance, at which time all persons interested in the proposed Ordinance had the opportunity and did address the City Council on these matters. Following the receipt of public testimony the City Council closed the public hearing.

WHEREAS, on June 26, 2018, the Banning City Council adopted Ordinance No. \_\_\_\_ establishing a regulatory permitting processing for cannabis cultivation, manufacturing, and testing laboratory facilities to operate in industrial zones. This Ordinance and Ordinance No. \_\_\_\_ will only go into effect if the Banning voters approve a tax measure imposing taxes on these facilities.

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

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

**SECTION 1. ENVIRONMENTAL FINDINGS**

**A. California Environmental Quality Act (CEQA)**

The City Council finds and determines that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15060(c)(3), because it is not a Project as defined by the CEQA Guidelines Section 15378. Adoption of the Ordinance does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect



physical change in the environment. Further projects subject to the Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

The City Council further finds and determines that this Ordinance is exempt from review under the CEQA and the State CEQA Guidelines Section 15061(b)(1) which exempts a project from CEQA if the project is exempt by statute. Business and Professions Code section 26055(h) provides that Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. Pursuant to that exemption, the City is providing that discretionary review for applications for cannabis conditional use permits will be required to include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

#### B. 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. ADDITIONAL REQUIRED FINDINGS**

The California Government Code and Section 17.116.050 (Findings) of the City of Banning Municipal Code require that Zoning Ordinance Amendments meet certain findings prior to the approval by the City Council. The following findings are provided in support of the approval of the Zoning Ordinance Amendment No. 18-97501.

**Finding No. 1:** Proposed Zone Text Amendment No. 18-97501 is consistent with the goals and policies of the General Plan.

**Findings of Fact:** Proposed Zone Text Amendment No. 18-97501 is consistent with the goals and policies of the General Plan. Commercial cannabis activities can adversely affect the health, safety and well-being of City residents. The unregulated cultivation and processing of cannabis can damage buildings through improper and dangerous electrical alterations and use, and inadequate ventilation leading to mold and mildew. Additionally, unregulated cultivation and processing of cannabis can also lead to an increase in the frequency of robberies and similar crimes. Cannabis cultivation or other concentration of cannabis in any location or premises without adequate regulations increases the risk that surrounding homes or businesses may be negatively impacted. The Banning Municipal Code (BMC) currently bans all commercial cannabis uses within the City. It is in the public interest to regulate cannabis, to allow for responsible and lawful cannabis cultivation, manufacturing, and

testing laboratories in the City. With adequate regulation and oversight, these limited categories of commercial cannabis activity are consistent with the following General Plan goals and policies:

**Land Use Element:**

Industrial Goal

A balanced mix of non-polluting industrial land uses which provide local jobs for the City's residents.

**Economic Development Element:**

Goal

A balanced, broadly-based economy that provides a full range of economic and employment opportunities, while maintaining high standards of development and environmental protection.

Policy 1

General Plan land use designations and allocations will facilitate a broad range of residential, commercial, industrial and institutional development opportunities.

Policy 2

The City shall take a proactive role in the retention of existing businesses and the recruitment of new businesses, particularly those that generate and broaden employment opportunities, increase discretionary incomes, and contribute to City General Fund revenues.

**Finding No. 2:** Proposed Zone Text Amendment No. 18-97501 is internally consistent with the Zoning Ordinance.

**Findings of Fact:** Proposed Zone Text Amendment No. 18-97501 is consistent with the purpose and objective of the Zoning Ordinance to ensure orderly development of uses and lands within the City to protect the public health, safety, and welfare. The proposed amendments will protect the public health, safety, and welfare of the residents of the City by reasonably regulating cannabis cultivation, manufacturing, and testing laboratory facilities so as to avoid the risks of criminal activity, malodorous smells, degradation of the natural environment, and indoor electrical fire hazards.

**Finding No. 3:** The City Council 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 City Council has analyzed proposed Zone Text Amendment No. 18-97501 and has determined that, pursuant to California Business and Professions Code Section 26055(h), CEQA "does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity", provided that said law, ordinance, rule, or regulations shall include any applicable environmental review pursuant to Division 13 of the Public Resources Code. As the proposed ordinance includes required CEQA compliance for individual conditional use permit applications for commercial cannabis businesses, the CEQA exemption applies to the adoption of this Ordinance.

The City Council finds and determines that this Ordinance is not subject to CEQA pursuant to the State CEQA Guidelines Section 15060(c)(3), because it is not a Project as defined by the CEQA Guidelines Section 15378. Adoption of the Ordinance does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Further projects subject to the Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

### **SECTION 3. CITY COUNCIL DETERMINATION OF EXEMPTION FROM CEQA**

The City Council hereby takes the following actions:

Adopt Categorical and Statutory Exemption. In accordance with California Business and Professions Code Section 26055(h), the adoption of this Ordinance is statutorily exempt from CEQA because CEQA "does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity."

In accordance with State CEQA Guidelines Section 15060(c)(3) this Ordinance is not a Project because the adoption of the Ordinance does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Further projects subject to the Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

### **SECTION 4. ZONE TEXT AMENDMENT NO. 18-97501**

Title 17 (Zoning) of the Banning Municipal Code is amended as follows:



A. The alphabetized list of definitions provided for in Section 17.04.070 (Definitions) of Chapter 17.04 (Basic Provisions) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to add and/or modify the following definitions and to delete the definition of Marijuana Dispensary:

**Cannabis Commercial Indoor Cultivation** shall mean the indoor planting, growing, harvesting, drying, curing, grading, or trimming of one or more cannabis plants or any part thereof for commercial purposes. Cannabis Commercial Indoor Cultivation shall not be less than 10,000 square feet of canopy space nor exceed 22,000 square feet of canopy area per Cannabis Conditional Use Permit holder, and shall be licensed by a state licensing authority.

**Cannabis Manufacturing Level 1** means a commercial cannabis manufacturing facility where a State licensed cannabis manufacturer engages in the manufacture (compounding, blending, extracting, infusing, or otherwise making or preparing) of cannabis products using nonvolatile solvents, or no solvents.

**Cannabis Testing Laboratory** means a laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products and is accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state and is licensed by the Bureau of Cannabis Control.

**Commercial Cannabis Activity** includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products, or engaging in any other cannabis activity that requires a State license issued by a licensing authority.

**Other Cannabis Uses** means any location where commercial cannabis activity occurs that does not fall under the definition of Cannabis Commercial Indoor Cultivation, Cannabis Manufacturing Level 1, Cannabis Testing Laboratory, or Cannabis Personal Cultivation.

**Marijuana Cannabis Personal Cultivation** means the planting, growing, harvesting, drying, processing, or storage of one or more ~~marijuana~~ cannabis plants or any part thereof. Marijuana Cannabis Personal Cultivation shall not exceed six (6) cannabis plants of any size for personal cultivation per Marijuana Cannabis Personal Cultivation Permit holder. See Chapter 5.34 for provisions.

B. Table 17.08.020 of Section 17.08.020 (Permitted, conditional and prohibited uses) of Chapter 17.08 (Residential Districts) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to delete "Marijuana Dispensary" and to add and/or amend the following uses, with all other provisions of Table 17.080.020 remaining unchanged:

Zone	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR	MHP
Residential Uses									

Zone	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR	MHP
Cannabis Personal Marijuana Cultivation <sup>6</sup>	P	P	P	P	P	P	P	P	P
Cannabis Commercial Indoor Cultivation	X	X	X	X	X	X	X	X	X
Cannabis Manufacturing Level 1	X	X	X	X	X	X	X	X	X
Cannabis Testing Laboratory	X	X	X	X	X	X	X	X	X
Other cannabis uses	X	X	X	X	X	X	X	X	X

<sup>6</sup> Marijuana Cannabis Personal Cultivation requires a Marijuana Cannabis Personal Cultivation License. See Chapter 5.34 for provisions.

C. Table 17.12.020 (Permitted, conditional, and prohibited commercial and industrial uses) of Section 17.12.020 (Permitted, conditional and prohibited uses) of Chapter 17.12 (Commercial and Industrial Districts) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to delete “Marijuana Cultivation” and “Marijuana Dispensary” from the table and to add or amend the following uses with all other provisions of Table 17.12.020 remaining unchanged:

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
<b>Resource and Open Space Uses</b>								
Cannabis Personal Cultivation <sup>8</sup>	X	X	X	X	X	X	X	X
Cannabis Commercial Indoor Cultivation	X	X	X	X	C	X	X	X
Cannabis Manufacturing Level 1	X	X	X	X	C	X	X	X
Cannabis Testing Laboratory	X	X	X	X	C	X	X	X
Other Cannabis Uses	X	X	X	X	X	X	X	X

8. Cannabis Personal Cultivation is prohibited except in a house, an apartment unit, a mobile home, or other similar dwelling that is a legal non-conforming use and that has obtained a Cannabis Personal Cultivation License pursuant to Chapter 5.34 of this Code.

D. Table 17.16.020 of Section 17.16.020 (Permitted, conditional and prohibited public facilities uses) of Chapter 17.16 (Public Facilities Districts) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to delete “Marijuana Cultivation” and “Marijuana Dispensary” from the table, and to add or amend the following uses with all other provisions of Table 17.16.020 remaining unchanged:



Zone	PF-A	PF-G	PF-F	PF-S	PF-H
Cannabis Personal Cultivation	X	X	X	X	X
Cannabis Commercial Indoor Cultivation	X	X	X	X	X
Cannabis Manufacturing Level 1	X	X	X	X	X
Cannabis Testing Laboratory	X	X	X	X	X
Other Cannabis Uses	X	X	X	X	X

E. Table 17.20.020 of Section 17.20.020 (Permitted, conditional and prohibited open space uses) of Chapter 17.20 (Open Space Districts) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to delete "Marijuana Cultivation" and "Marijuana Dispensary" from the table, and to add or amend the following uses with all other provisions of Table 17.20.020 remaining unchanged:

Zone	OS-R	OS-PA	OS-PU	OS-H
Cannabis Personal Cultivation	X	X	X	X
Cannabis Commercial Indoor Cultivation	X	X	X	X
Cannabis Manufacturing Level 1	X	X	X	X
Cannabis Testing Laboratory	X	X	X	X
Other Cannabis Uses	X	X	X	X

F. Table 17.12.050 (Use Specific Development Standards) of Section 17.12.050 (Use specific standards) of Chapter 17.12 (Commercial and Industrial Districts) of Title 17 (Zoning) of the Banning Municipal Code is hereby amended to add the following uses to the list of Use-Specific Development Standards:

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
V. Cannabis Commercial Indoor Cultivation					* -			
W. Cannabis Manufacturing Level 1					* -			
X. Cannabis Testing Laboratory					* -			

V. Commercial Cannabis Indoor Cultivation uses shall require approval of a Cannabis Conditional Use Permit by the City Council, after recommendation by the Planning Commission, and shall be subject to the requirements of Chapter 17.53.

W. Commercial Cannabis Manufacturing Level 1 uses shall require approval of a Cannabis Conditional Use Permit by the City Council, after recommendation by the Planning Commission, and shall be subject to the requirements of Chapter 17.53.

X. Commercial Cannabis Testing Laboratory uses shall require approval of a Cannabis Conditional Use Permit by the City Council, after recommendation by the Planning Commission, and shall be subject to the requirements of Chapter 17.53

G. Chapter 17.53 (Cannabis Conditional Use Permits) is hereby added to Title 17 (Zoning) of the Banning Municipal Code to read as follows:

### **“Chapter 17.53 Cannabis Conditional Use Permits**

#### **Sections**

17.53.010	Definitions.
17.53.020	Commercial Cannabis Conditional Use Permit Required.
17.53.030	Commercial Cannabis Conditional Use Permit - Fees and Terms.
17.53.040	Cannabis Conditional Use Permit Application Requirements.
17.53.050	Additional Application Requirements.
17.53.060	Procedures and Findings for Approval of Cannabis Conditional Use Permit.
17.53.070	Approval of Cannabis Conditional Use Permit With Conditions.
17.53.080	Premises.
17.53.090	Personnel and Visitors.
17.53.100	Security.
17.53.110	Track and Trace.
17.53.120	Signage.
17.53.130	Cannabis Waste Management.
17.53.140	General Sanitary Requirements.
17.53.150	Odor Control.

- 17.53.160 Cannabis Indoor Cultivation.
- 17.53.170 Cannabis Manufacturing Level 1.
- 17.53.180 Cannabis Testing Laboratory.
- 17.53.190 Other Provisions.
- 17.53.200 Indemnification.

#### **17.53.010 Definitions**

For the purpose of this Chapter, the following words and phrases shall be defined as follows:

A. "Applicant" means an owner applying for a cannabis conditional use permit pursuant to this Chapter.

B. "Bureau" means the Bureau of Cannabis Control within the California Department of Consumer Affairs.

C. "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

D. "Cannabis business" means a cultivation facility, manufacturing facility or a testing laboratory facility.

E. "Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code.

F. "Canopy space" means the designated areas at a cultivation facility that will contain mature plants at any point in time.

G. "City" means the City of Banning.

H. "City Manager" means the City Manager or his/her designee.

I. "Convicted" or "conviction" means a plea or verdict of guilty or a conviction following a plea of nolo contendere was entered, but does not include any plea, verdict, or conviction that is expunged pursuant to California law or a similar federal or state law where the expungement was granted.

J. "Commercial cannabis activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling,



transportation, delivery or sale of cannabis and cannabis products, or engaging in any other cannabis activity that requires a State license issued by a licensing authority.

K. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

L. "Cultivation facility" means a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

M. "Extraction" means a process by which cannabinoids are separated from cannabis plant material through chemical or physical means.

N. "Financial interest" shall have the meaning set forth in Section 5004 of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

O. "Indoors" means within a fully enclosed and secure structure.

P. "Infusion" means a process by which cannabis, cannabinoids, or cannabis concentrates, are directly incorporated into a product formulation to produce a cannabis product.

Q. "Licensing authority" means the Bureau of Cannabis Control; CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture (CDFA); the California Department of Public Health's Manufactured Cannabis Safety Branch; or any other State cannabis licensing authority.

R. "Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

S. "Manufacturing facility" means a location that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

T. "MAUCRSA" means the Medicinal and Adult-Use Cannabis Regulation and Safety Act.

U. "Outdoors" means any area or location not specifically meeting the definition of indoors.

V. "Owner" means any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the person applying for a permit or a permittee, unless the interest is solely a security, lien, or encumbrance.

2. The chief executive officer of a nonprofit or other entity.

3. A member of the board of directors of a nonprofit.

4. An individual who will be participating in the direction, control, or management of the person applying for a permit. An owner who is an individual participating in the direction, control, or management of the commercial cannabis business includes any of the following:

a) A partner of a cannabis business that is organized as a partnership.

b) A member of a limited liability company of a cannabis business that is organized as a limited liability company.

c) An officer or director of a cannabis business that is organized as a corporation.

W. "Nonvolatile solvent" means any solvent used in the extraction process that is not a volatile solvent. For purposes of this Chapter only, nonvolatile solvents include carbon dioxide and ethanol.

X. "Package" means any container or receptacle used for holding cannabis or cannabis products.

Y. "Permit" means a cannabis conditional use permit issued pursuant to this Chapter.

Z. "Permittee" means any person holding a cannabis conditional use permit under this Chapter.

AA. "Person" includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

BB. "Premises" means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant where the cannabis business will be conducted.

CC. "Significant discrepancy" means a difference in actual inventory compared to records pertaining to inventory of at least one thousand dollars (\$1,000). For purposes of determining a discrepancy, the acquisition price of the cannabis goods shall be used to determine the value of cannabis goods in a permittee's inventory.

DD. "Testing laboratory" means a laboratory, facility, or entity in the City that offers or performs tests of cannabis or cannabis products and that is both of the following:

1. Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the State.
2. Licensed by the Bureau.

EE. "Volatile solvent" means any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

#### **17.53.020 Commercial Cannabis Conditional Use Permit Required.**

A. Except as expressly authorized pursuant to this Title (Title 17, Zoning), all commercial cannabis activity is prohibited in the City.

B. Prior to initiating operations and as a continuing requisite to operating a cannabis business, the person(s) wishing to operate a cannabis business shall:

1. Obtain and maintain a validly issued cannabis conditional use permit approved by the City Council after recommendation by the Planning Commission, and comply with all conditions of approval.
2. Obtain and maintain a State license to engage in the specific cannabis business being operated on the premises.
3. Obtain and maintain a cannabis regulatory permit as required by Chapter 5.35 of this Code.
4. Obtain and maintain a business license or any other license or permit required by this Code.

#### **17.53.030 Commercial Cannabis Conditional Use Permit - Application Fees and Terms.**

A. No cannabis conditional use permit application shall be processed unless the applicant pays the nonrefundable application fee in the amount to be established by resolution of the City Council. No cannabis conditional use permit shall be issued unless the applicant pays the nonrefundable permit fee in the amounts to be established by resolution of the City Council.

B. No cannabis conditional use permit shall be issued if the applicant has an ownership or other direct financial interest in any other commercial cannabis business operating in the City.



#### **17.53.040 Cannabis Regulatory Permit Application Requirements.**

An applicant shall file the following information with the City at the time of application for a cannabis conditional use permit:

A. A completed cannabis conditional use permit application, together with the application fee in an amount to be established by resolution of the City Council.

B. Proof of a cannabis regulatory permit jointly approved by the City Manager and Chief of Police. The owner identified on the cannabis conditional use permit application shall be same owner as listed on the cannabis regulatory permit issued pursuant to Chapter 5.35.

C. An operating plan for the proposed cannabis business that includes:

1. A general description of the types of products and/or services to be provided by the cannabis business;

2. A site plan, drawn to scale and professionally prepared by a licensed civil engineer or architect, of the parcel of property on which the proposed cannabis business will be located. The site plan shall include the outline of all structures, driveways, parking and landscape areas, and boundaries of the parcel. In addition, if the parcel on which the cannabis business will be conducted is adjacent to or across the street from a parcel zoned or used for residential purposes, then the site plan shall show the separation and required buffering from such residential uses as required by this Chapter.

3. A floor plan, drawn to scale and professionally prepared by a licensed civil engineer or architect, designating all interior dimensions of the premises, the proposed use of all spaces, identification of limited access areas, areas of ingress and egress, and all security camera locations.

4. An evaluation of accessibility by the physically disabled to and within the building and identification of any planned accessibility improvements to comply with all state and federal disability access laws, including, but not limited to, title 24 of the California Code of Regulations and the Americans with Disabilities Act. The evaluation must be professionally prepared by a licensed civil engineer or architect.

5. A business plan describing how the cannabis business will operate in accordance with the Banning Municipal Code, state law, and other applicable regulations. The business plan must include plans for cash handling and transportation of cannabis and cannabis products to and from the premises.

6. Water source information.

7. Projected energy demand and energy efficiency plan that addresses illumination, heating, cooling and ventilation. The applicant shall also provide

a letter from the Banning Municipal Electric Company stating that the Banning Municipal Electric Company can meet the cannabis business' energy demand.

8. A list of all owners, employees, independent contractors, and volunteers.

D. Neighborhood Context Map. An accurate straight-line drawing depicting the boundaries of the premises, the boundaries of all other properties within 600 feet of the premises, and the uses of those properties, specifically including, but not limited to, any use identified in Business and Professions Code section 26054(b), any park, any adjacent parcel zoned or used for residential use, or any parcels zoned or used for residential uses that are located across the street from the premises. The map must be professionally prepared by a licensed civil engineer or architect.

E. Security plan. A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on the premises. The security plan must be prepared by a qualified professional.

F. Lighting Plan. A lighting plan showing existing and proposed exterior and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use.

G. The name, phone number, and email address of an on-site community relations representative or staff member or other representative to whom the City can provide notice if there are operating problems associated with the cannabis business or refer members of the public who may have complaints or concerns regarding the cannabis business. This information shall be available to neighboring businesses and residences located within one hundred feet of the cannabis business and residences, as measured in a straight line without regard to intervening structures, between the front doors of each establishment.

#### **17.53.050 Additional Application Requirements.**

A. Each cannabis business shall obtain a separate conditional use permit. Cannabis conditional use permits are nontransferable.

B. Proof that the applicant is, or will be, entitled to possession of the premises for which application is made.

C. Proof of the nature of the cannabis business's organizational status, such as articles of incorporation, by-laws, partnership agreements, and other documentation which may be required by the City.

#### **17.53.060 Procedures and Findings for Approval of Cannabis Conditional Use Permit.**

A. A cannabis conditional use permit shall be processed in accordance with the procedures set forth in Chapter 17.52, Conditional Use Permits, with the following exceptions:

1. Any provision that requires the approval by the Planning Commission with appeal to the City Council shall be replaced with the requirement that the Planning Commission make a recommendation on the cannabis conditional use permit and that the approval of such permit shall be made by the City Council.

2. Sections 17.52.020 (Application procedures) and 17.52.080 (Modifications) shall not apply.

3. Any procedures pertaining to noticing and the setting of a public hearing before the Planning Commission shall also apply to the City Council.

B. An applicant for a cannabis conditional use permit shall comply with the California Environmental Quality Act ("CEQA"). No cannabis conditional use permit shall be granted until the requisite CEQA review has been conducted.

#### **17.53.070 Approval of Cannabis Conditional Use Permit With Conditions**

A. Upon approval of a cannabis conditional use permit, the City Council may impose conditions in excess of the requirements set forth in this Chapter including, but not limited to, conditions relating to hours of operation, the operation of any cannabis business, and restrictions relating to the deployment or use of the types of equipment used on the premises.

B. The City may grant a cannabis conditional use permit prior to the applicant having obtained a state license from a licensing authority; however, no approved cannabis business may receive a certificate of occupancy nor operate in the City prior to possessing the requisite state and local licenses and permits.

C. All cannabis businesses must pay all applicable taxes pursuant to all federal, state, and local laws.

D. Cannabis conditional use permits may not be transferred, sold, assigned, or bequeathed.

#### **17.53.080 Premises.**

A. All cannabis businesses shall be conducted only in the interior of enclosed structures, facilities and buildings and all operations including the storage of or cultivation of cannabis plants at any stage of growth shall not be visible from the exterior of any structure, facility or building. There shall be no outdoor storage of any kind associated with the cannabis business.

B. No cannabis business shall be located within a 600 foot radius of any park, or public or private school providing instruction in kindergarten or any of grades 1-



12, but not including any private school in which education is primarily conducted in a private home, day care center or youth center. The distance specified in this subsection shall be the horizontal distance measured in a straight line without regard to intervening structures, from the property line of the lot on which the cannabis business is located to the nearest property line of those uses described in this subsection. If the cannabis business is to be located on a parcel that immediately adjacent to or across the street from a parcel zoned or used for residential purposes, then the following additional conditions shall apply:

1. A minimum landscaped setback of twenty-five feet shall be provided for all property lines adjacent to, or across a street or alley from, residential uses or residentially designated properties.

2. Outdoor storage on the premises shall be prohibited.

3. Loading areas and loading docks shall be located on the side or rear of the lot, away from residential uses and or residentially designated property, and shall be screened by solid, decorative walls.

4. Hours of operation shall be as approved with the Conditional Use Permit.

C. Cannabis businesses shall only be conducted on properties that are fully compliant with all Banning Municipal Code requirements, including required development standards such as parking, landscaping, etc.

D. Cannabis businesses located within the same building or on the same property shall each have a validly issued cannabis conditional use permit from the City.

E. All entrances into the premises shall be locked at all times with entry controlled by the permittee's managers and staff.

F. The main entrance shall be maintained clear of barriers, landscaping, and other obstructions. Inside of the main entrance, there shall be a lobby to receive persons into the site and to verify whether they are allowed on the premises.

G. All commercial cannabis activity in any premises shall be separated from the main entrance and lobby, and cannabis and cannabis products shall be secured by a lock accessible only to managers and staff of the permittee.

H. A permittee shall not, without an approved amendment to the cannabis conditional use permit, make a physical change, alteration, or modification of the premises that alters the premises or the use of the premises from the premises diagram filed with the permit application. Material or substantial changes, alterations or modifications requiring approval include, but are not limited to, the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit,

when such common entryway, doorway or passage alters or changes limited-access areas within the premises.

I. A permittee shall not sublet the premises.

J. Inspections. The City shall have the right to enter all cannabis businesses from time to time upon 24-hour's notice for the purpose of making reasonable inspections to observe and enforce compliance with this Chapter. Such inspections shall be limited to observing the licensed premises for purposes of determining whether the cannabis business is being operated or maintained in compliance with this Code, state law, and other applicable laws and regulations. Any cannabis business licensed pursuant to this Chapter may be required to demonstrate, upon demand by the City that the source and quantity of any cannabis or cannabis products found upon the licensed premises is in full compliance with any applicable local or state law or regulation.

#### **17.53.090 Personnel and Visitors.**

A. All agents, officers, or other persons acting for or employed by a cannabis business shall display a laminated or plastic-coated identification badge issued by the cannabis business at all times while engaging in commercial cannabis activity. The identification badge shall, at a minimum, include the cannabis business's "doing business as" name and city business license number, the employee's first name, an employee number exclusively assigned to that employee for identification purposes, and a color photograph of the employee that clearly shows the full front of the employee's face and that is at least 1 inch in width and 1.5 inches in height.

B. Employees and Volunteers Age Requirement. A cannabis business shall not employ an individual less than twenty-one (21) years of age, nor may a cannabis business permit an individual less than twenty-one (21) years of age to volunteer at or be within the cannabis business.

C. Visitors. Cannabis businesses shall not be open to the general public. Any individual permitted to enter a limited access area who is not a person that has undergone a background check in accordance with Chapter 5.35 of this Code and is not listed on the premises's worker list shall be considered a visitor. Notwithstanding the foregoing, state and local employees, or their official designees, shall not be considered a visitor provided the individual is on the licensed premises for purposes of official government business.

1. Visitors Identification and Record Requirements. Prior to permitting a visitor into a limited access area, a cannabis business must check the individual's valid government issued identification. The visitor shall be required to sign the cannabis business's visitor log, which must include the individual's name, date of entry, and purpose for entry.

2. Visitors Must Be at Least Twenty-One (21) Years of Age. A cannabis business may not permit a visitor who is less than twenty-one (21) years of age to enter a limited access area.

3. Visitors Prohibited Conduct. A visitor shall not be permitted to engage in any commercial cannabis activity while on the premises.

4. A manager shall be on the site at all times that any other person, except a security guard, is on the site.

#### **17.53.100 Security.**

The premises of a cannabis business must comply with all of the following security requirements:

A. Main entrance and lobby. The premises shall have a building with a main entrance that is clearly visible from the public street or sidewalk. The main entrance shall be maintained clear of barriers, landscaping, and other obstructions. Inside of the main entrance, there shall be a lobby to receive persons into the site and to verify whether they are allowed in the cultivation areas.

B. Transport area. The premises shall have an area designed for the secure transfer of cannabis from the cultivation, manufacturing and testing laboratory area to a vehicle for transportation.

C. Commercial-Grade Locks. All points of ingress and egress to a premises shall ensure the use of commercial-grade, nonresidential door locks or window locks.

D. A permittee that is engaged in cultivation or manufacture shall hire or contract for 24-hour security personnel to provide security services for the premises. All security personnel hired or contracted for by the cannabis business shall comply with Chapters 11.4 and 11.5 of Division 3 of the Business and Professions Code.

E. Video Surveillance. The premises must be equipped with a video surveillance system that meets all of the requirements set forth in this subsection.

1. Each premises shall have a digital audio/video surveillance system with a minimum camera resolution of 1280 x 720 pixels.

2. The surveillance-system storage device or the cameras shall be transmission control protocol (TCP) capable of being accessed through the internet.

3. The video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance and shall capture audio such that all sounds are intelligible.

4. Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the premises, and allows for the clear and certain identification of any person and activities in all areas required to be filmed under subsection 5 below.



5. Areas that shall be recorded on the audio/video surveillance system include the following:

- a) Areas where cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the premises;
- b) Limited-access areas;
- c) Security rooms;
- d) Areas storing a surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area; and
- e) Entrances and exits to the premises.

6. Cameras shall record continuously 24 hours per day and at a minimum of 15 frames per second (FPS).

7. The physical media or storage device on which surveillance recordings are stored shall be secured in a manner to protect the recording from tampering or theft.

8. Surveillance recordings shall be kept for a minimum of 90 days.

9. Surveillance recordings shall be monitored by a third party surveillance company.

10. Surveillance recordings are subject to inspection by the City, and shall be kept in a manner that allows the City to view and obtain copies of the recordings at the licensed premises upon not less than 24hour advance notice. The permittee shall also send or otherwise provide copies of the recordings to the City upon reasonable notice by the City.

11. Recorded images shall clearly and accurately display the time and date. Time is to be measured in accordance with the United States National Institute Standards and Technology standards.

12. The video surveillance system shall be equipped with a failure notification system that provides notification to the permittee of any interruption or failure of the video surveillance system or video surveillance-system storage device.

F. Alarm System. The premises shall have an audible interior and exterior security alarm system installed on all perimeter entry points and perimeter windows.

1. The alarm system shall be installed, maintained, monitored, and responded to by a security company licensed by the Department of Consumer Affairs, Bureau of Security and Investigative Services.

2. Upon request, a permittee shall make available to the City all information related to the alarm system

G. Secure Storage of Product. Cannabis and cannabis products possessed by a cannabis business shall be kept and stored in a secured manner at all times. All areas where cannabis and/or cannabis products are kept shall be separated from the main entrance and lobby and secured by a lock accessible only to managers and staff.

H. Lighting. The business entrance(s) and all window areas of any cannabis business shall be illuminated during evening hours. The cannabis business shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, and shielding.

#### **17.53.110 Track and Trace.**

All permittees shall comply with the track and trace system established by the State of California and as further described in Sections 5048 through 5052, inclusive, of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

#### **17.53.120 Signage.**

The premises must comply with the following signage requirements.

A. A cannabis business shall conspicuously post signs a minimum of eight (8) inches wide by ten (10) inches high in size that can readily be seen by all persons at the entrance that state: "This site is not open to the public" and "Retail sales of any goods and services is prohibited".

B. Business signage shall be limited to the name of the cannabis business only, shall be in compliance with the City's sign code, and shall contain no advertising of any companies, brands, products, goods, or services.

C. A sign shall be posted in a conspicuous place near each point of public access which shall be not less than twelve inches wide and twelve inches long, composed of letters not less than one inch in height, stating "All Activities Monitored by Video Camera."

D. Limited access areas shall be clearly identified by the posting of a sign which shall be not less than twelve inches wide and twelve inches long, composed of letters not less than one-half inch in height, which shall state, "Limited Access Area—Authorized Personnel Only."

E. A sign shall be posted stating "Smoking, vaporizing, ingesting, or otherwise consuming cannabis or cannabis products on these premises or in their vicinity is prohibited and a violation of the Banning Municipal Code."

#### **17.53.130 Cannabis Waste Management.**

Cannabis waste disposal shall be conducted as follows:

A. Chemical, Dangerous and Hazardous Waste. Disposal of chemical, dangerous or hazardous waste must be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. This may include, but is not limited to, the disposal of all pesticide or other chemicals used in the cultivation process, certain solvents or other chemicals used in the production of cannabis concentrate.

B. Cannabis Waste. Cannabis waste must be made unusable and unrecognizable prior to leaving the licensed premises by grinding it and incorporating it with fifty percent non-medicinal cannabis waste. If necessary to protect the health and safety of individuals working on a licensed premises, a cannabis business may grind the stalk of a cannabis plant outside of its licensed premises provided all grinding activities occur within twenty feet of the licensed premises and cannot be seen from any public street.

C. Cannabis waste must be placed in either a trash enclosure or a trash receptacle for which either is locked with a commercial grade lock that is only accessible by the owner, manager, or employee of the cannabis business and any waste disposal company that provide waste disposal services for the cannabis business.

#### **17.53.140 General Sanitary Requirements.**

A. A cannabis business must ensure that its premises is maintained in a sanitary manner and activities on its premises are conducted in a sanitary manner.

B. All facilities of a cannabis business must have adequate and sufficient access to bathrooms and hand-washing facilities with running water at a suitable temperature.

C. All workers that engage in the preparation of edible cannabis products must comply with the provisions of all relevant state and local laws regarding the preparation, distribution, and sale of food.

#### **17.53.150 Odor Control.**

A. Any location used for cannabis cultivation must have a ventilation and filtration system installed that shall prevent cannabis plant odors from exiting the interior of the structure and shall comply with all related Building Code.



B. . The ventilation and filtration system must be approved by the Building Official and installed prior to the commencement of cannabis cultivation activities.

#### **17.53.160 Cannabis Indoor Cultivation.**

A. Cannabis Commercial Indoor Cultivation shall occur only indoors and shall consist of growing areas not less than 10,000 square feet of canopy area nor exceeding 22,000 square feet of canopy area per cannabis conditional use permit holder.

B. Seed to Sale Tracking Required. Until such a time that the state of California fully implements the California Cannabis Track and Trace System required by Section 26067 of the Business and Professions Code, a cannabis business must utilize seed to sale software, third-party software that tracks all sales, transfers, purchases, receipts, deliveries of cannabis and cannabis products. The software must be capable of producing electronic shipping manifests, tracking all cannabis inventory in possession of the cannabis business, promptly identifying a discrepancy in the stock, and tracking cannabis from the end purchaser back to its source in the event of a serious adverse event. Once implemented, all permittees shall comply with the California Cannabis Track and Trace System established by the State of California and as further described in Sections 5048 through 5052, inclusive, of Title 16 of the California Code of Regulations, as the same may be amended from time to time.

C. Cultivators must comply with the Federal Worker Protection Standard (40 CFR 170).

D. The cultivation of cannabis must be conducted in accordance with all applicable federal, state, and local laws and regulations governing the use of pesticides.

E. The cultivation of cannabis shall be conducted in a secure manner and shall not be visible from a public right of way. As used in this subsection, the term "visible" means capable of being seen without visual aid by an individual of normal acuity. A permittee may not distribute, sell, dispense, or administer cannabis on the licensed premises of a cultivation site except for as authorized by the MAUCRSA and other applicable state law.

F. The use of pesticides must be recorded in a log in accordance with 16 CCR Section 1970.

#### **17.53.170 Cannabis Manufacturing Level 1.**

A. Edible Cannabis Products. Edible cannabis products shall be manufactured, packaged and labeled in compliance with MAUCRSA and any implementing regulations adopted by the State.

B. Edible cannabis products must be individually packaged and ready for sale by the manufacturer prior to sale or transfer to another cannabis business.

C. Any person that is involved in the manufacture of edible cannabis products must be a state certified food handler. The valid certificate number of such person must be on record at the manufacturing facility where that individual produces edible cannabis products.

D. Any facility used by a cannabis business to manufacture edible cannabis products shall be constructed, operated and inspected in compliance with all applicable building code and food safety requirements.

E. A cannabis business that manufactures edible cannabis products must comply with the provisions of all relevant state and local laws regarding the preparation, distribution, and sale of food; which shall include, but not be limited to, hand-washing requirements, use of gloves for packaging, and policies prohibiting individuals suffering from symptoms associated with communicable diseases or infections from engaging the production of edible cannabis products.

F. Expiration Date. A cannabis business engaged in the manufacture of cannabis products, including an edible cannabis product, that is perishable shall assign an expiration date or use-by date, whichever is appropriate, to all perishable cannabis products. Once an expiration date or use-by date is assigned to cannabis products, it shall be unlawful for a person to alter that date or affix a new label with a later use-by or expiration date.

G. Extraction Requirements.

1. A manufacturer engaged in extraction may only engage in extraction using non-volatile solvents. The permittee shall not make any modifications to the method of extraction without first obtaining a modification of its permit.

2. Within the limitations set forth by state law, a cannabis business that extracts cannabis or produces cannabis concentrate using a solvent must use a professional grade, closed-loop extraction system capable of recovering the solvent used and must only use a solvent that is permissible under the MAUCRSA and any implementing regulations, and the manufacturer's state license.

H. Compliance with State Law. All packaging and labeling of cannabis and cannabis products by a cannabis business must, at a minimum meet the requirements set forth in the MAUCRSA and any implementing regulations, as the same may be amended from time to time or superseded or replaced by subsequent state legislation or by any state department or division.

I. Tamper-Evident, Child-Resistant Packaging Required. Cannabis and cannabis products shall be labeled and placed in a resealable, tamper-evident, child-resistant package and shall include a unique identifier for the purposes of identifying and tracking cannabis and cannabis products.

J. Cannot Be Attractive to Children. Cannabis packaging and labeling shall not be designed to appeal to children, including, but not limited to, cartoon characters or similar images.

K. State-Mandated Warnings and Information. All cannabis and cannabis product labels and inserts shall include the state-mandated warnings and information contained in Business and Professions Code section 26120(c). Notwithstanding the foregoing, during the period of time that the state permits untested cannabis and cannabis products to be sold to purchasers, all cannabis and cannabis products must have a label affixed to each package that clearly states "This product has not been tested as required by the Medicinal and Adult Use Cannabis Regulation and Safety Act" and must comply with any other labeling requirements imposed by the state.

#### **17.53.180 Cannabis Testing Laboratory.**

A. Accreditation. A testing laboratory shall obtain and maintain ISO/IEC 17025 accreditation.

B. Operating Procedures. A testing laboratory shall adopt and adhere to standard operating procedures to ensure the reporting of accurate test results, including but not limited to equipment, calibration, and methodology standards, that are consistent with its ISO/IEC 17025 accreditation.

C. A testing laboratory shall obtain samples of cannabis and cannabis products for testing in accordance with a statistically valid method designed to ensure that a sample is representative of the whole. Sampling methods should have at least a 95% confidence rate.

D. A testing laboratory shall destroy and safely dispose of the remains of any samples of cannabis or cannabis products tested upon completion of the analysis and the expiration of any retention time pursuant its standard operating procedures.

E. A testing laboratory shall maintain all testing results as a part of their respective business records.

#### **17.53.190 Other Provisions.**

A. Cannabis Consumption on Premises. Smoking, vaporizing, ingesting, or otherwise consuming cannabis and cannabis products at a premises is prohibited. Premises as used in this subsection includes the actual building, as well as any accessory structures, common areas and parking areas.

B. No person shall give, sell, distribute, or otherwise transfer any cannabis product in any manner not consistent with the approved cannabis conditional use permit or that violates local or state law.

C. Weights and Measures. Scales and weighing mechanisms shall be used by a cannabis business to weigh non-waste products. The scales and weighing



mechanisms must be able to weigh to within 1/100th of a gram, shall be maintained in good working order and shall be subject to annual inspection by either a Riverside County agricultural commissioner's office weights and measures official or a licensed scale company.

D. Permittees must cooperate with City staff and Police Department personnel who are conducting inspections or investigations relevant to the enforcement of laws and regulations related to this Chapter.

E. There shall be no variances or deviations permitted to any standards or requirements within this Chapter.

#### **17.53.200 Indemnification.**

A. Indemnification. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, with respect to approving any permit pursuant to this Chapter or the operation of any cannabis business approved by such permit pursuant to this Chapter. As a condition of approval of a permit granted under this Chapter, the applicant shall:

1. Indemnify and hold the City harmless from any and all claims, damages, legal or enforcement actions, including, but not limited to, any actions or claims associated with violation of federal law associated with the operation of the cannabis business as provided in this chapter.

2. Maintain insurance in the amounts and of the types that are acceptable to the City pursuant to guidelines and policies set forth by the City.

3. Name the City as an additionally insured on all City required insurance policies.

4. Defend, at its sole expense, any action against the City, its agents, officers, and employees related to the approval of a permit or the operation of the cannabis business.

5. Reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of any legal challenge (or federal enforcement action) related to the City's approval of a permit. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder."

#### **SECTION 5. SEVERABILITY**

If any section, subsection, clause or phrase or portion of this code is for any reason to invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance.

The Mayor and City Council hereby declare that it would have passed the ordinance codified in this chapter; and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 6. PUBLICATION, EFFECTIVE DATE**

The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which time the same is passed and adopted. Within fifteen (15) calendar days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in a newspaper of general circulation and shall post the same at City Hall, 99 E. Ramsey Street, Banning, California. The City Clerk shall cause the Ordinance to be printed, published, and circulated.

Section 4 of this Ordinance shall not take effect unless Measure \_\_\_\_, imposing a tax on cannabis businesses, is adopted by the voters at the November 2018 election, and such tax becomes operative.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

ATTEST:

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk  
City of Banning

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon, APC

**CERTIFICATION:**

I, Sonia De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Banning, held on the \_\_\_\_ day of \_\_\_\_\_, 2018, and was duly adopted at a regular meeting of said City Council on the \_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Sonja De La Fuente, Deputy City Clerk  
City of Banning



# **ATTACHMENT 3**

Draft Tax Measure

**ORDINANCE NO. \_\_\_\_ - \_\_**

**AN ORDINANCE OF THE VOTERS OF THE CITY OF  
BANNING, CALIFORNIA AMENDING TITLE 3 OF THE  
BANNING MUNICIPAL CODE TO ADOPT A GENERAL  
PURPOSE TAX ON COMMERCIAL CANNABIS  
CULTIVATION, MANUFACTURING AND TESTING  
LABORATORY FACILITIES**

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF BANNING DO HEREBY  
ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals.**

A. On October 9, 2015 Governor Brown signed Assembly Bill 243, Assembly Bill No. 266, and Senate Bill 643 into law, which collectively were known as the Medical Cannabis Regulation and Safety Act (hereinafter "MCRSA"). The MCRSA established a State regulatory and licensing scheme for commercial medical cannabis businesses.

B. On November 8, 2016, California voters approved the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA"). The AUMA made it lawful under State and local law for persons 21 years of age or older to possess and cultivate limited quantities of cannabis for personal use. The AUMA also established a State regulatory and licensing scheme for commercial adult-use cannabis businesses.

C. On June 27, 2017, the Governor signed into law Senate Bill 94 which repealed the MCRSA, included certain provisions of the MCRSA in the licensing provisions of the AUMA, and created a single regulatory scheme for both medicinal and adult-use cannabis known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"). The MAUCRSA retains the provisions in the MCRSA and the AUMA that granted local jurisdictions control over whether cannabis businesses could operate in a particular jurisdiction. Specifically, California Business and Professions Code section 26200 provides that the MAUCRSA shall not be interpreted to supersede or limit authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under the MAUCRSA including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or to completely prohibit the establishment or operation of one or more businesses licensed by the State, within that local jurisdiction.

D. The City of Banning finds that unregulated cannabis cultivation and manufacturing has the potential to adversely affect the public health and safety of Banning residents and those engaged in commercial cannabis activity. The establishment of a regulatory permitting process for cannabis cultivation, manufacturing and testing laboratory facilities will substantially reduce this threat to the public health and safety.

E. The City of Banning seeks to require lawfully abiding cannabis businesses, as such term is defined in this Ordinance, to pay their fair share of taxes to fund vital City services.

F. Sections 37101 and 37100.5 of the California Government Code authorize the City to levy a tax on businesses operating in the City for revenue purposes.

G. On June 26, 2018, the Banning City Council adopted Ordinance No. \_\_\_\_ establishing procedures allowing for the issuance of cannabis regulatory permits to cannabis cultivation, manufacturing, and testing laboratory facilities to operate in industrial zones. The City Council also adopted Ordinance No. \_\_\_\_ establishing zoning regulations and procedures for the issuance of cannabis conditional use permits in the City. Both ordinances will only go into effect if the Banning voters approve a tax measure imposing taxes on these facilities.

H. The People further declare that this tax shall be levied for unrestricted general government purposes and shall be levied only if approved by the majority of the voters voting on this Ordinance at the November 6, 2018 General Municipal Election.

**SECTION 2.** Title 3 of the Banning Municipal Code is hereby amended to add the following Chapter 3.17 "Cannabis Business Tax" to read as follows:

**"Chapter 3.17 Cannabis Business Tax**

**Sections:**

- 3.17.010 Purpose.
- 3.17.020 Definitions.
- 3.17.030 Tax imposed.
- 3.17.040 Tax can be spent for unrestricted general revenue purposes.
- 3.17.050 Modifications to tax.
- 3.17.060 Exemption from tax.
- 3.17.070 Reporting and remittance of tax.
- 3.17.080 Payments and communications - Timely remittance.
- 3.17.090 Notice not required by the City.
- 3.17.100 Non-payment of tax; Penalties and interest.
- 3.17.110 Refund procedures.
- 3.17.120 Administration of tax.
- 3.17.130 Enforcement - Action to collect.
- 3.17.140 Audit and examination of records.
- 3.17.150 Other licenses, permits, fees.
- 3.17.160 Payment of tax does not authorize unlawful business.
- 3.17.170 Appeals procedures.
- 3.17.180 Amendments.

**3.17.010 Purpose.**

This Chapter shall be known as the Cannabis Business Tax. The intent of this



Chapter is to levy a tax on cannabis businesses that are authorized under state and local law to operate in the City. Nothing in this Chapter shall be interpreted to authorize or permit any commercial cannabis activity that would not otherwise be legal or permissible under laws applicable to the activity at the time the activity is undertaken.

This Chapter is enacted solely to raise revenue for unrestricted general revenue and municipal purposes and is intended to be a general tax and is not a special tax. All of the proceeds from the tax imposed by this Chapter shall be placed in the City's general fund to finance the general operations of the City. Such operations may include, but are not limited to: paying for basic or enhanced law enforcement or public safety services, park, recreational, and senior services, neighborhood preservation, community services, code enforcement, infrastructure improvement and maintenance, and other such general services.

### **3.17.020 Definitions.**

A. "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

B. "Cannabis business" means a cultivation facility, laboratory testing facility, or manufacturing facility.

C. "Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code.

D. "Canopy space" means the designated areas at a cultivation facility that will contain mature plants at any point in time.

E. "City" means the City of Banning.

F. "Commercial cannabis activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis and cannabis products, or engaging in any other cannabis activity that requires a state license issued by a licensing authority.

G. "Cultivation facility" means a location where cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

H. "Gross receipts" means the total amount of the sale price of all sales and the total amount charged or received for the performance of any act, service or employment of whatever nature it may be for which a charge is made or credit allowed, whether or not such act, service or employment is done as a part of or in connection with the sale of materials, goods, wares, or merchandise. Included in gross receipts shall be all receipts, cash, credits and property of any kind or nature, and any amount for which credit is allowed by the seller to the purchaser without any deduction therefrom an account of the cost of the property sold, the cost of the materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever. Excluded from gross receipts shall be cash discounts allowed and taken on sales, any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser, and such part of the sale price of the property returned by purchasers upon rescission of the contract of sale as is refunded either in cash or by credit.

I. "Testing laboratory facility" means a laboratory, facility, or entity in the state that offers or performs tests of cannabis or cannabis products and that is both of the following:

1) Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.

2) Licensed by the Bureau.

J. "Manufacturing facility" means a location that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

K. "Person" includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

L. "Tax Administrator" means the Finance Manager of the City of Banning, his or her designee(s), or any other City officer charged with the administration of the provisions of this Chapter.

### **3.17.030 Tax imposed.**

A. There is established and imposed upon each person who is engaged in business as a cannabis business an annual cannabis business tax at the rates set forth in this Chapter.

B. Every person operating a cultivation facility shall pay to the City an annual cannabis business tax in an amount that is equal to \$15 per square foot of canopy

space. The City Council, in its discretion, may adjust the tax rate up to a maximum rate of \$25 per square foot of canopy space.

C. Every person operating a manufacturing facility or a testing laboratory facility shall pay to the City an annual cannabis business tax in an amount equal to ten percent (10%) of the facility's gross receipts.

**3.17.040 Tax can be spent for unrestricted general revenue purposes.**

The tax revenue generated from the taxes set forth above can be spent for unrestricted general revenue purposes.

**3.17.050 Modifications to Tax.**

A. Notwithstanding Elections Code Section 9217, or the tax rate of \$15 per square foot of canopy space for a cultivation facility or the tax rate of ten percent (10%) of gross receipts of a manufacturing facility or testing laboratory facility, the City Council may, in its discretion without the vote of the people of Banning, do any of the following:

- 1) Reduce the tax rate for these cannabis businesses;
- 2) Increase any tax rates established by this Ordinance, not to exceed the maximum tax rate of \$25 per square foot of canopy space for a cannabis cultivation facility, and ten percent (10%) of gross receipts for a manufacturing facility and testing laboratory facility;
- 3) Increase any rates if they had previously been reduced below such rate; and
- 4) Establish a class of persons that is exempt or excepted from the tax or discontinue any such exemption or exception.

B. In no event shall the City Council of the City of Banning increase any rates in excess of those rates specified in this Ordinance without approval by a majority of the voters voting in an election on the increase.

C. It is the intent of the voters to permit the collection of such cannabis business tax at the maximum rate allowed by state law from every cannabis business operating in the City.

**3.17.060 Exemption from tax.**

The provisions of this Chapter shall not apply to personal cannabis cultivation as defined in the Medicinal and Adult-Use Cannabis Regulation and Safety Act or any subsequent state legislation regarding the same. This Chapter shall not apply to personal use of cannabis that is specifically exempted from state licensing requirements, that meets the definition of personal use or equivalent terminology under



state law, and for which the individual receives no compensation whatsoever related to that personal use.

### **3.17.070 Reporting and remittance of tax.**

A. The cannabis business tax imposed by this Chapter shall be imposed on a fiscal year basis and shall be due and payable annually.

B. Each person owing a cannabis business tax shall, on or before [insert date], prepare and submit a tax statement on the form prescribed by the Tax Administrator and remit to the Tax Administrator the tax due.

C. Tax statements and payments for all outstanding taxes owed to the City are immediately due to the Tax Administrator upon cessation of a cannabis business for any reason.

D. The Tax Administrator may, at his or her discretion, establish shorter reporting and payment periods for any cannabis business tax.

### **3.17.080 Payments and communications - Timely remittance.**

A. Whenever any payment, statement, report, request or other communication is due, it must be received by the Tax Administrator on or before the final due date. A postmark will not be accepted as timely remittance. If the due date falls on Saturday, Sunday holiday, or a day City Hall is closed, the due date shall be the next regular business day on which City Hall is open to the public.

B. Unless otherwise specifically provided under other provisions of this Chapter, the taxes required to be paid pursuant to this Chapter shall be deemed delinquent if not received by the Tax Administrator on or before the due date.

### **3.17.090 Notice not required by the City.**

The Tax Administrator is not required to send a delinquency or other notice or bill to any person subject to the provisions of this Chapter. The Tax Administrator may, as a courtesy, send a tax notice to the business. Failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this Chapter.

### **3.17.100 Non-payment of tax; Penalties and interest.**

A. Any person who fails or refuses to pay any cannabis business tax required to be paid pursuant to this Chapter on or before the due date shall pay penalties and interest established by resolution of the City Council. This penalty provision shall not be construed to preclude or limit the enforcement of the penal provision of this Chapter.

B. Whenever a check or electronic payment is submitted as payment for a cannabis business tax and the payment is subsequently returned unpaid by the bank for any reason, the taxpayer will be liable for the tax amount due plus any fees, penalties

and interest as provided for in this Chapter, and any other amount allowed under state law.

### **3.17.110 Refund procedures.**

A. No refund shall be made of any tax collected pursuant to this Chapter, except as provided in this Section. No refund of any tax collected pursuant to this Chapter shall be made because of the discontinuation, dissolution, or other termination of a cannabis business.

B. Whenever the amount of any cannabis business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously collected or received by the City under this Chapter, it may be refunded to the taxpayer who paid the tax, or credited towards a future tax liability, provided that a written claim for refund is filed with the Tax Administrator within one year of the date the tax was originally due and payable.

C. The Tax Administrator shall have the right to examine and audit all the books and business records of the claimant to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the Tax Administrator to do so.

D. If the cannabis business tax was erroneously paid and the error is attributable to the City, the City shall refund the amount of tax erroneously paid up to one year from when the error was identified.

### **3.17.120 Administration of tax.**

A. It shall be the duty of the Tax Administrator to collect the taxes, penalties, fees, and perform the duties required by this Chapter.

B. For purposes of administration and enforcement of this Chapter generally, the Tax Administrator may from time to time promulgate such administrative rules and procedures consistent with the purpose, intent, and express terms of this Chapter as he or she deems necessary to implement or clarify such provisions or aid in enforcement.

C. The Tax Administrator may take such administrative actions as needed to administer the tax, including but not limited to:

- 1) Providing to all Cannabis Business Tax taxpayers forms for the reporting of the tax;
- 2) Receiving and recording all taxes remitted to the City as provided in this Chapter;
- 3) Maintaining records of taxpayer reports and taxes collected pursuant to this Chapter;

4) Assessing penalties and interest to taxpayers pursuant to this Chapter;

5) Determining amounts owed and enforcing collection pursuant to this Chapter; and

6) Establishing a reasonable process, including set times and secure conditions, whereby taxpayers can pay the taxes imposed by this Chapter.

#### **3.17.130 Enforcement - Action to collect.**

Any taxes, penalties and/or fees required to be paid under the provisions of this Chapter shall be deemed a debt owed to the City. Any person owing money to the City under the provisions of this Chapter shall be liable in an action brought in the name of the City for the recovery of such debt. The provisions of this Chapter shall not be deemed a limitation upon the right of the City to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax, penalties and/or fees imposed by this Chapter or the failure to comply with any of the provisions of this Chapter.

#### **3.17.140 Audit and examination of records.**

A. The Tax Administrator shall have the power to audit and examine all books, records, accounts, inventory and onsite operations of persons engaged in cannabis businesses related to the business, including examination of both state and federal income tax returns, sales tax returns, or other evidence documenting the gross receipts of persons engaged in cannabis businesses, and, where necessary, all equipment, of any person engaged in cannabis businesses in the City, for the purpose of ascertaining the amount of cannabis business tax, if any, required to be paid by the provisions hereof, and for the purpose of verifying any statements or any item thereof when filed by any person pursuant to this Chapter.

B. It shall be the duty of every person liable for the collection and payment to the City of any tax imposed by this Chapter to keep and preserve, for a period of the later of four years from the due date of the return or the date the return is filed, all records as may be necessary to determine the amount of such tax as he or she may have been liable to pay to the City, which records the Tax Administrator or his/her duly authorized designee shall have the right to inspect at all reasonable times. All records for any period being audited by the City shall be retained until the audit is complete.

#### **3.17.150 Other licenses, permits, fees.**

A Cannabis Business subject to the provisions of this Ordinance shall also be subject to the business tax requirements set forth in Chapter 5.04 of the Banning Municipal Code. Nothing contained in this Chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any permit or license required by, under or by virtue of any other provision of this Code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of,



replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other Chapter of this Code or any other ordinance or resolution of the City. Any references made or contained in any other Chapter of this code to any licenses, license taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other Chapters of this code.

**3.17.160 Payment of tax does not authorize unlawful business.**

A. The payment of a cannabis business tax required by this Chapter, and its acceptance by the City, shall not entitle any person to carry on any cannabis business unless the person has complied with all of the requirements of this Code, including obtaining a cannabis regulatory permit and a cannabis conditional use permit, and all other applicable state laws.

B. No tax paid under the provisions of this Chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any cannabis business in violation of any local or state law.

**3.17.170 Appeals procedures.**

Any taxpayer aggrieved by any decision of the Tax Administrator with respect to the amount of tax, interest, penalties and fees, if any, due under this Chapter may appeal to the City Manager by filing a notice of appeal with the City Clerk within 30 days of the serving or mailing of the determination of tax due. The City Clerk shall fix a time and place for hearing such appeal, and the City Clerk shall give notice in writing to the taxpayer at the last known place of address. The finding of the City Manager shall be final and conclusive and shall be served upon the taxpayer in the manner prescribed by this Chapter for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of the notice.

**3.17.180 Amendments.**

A. This Chapter may be amended by the City Council without a vote of the people. However, as required by Article XIII C of the California Constitution, voter approval is required for any amendment provision that would increase the rate of any tax levied pursuant to this Chapter or extend the tax to a cannabis business that is not included in this Chapter. The people of the City of Banning affirm that the following actions shall not constitute an increase of the rate of a tax:

1) The restoration of the rate of the tax to a rate that is no higher than that set by this Chapter, if the City Council has acted to reduce the rate of the tax;

2) An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as such interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this Chapter;

3) The establishment of a class of persons that is exempt or excepted from the tax or the discontinuation of any such exemption or exception (other than the discontinuation of an exemption or exception specifically set forth in this Chapter);

4) The collection of the tax imposed by this Chapter, even if the City had, for some period of time, failed to collect the tax; and

5) The deletion, restoration, relocation, renumbering, amendment or alteration of the provisions of this Chapter and any provision of the Code affected by this Chapter, provided that such action does not establish any new tax or increase any existing tax.

B. The City Council of the City of Banning may delete, restore, relocate, renumber, amend or alter any of the provisions of this Ordinance and any provision of the Banning Municipal Code affected by this Ordinance, provided that such action does not establish any new tax or increase any existing tax."

**SECTION 3. Severability.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The voters hereby declare that they would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 4. Effective Date.** This Ordinance shall be considered as adopted upon the date the vote is declared by the legislative body, and shall go into effect January 1, 2019.

**SECTION 5. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published in accordance with the law.

**PASSED AND ADOPTED** by the People of the City of Banning, State of California, at the General Municipal Election held on November 6, 2018.



## CITY OF BANNING RESOLUTION

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Robert Fisher, Interim Chief of Police

**MEETING DATE:** May 8, 2018

**SUBJECT:** Adopt Ordinance 1521 Amending the Banning Municipal Code section 8.20.070. (Fireworks violation) and Approve Resolution 2018-59 establishing a fine.

---

### **RECOMMENDATION:**

Adopt Ordinance 1521 Amending the Banning Municipal Code section 8.20.070 to allow for officer discretion in citing for an infraction or administrative citation and adopt Resolution 2018-59 establishing a fine for Violation of prohibition of fireworks in the amount of one hundred dollars (\$100).

### **STRATEGIC PLAN OBJECTIVE:**

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

### **JUSTIFICATION:**

A violation of California Health & Safety Code section 12677 (possessing dangerous fireworks without a permit) is a misdemeanor and is prosecuted by the District Attorneys Office. A violation of Banning Municipal Code section 8.20.070 (possession of safe and sane fireworks) is a misdemeanor and is prosecuted by the City Attorney.

Currently Banning Municipal Code section 8.20.070 allows for the removal of any fireworks, dangerous fireworks and/or safe and sane fireworks.

Amending Banning Municipal Code section 8.20.070 to be cited as an infraction or misdemeanor would allow a police officer to directly file the case in traffic court. Amending Banning Municipal Code section 8.20.070 to be issued as an administrative citation pursuant to Banning Municipal Code Chapter 8.20 at the officer's discretion will allow Code Enforcement to issue a cite.

### **BACKGROUND:**



The use of fireworks in the City of Banning, both “dangerous fireworks” and “safe and sane fireworks” as classified by the State Fire Marshall, poses a threat to the public safety and welfare. Use of fireworks in the City also results in a significant diversion of the City’s fire Department resources to address this problem, primarily during the 4<sup>th</sup> of July holiday. This diversion of resources means that many other public safety incidents do not receive appropriate attention during the 4<sup>th</sup> of July holiday.

It is the intent of the City’s Police Department in amending this Ordinance to prohibit the use of all fireworks in the City of Banning with specific exceptions. The Ordinance states that it is unlawful for any person to manufacture, give away, sell, offer for sale, solicit the sale of, possess, purchase, use, ignite, explode, fire, or otherwise discharge any fireworks within the city or to aid and abet any of the above with respect to “dangerous fireworks.” The Ordinance also authorizes the seizure of fireworks by the Police Department and specifies penalties and exceptions to the Ordinance.

**OPTIONS:**

1. Amend Banning Municipal Code section 8.20.070.
2. Reject Amending Municipal Code section 8.20.070.


**FISCAL IMPACT:**

To be determined.

**ATTACHMENTS:**

1. Ordinance 1521
2. Resolution 2018-59

Approved by:



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Rochelle Clayton  
City Manager

# **ATTACHMENT 1**

Ordinance 1521

## ORDINANCE 1521

### **AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, AMENDING SECTION 8.20.070 OF THE BANNING MUNICIPAL CODE TO ESTABLISH ADDITIONAL PENALTIES FOR VIOLATING THE CITYWIDE PROHIBITION ON FIREWORKS**

**WHEREAS**, the City of Banning ("City") previously adopted an ordinance, codified as Chapter 8.20 (Fireworks) of Title 8 (Health and Safety) of the Banning Municipal Code, prohibiting the possession and use of fireworks within city limits; and

**WHEREAS**, the ordinance contained Section 8.20.070 that established a misdemeanor penalty for violation of its provisions with increasing fines for subsequent convictions; and

**WHEREAS**, the misdemeanor penalty has failed to deter the use and possession of fireworks because it has proven burdensome for law enforcement to effectuate; and

**WHEREAS**, granting law enforcement officers the authority to issue administrative citations or infractions as an alternative to misdemeanor violations would strengthen their ability to enforce the prohibition of fireworks and improve deterrence in the future.

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

**SECTION 1. CEQA.** The adoption of this Ordinance is not a "project" under the California Environmental Quality Act because the Ordinance does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4). This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") and the City's CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that granting law enforcement the authority to issue administrative citations and infractions in addition to misdemeanor charges for the illegal possession or use of fireworks within city limits will result in a permanent alteration of property or the construction of any new or expanded structures, or have any other direct or indirect physical changes in the environment, and therefore will not have any potential to significantly affect the environment.

**SECTION 2.** Section 8.20.070 (Violations - Penalty) of Chapter 8.20 (Fireworks) of Title 8 (Health and Safety) of the Banning Municipal Code, is hereby amended to read as follows, with the changes shown through the use of legislative format:

A. In the discretion of the enforcement officer, any person violating the provisions of this chapter may be issued an administrative citation pursuant to



Banning Municipal Code Chapter 1.20, an infraction pursuant to Banning Municipal Code 1.28.030, or charged with a misdemeanor.

B. If a person is charged with a misdemeanor, upon conviction that person shall be punished by a fine not less than five hundred dollars and not more than one thousand dollars, or by imprisonment in the county jail for not exceeding one year, or by both such fine and imprisonment.

C. Upon any second or subsequent conviction of the offense, the person shall be punished by the penalties of a fine of one thousand dollars and by imprisonment in the county jail for one year.

D. A person is guilty of a separate offense for each and every day or portion thereof during which he commits, continues or permits a violation of this chapter.

E. Nothing in this chapter shall be intended to limit any of the penalties provided for under the California Health and Safety Code or Penal Code with regard to the sale, use, possession, delivery and/or transportation of dangerous fireworks.

**SECTION 3.** Except as otherwise expressly amended by this Ordinance, the provisions of Chapter 8.20 shall remain unchanged and continue in full force and effect.

**SECTION 4. SEVERABILITY.** If any section, subsection, clause or phase or portion of this code is for any reason declared to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance. The Mayor and City Council hereby declare that it would have passed the ordinance codified in this chapter; and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 5. PUBLICATION, EFFECTIVE DATE.** The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a minute of the passage and adoption thereof in the records and the proceedings of the City Council at which time the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) calendar days after its final passage, the City Clerk shall cause a summary of this

Ordinance to be published in a newspaper of general circulation and shall post the same at City Hall, 99 E. Ramsey Street, Banning, California. The City Clerk shall cause the Ordinance to be printed, published, and circulated.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of May, 2018.

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George Moyer, Mayor  
City of Banning

**ATTEST:**

---

Sonja De La Fuente, Deputy City Clerk  
City of Banning

**APPROVED AS TO FORM:**

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Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon, APC

**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance 1521 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 8<sup>th</sup> day of May, 2018, and was duly adopted at a regular meeting of said City Council on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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



# **ATTACHMENT 2**

Resolution 2018-59

## RESOLUTION 2018-59

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AMENDING THE ADMINISTRATIVE CITATION SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE BANNING MUNICIPAL CODE IN ORDER TO ADD A FINE FOR VIOLATIONS OF CHAPTER 8.20 OF THE BANNING MUNICIPAL CODE REGARDING FIREWORKS AND AMENDING RESOLUTION 2017-24

**THE CITY COUNCIL OF THE CITY OF BANNING DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** On February 28, 2017 the City adopted Resolution 2017-24, which set forth the administrative citation schedule of fines for certain violations of the Banning Municipal Code. The City Council has introduced an ordinance to allow for the issuance of administrative citations for violating the City's prohibition of fireworks within city limits. Once that ordinance is adopted and takes effect, the City will need to have an adopted administrative penalty for violation of the fireworks prohibition in order to issue administrative citations in the correct amount.

**SECTION 2.** The City Council of the City of Banning does hereby amend the Schedule of Fines for application in its Administrative Citation program to add in the following text into the Schedule:

Section	Offense	Fine
<u>Ch. 8.20</u>	<u>Violation of prohibition of fireworks</u>	<u>\$100.00</u>

**SECTION 3.** Except as otherwise specifically set forth in Section 2 above, the fine amount for a second violation of the same Municipal Code section by the same person within a thirty-six (36) month period shall be equal to one hundred twenty-five percent (125%) of the fine amount listed in this Resolution, at the time of the second violation.

**SECTION 4.** Except as otherwise specifically set forth in Section 2 above, the fine amount for a third and subsequent violations of the same Municipal Code section by the same person within a thirty-six (36) month period shall be equal to one hundred fifty percent (150%) of the fine amount listed in this Resolution, at the time of the third or, as applicable, subsequent violation.

**SECTION 5.** Any fine amount imposed pursuant to Chapter 1 Article IV Division II (section 1.29.01 et seq.) of the Banning Municipal Code and this Resolution shall be deemed delinquent if it is not paid in accordance with the terms and conditions of Chapter 1 Article IV Division II (section 1.29.01 et. seq.). Any person who fails to pay to the City the amount of any fine imposed pursuant to the provisions of Chapter 1 Article IV Division II (section 1.29.01 et. seq.) of the Banning Municipal Code and this Resolution on or before the date that fine amount is due shall be liable for the payment of an additional delinquency

penalty. The delinquency penalty is equal to ten percent (10%) of the amount of the fine due to the City, or ten percent (10%) of the amount of the fine remaining unpaid to the City if a portion of the fine amount was timely paid. Interest shall accrue on all delinquent fine amounts, exclusive of delinquency penalties, at the rate of one half of one percent per month, pro rata, of the total delinquent fine amount, from the date the fine amount becomes delinquent until the date that all delinquent fine amounts are paid to the City.

**SECTION 6.** Except as amended herein, Resolution 2017-24 shall remain in full force and effect.

**SECTION 7.** This Resolution shall go into full force and effect immediately and will remain effective unless repealed or superseded by a subsequent resolution.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

**ATTEST:**

\_\_\_\_\_  
Sonja De La Fuente, Deputy City Clerk  
City of Banning

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon



**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-51, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, 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:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Art Vela, Public Works Director/City Engineer

**MEETING DATE:** May 8, 2018

**SUBJECT:** Discuss the Pavement Rehabilitation of North Hargrave Street

---

### **RECOMMENDED ACTION:**

Informational only; receive and file.

### **BACKGROUND:**

The Riverside County Flood Control and Water Conservation District (RCFCD) completed the construction of a new storm drain system along Hargrave Street from Ramsey Street to Indian School Lane. The scope of work included, among other items, the repair of the street pavement within the limits of construction, but not the entire width of the road. Only half of the width of Hargrave Street was repaved for a majority of the project.

At the request of City Council the Public Works Department has planned to rehabilitate the portions of Hargrave Street that were not improved as part of RCFCD's storm drain project. Initially, the Public Works Department planned to improve Hargrave Street as part of an upcoming street improvement project that will be out to bid within the upcoming months.

During recent coordination efforts with the City's Water Division, staff learned that the existing water line within the proposed project limits, which was installed in 1933, has averaged six (6) water leaks in each of the last two years. Each water leak repair required a street pavement cut. Water Division staff expects that leaks will continue to occur on this section of the waterline until it is replaced.

In consideration of the condition of the existing waterline, the Public Works Department will postpone the pavement rehabilitation of Hargrave Street until a future date and will immediately begin the preparation of construction documents for the replacement of the



waterline. The scope of work for the waterline replacement and pavement rehabilitation of Hargrave Street will be completed as part of the same project.

**FISCAL IMPACT:**

No fiscal impact is associated with this "receive and file" report.

**ATTACHMENTS:**

None

Approved by:



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Rochelle Clayton  
Interim City Manager



## **CITY OF BANNING CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Art Vela, Director of Public Works

**MEETING DATE:** May 8, 2018

**SUBJECT:** Resolution No. 2018-45, Declaring the Intention to Levy and Collect Assessments, Approving the Engineer's Report and Setting the Date for the Public Hearing for Landscape Maintenance District No. 1

---

### **RECOMMENDED ACTION:**

That the City Council adopt Resolution No. 2018-45, Declaring the Intention to Levy and Collect Assessments, Approving the Engineer's Report and Setting the Date for the Public Hearing for Landscape Maintenance District No. 1.

### **JUSTIFICATION:**

The City Council approved the formation of Landscape Maintenance District (LMD) No. 1 by adopting Resolution No. 1990-59 on August 14, 1990. The adoption of Resolution No. 2018-45 will enable the Director of Public Works/City Engineer to assess the property owners located within LMD No. 1 to provide for the funding required to maintain landscape areas located within the public right-of-way directly benefiting said property owners.

### **BACKGROUND:**

In accordance with the "Landscaping and Lighting Act of 1972" ("1972 Act") of the Streets and Highways Code, the City Council adopted a resolution on August 14, 1990 ordering the formation of Landscape Maintenance District No. 1, ("the District"). An additional five tracts and three tentative tracts were annexed (Annexation No. 1) into LMD No. 1 when the City Council approved Resolution No. 2005-36 on May 10, 2005. A map displaying the District is attached. On February 13, 2018 the City Council approved

Resolution No. 2018-17, initiating proceedings for the fiscal year update of LMD No.1. The District, by special benefit assessments, provides funding for the servicing and maintenance of certain landscape areas within the City of Banning, all of which are located in the public right-of-way. The 1972 Act requires that assessments are to be levied according to benefit rather than according to assessed value.

Resolution No. 2018-45 accomplishes three goals for the fiscal year update and renewal of LMD No. 1. First, it provides the resolution of intention to levy and collect assessments; second, it permits the City Council to review and approve the Engineer's Report; and third, it sets the date and time for a public hearing. Subsequent to the approval of Resolution No. 2018-45, the City Council will be requested to confirm the assessments for Fiscal Year 2018/19.

The Engineer's Report, reflecting the detail of proposed assessments, was forwarded to the City Council under a separate cover and is on file with the City Clerk. Upon approval of this resolution, the public hearing will be held at the regularly scheduled City Council meeting on June 12, 2018, at 5:00 p.m., as shown in the attached schedule. A detailed list of tracts in LMD No. 1 and their respective assessments is shown as attached.

For Fiscal Year 2018/2019, the Engineer's Report does reflect a Consumer Price Index (CPI) percentage increase of 2.2% on the assessments over the last fiscal year primarily due to the fact that water utility costs will increase as some of the water meters were charged the municipal rate instead of the retail rate. It should be noted that there has been no CPI increase during the previous four Fiscal Years.

#### **FISCAL IMPACT:**

Based on the proposed assessments, the estimated revenues for Fiscal Year 2018/19 for LMD No. 1 will be approximately \$139,566, with the 2.2% CPI increase. If approved, the annual assessment for a single-family dwelling would increase from the current range of \$98.91 to \$200.44, to \$101.09 to \$204.85. The estimated expenses are \$150,600, a shortfall of approximately \$11,000 which will be covered by the fund balance, currently at \$153,455. The increase in expenses next Fiscal Year is due to the change in water rates from municipal to retail. A future report will be presented to City Council for a possible increase to the assessments beyond the CPI increase to cover the shortfall.

The assessment revenues will fund the landscape maintenance contract, electric and water utility costs and miscellaneous costs (additional planting materials and irrigation repairs, County Assessor's Roll charge, Advertisement, etc.).

#### **ALTERNATIVE:**

Reject Resolution No. 2018-45, which would result in staff not continuing with the process of assessing the homeowners and properties within LMD No. 1 a fee to pay



for maintenance and servicing costs. Expenses funded by the fee currently include the LMD contractor, utility costs (water and electric), miscellaneous costs (design improvements, irrigation repair, flower and tree replacement, shrubs, etc.), and minor incidentals. Without an assessment, other funding sources would have to be utilized to pay for the expenses related to the operation and maintenance of LMD No.1.

**ATTACHMENTS:**

1. Resolution No. 2018-45
2. LMD No. 1 Map for FY 2018/19
3. Tentative Schedule for Updating LMD No. 1
4. LMD No. 1 Assessments

Approved by:



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Rochelle Clayton  
Interim City Manager

# **ATTACHMENT 1**

Resolution No. 2018-45

## **RESOLUTION NO. 2018-45**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN LANDSCAPE MAINTENANCE DISTRICT NO. 1, DURING THE FISCAL YEAR 2018/19, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LANDSCAPING, APPROVING THE ENGINEER'S REPORT, AND SETTING THE DATE FOR THE PUBLIC HEARING FOR THE LEVY OF SAID ASSESSMENT**

**WHEREAS**, at its regularly scheduled meeting on August 14, 1990, the City Council of the City of Banning (City Council) adopted Resolution No. 1990-59, authorizing the formation of Landscape Maintenance District No. 1 (LMD No. 1); and

**WHEREAS**, at its regularly scheduled meeting on May 10, 2005, the City Council adopted Resolution No. 2005-36, ordering the annexation of an additional five tracts and three tentative tracts to the City's LMD No. 1; and

**WHEREAS**, at its regularly scheduled meeting on February 13, 2018 the City Council adopted Resolution No. 2018-17, initiating proceedings for the fiscal year renewal of LMD No. 1 pursuant to the "Landscaping and Lighting Act of 1972," Part 2 (commencing with Sec. 22500) of Division 15 of the Streets and Highways code, for the operation, maintenance and servicing of landscape medians, parkways, perimeter strips and slopes adjacent to sidewalks, flood detention or retention basins, and the irrigation of the above facilities and all appurtenant facilities related thereto; and

**WHEREAS**, by said Resolution the City Council ordered the City Engineer to prepare and file a report with the City Clerk in accordance with Article 4 (commencing with Sec. 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways code; and

**WHEREAS**, the City Engineer has filed such report with the City Clerk, and such report has been presented to and considered by the City Council; and

**WHEREAS**, it is essential that the City Council adopt Resolution No. 2018-45, so that the City may assess and collect assessments from the property owners located within LMD No. 1; and

**WHEREAS**, the City Council hereby finds that the funding for LMD No. 1 is available through a special assessment of property owners located within the District.

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



SECTION 1. That the City Council hereby declares its intention to levy and collect assessments within LMD No. 1 for the Fiscal Year 2018/19 pursuant to the "Landscaping and Lighting Act of 1972." The area to be assessed is located in the City of Banning, Riverside County. The boundaries of LMD No. 1 are described in Attachment "2", and are on file in the Office of the City Clerk and City Engineer.

SECTION 2. That the purpose of LMD No. 1 is for the maintenance and servicing of landscape medians and parkways, perimeter strips and backup walls, landscaped hillsides with high visibility, side slopes adjacent to sidewalks, flood detention or retention basins, and the irrigation of the above facilities.

SECTION 3. That the Engineer's Report, which is on file with the City Clerk and considered by the City Council at the meeting at which this Resolution has been adopted, is hereby approved and considered final. All interested persons are referred to that report for a full and detailed description of the work, the boundaries of the proposed assessment district, and the proposed assessments upon assessable lots and parcels of land within LMD No. 1.

SECTION 4. That the City Clerk shall give notice of the time and place of said public hearing by advertising a copy of the resolution once in the local newspaper and provide a posted notice not less than ten (10) days before the date of the hearing.

SECTION 5. That on Tuesday, June 12, 2018, at the hour of 5:00 p.m., during the course of its regularly scheduled meeting, the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held at Banning City Hall, 99 E. Ramsey Street, Banning, California.

**PASSED, ADOPTED AND APPROVED** this 8th day of May, 2018.

---

George Moyer, Mayor  
City of Banning

**ATTEST:**

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Sonja De La Fuente, Deputy City Clerk  
City of Banning

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

---

Kevin G. Ennis, Esq., City Attorney  
Richards, Watson & Gershon

**CERTIFICATION:**

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2018-45 was duly adopted by the City Council of the City of Banning at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

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

# **ATTACHMENT 2**

Landscape Maintenance District No. 1 for Fiscal Year 2018/2019



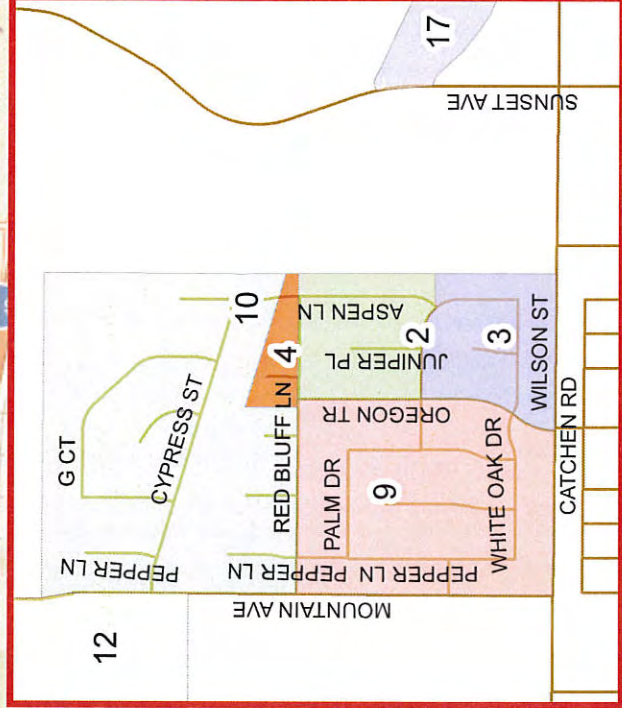
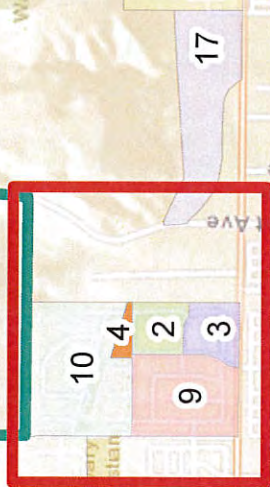
# Map of Landscape Maintenance District No. 1 2018-2019



## Legend

### Existing Tracts

1. 21882 Snow Creek I
2. 22810 Dev. Corp
3. 22811 Dev. Corp
4. 22913 Arce Bros.
5. 23446 Highland Estates
6. 23598 Snow Creek II
7. 28252 Fair Oaks
8. 29721 The Pines
9. 30186 Wilson Homes
10. 30222 Wilson Homes
11. 30793 Fiesta Collection
12. 30906 Evergreen Estates
13. 31833 Fair Oaks
14. 31834 Fair Oaks
15. 31835 Fair Oaks
16. 32109 Sunset Ridge
17. 36939 Wilson 97



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

# ATTACHMENT 3

Tentative Schedule for Updating Landscape Maintenance District No. 1

Item	Council Meeting
Resolution Initiating Update	February 13, 2018
Resolution of Intention (Approving Engineer's Report)	May 8, 2018 (revised)
Resolution Confirming Assessment (Public Hearing)	June 12, 2018 (revised)



# ATTACHMENT 4

## Landscape Maintenance District No. 1 Tracts and Assessments for Fiscal Year 2018/2019

Tract No.	No. of AU	Zone	Proposed Cost/AU (FY 2018/19)
22810	43	A	\$111.30
22811	39	A	\$111.30
22913	9	A	\$111.30
21882	134	B	\$115.80
23446	138	B	\$115.80
29721	21	B	\$115.80
30186	107	B	\$115.80
30222	121	B	\$115.80
32109	38	B	\$115.80
23598	97	C	\$101.09
36939	(53)	C	\$101.09
28252	70	D	\$204.85
30793	43	D	\$204.85
31833	17	D	\$204.85
31834	18	D	\$204.85
31835	33	D	\$204.85
30906*	87	D	\$204.85
<b>Total</b>	<b>1,015</b>		<b>\$139,566.03</b>

AU= Assessment Unit

(#) = Tract not yet completed or will not be accepted into the Landscape Maintenance District during the next Fiscal Year. Not included in total AU.

\*Tract No. 30906 has a total of 303 AU; therefore, a total of 216 remain.



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## **CITY OF BANNING CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager

**PREPARED BY:** Art Vela, Director of Public Works  
Luis Cardenas, Senior Civil Engineer

**MEETING DATE:** May 08, 2018

**SUBJECT:** Approval of Resolution 2018-44, Adopting the Water Supply Assessment for Banning Distribution Center

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### **RECOMMENDED ACTION:**

Staff recommends that the City Council adopt Resolution 2018-44, approving the Water Supply Assessment (WSA) prepared by Albert A. Webb associates for Banning Distribution Center.

### **BACKGROUND:**

California Government Code Section 66473.7 requires affirmative written verification from the water purveyor of the public water system that sufficient water supplies are available for projects meeting certain criteria. In the case of the Banning Distribution Center, the nearly 1,000,000 square feet of industrial warehouse building triggers the requirement for written verification of sufficient water supplies.

California Water Code Section 10910 requires the preparation of a water supply assessment, which provides substantial evidence in support of the written verification. If the projected water demand of the proposed project was accounted for in the most recent Urban Water Management Plan (UWMP), the water supply assessment may draw upon the information and analysis in the UWMP previously prepared by the City. The City has prepared and adopted its 2015 UWMP as of June 2016, and the submitted Water Supply Assessment relied on the information within the City's UWMP.

The Water Supply Assessment demonstrates that the City's water supply will meet the water demands of the proposed Project. The combined indoor and outdoor water demands for the Banning Distribution Center are estimated at 47 acre-feet per year. For

the years 2020 through 2040, the City has a projected water supply of between 13,318 and 13,659 acre-feet per year. In addition, the City of Banning maintains a storage account in the Beaumont Basin, currently estimated at 49,990.8 acre-feet.

**JUSTIFICATION:**

The proposed project has submitted a Water Supply Assessment (WSA) report subject to and meeting requirements of California Water and Government Codes.

**FISCAL IMPACT:**


There are no costs from the City's existing budget involved with the above action, however when the proposed development project is constructed, the water connection fees generated will cover the costs for the water supply and facilities necessary for reliable water service.

**ATTACHMENTS:**

Attachment 1: Resolution 2018-44

Attachment 2: Water Supply Assessment for Banning Distribution Center

Approved by:

  
\_\_\_\_\_  
Rochelle Clayton  
Interim City Manager



# **ATTACHMENT 1**

Resolution 2018-44

## RESOLUTION 2018-44

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE WATER SUPPLY ASSESSMENT FOR BANNING DISTRIBUTION CENTER

**WHEREAS**, the City is the Water Purveyor for the water service area of the City of Banning; and

**WHEREAS**, a Water Supply Assessment (WSA) has been prepared by Albert A. Webb Associates for Banning Distribution Center (Project); and

**WHEREAS**, the proposed project is subject to California Water Code Sections 10910 *et seq.* (Senate Bill 610) requiring a Water Supply Assessment because it is a project under California Water Code Section 10912 and is subject to the California Environmental Quality Act; and

**WHEREAS**, the WSA must be approved by the governing body of the public water system, the City of Banning; and

**WHEREAS**, the City has prepared and adopted its 2015 Urban Water Management Plan (UWMP) as of June 14, 2016; and

**WHEREAS**, the submitted WSA, attached and incorporated herein by this reference, relies on the information within the City's adopted 2015 UWMP that indicates the City will have a sufficient water supply during the period from 2020 to 2040 during normal, single, and multiple dry years; and

**WHEREAS**, the City's water supply will meet the water demands of this proposed Project, existing uses, and other future uses.

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

SECTION 1. The City Council hereby makes the following findings related to the WSA:

The City's adopted 2015 UWMP, which is incorporated by this reference, identified three sources of water supply to meet projected water demands within the City's service area: groundwater, recycled water, and SWP water. As described in the City's 2015 UWMP, a conservative approach was used to determine the availability of each of these water supply sources. As documented in the City's 2015 UWMP, the City has existing water entitlements and rights to meet future demands. Through an established practice of groundwater management utilizing several storage units, and by exercising its right under the Beaumont Basin Judgment to pump additional groundwater supplies over the next ten (10) years, sufficient water supplies are available. In addition, the City has committed sufficient capital

resources and planned investments in various water programs and facilities to serve all of its existing and planned customers, while replenishing ground water supplies. No shortages are anticipated within the City's service area in average/normal year, single dry year, and multiple dry year scenarios for the next twenty (20) years.

- A. As of 2015, the City's water supply capacity from wells was 24,300 gallons per minute, which is obtained from five (5) storage units of the San Gorgonio Pass Groundwater Sub-basin: Banning, Banning Bench, Banning Canyon, Cabozon, and Beaumont Storage Units. For the years 2020 through 2040, the City has a projected water supply of between 13,318 and 13,659 acre-ft/yr.
- B. In addition to the above yearly water supplies, the City maintains a storage account in the Beaumont Storage Unit, currently estimated by the Beaumont Basin Watermaster at 49,990.8 acre-ft. This water storage was not included in the 2015 UWMP and would be used to satisfy any short-term deficiencies in water supply.
- C. As of 2015, the City's combined potable and non-potable water demand was 6,709 acre-ft/yr. By 2040, an increase to 13,628 acre-ft/yr (8,443 gallons per minute) is projected. In addition, it is anticipated that the development of tertiary-level recycled water in the amount of 1,680 acre-ft/yr will be available by 2025 to offset potable water currently used for landscape irrigation.
- D. The Banning Distribution Center consists of about 1,000,000 square feet of industrial warehouse building on a 63.9-acre site located in the City of Banning. This project will have an estimated total annual average water demand of 47 acre-ft/yr. Water demands are based on the proposed land use and water demand factors calculated from 2015 industrial water demand contained in the City's UWMP. Outdoor irrigation demands were based on estimates from a Conceptual Landscape Plan dated November 2016.
- E. Based on the above findings and the substantial evidence in the record including the WSA, staff report, and other documents incorporated therein, together with evidence presented at the public meeting on this matter, the City Council hereby finds that the public water system's total projected water supplies available during normal, single dry and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed Project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

SECTION 2. The City Council hereby approves the Water Supply Assessment, dated November 3, 2017, for the Banning Distribution Center.



**PASSED, APPROVED AND ADOPTED** this 8th<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
George Moyer, Mayor  
City of Banning

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

**ATTEST:**

\_\_\_\_\_  
Kevin G. Ennis, City Attorney  
Richards, Watson & Gershon

\_\_\_\_\_  
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 foregoing Resolution 2018-44, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 8<sup>th</sup> day of May, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

# **ATTACHMENT 2**

Water Supply Assessment for Banning Distribution Center

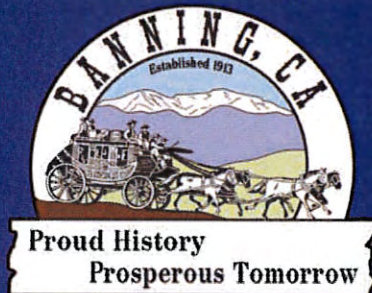




## **WATER SUPPLY ASSESSMENT**

### BANNING DISTRIBUTION CENTER

Prepared for



November 3, 2017



[www.webbassociates.com](http://www.webbassociates.com)



## TABLE OF CONTENTS

<b>SECTION 1 - INTRODUCTION.....</b>	<b>1-1</b>
1.1. Purpose.....	1-1
Law.....	1-1
1.2. Proposed Project.....	1-2
Project Location.....	1-3
Existing Site Description.....	1-3
Project Land Use Designations.....	1-7
1.3. Project Relation to Urban Water Management Plan.....	1-13
Law.....	1-13
1.4. Statewide Mandatory Water Conservation Requirements.....	1-15
1.5. Methodologies of Analysis.....	1-16
 <b>SECTION 2 - WATER DEMAND ANALYSIS .....</b>	<b>2-1</b>
Law.....	2-1
2.1. Citywide Demographic Factors.....	2-1
2.2. City of Banning's Current and Future Water Demand.....	2-4
2.3. Project Water Demand.....	2-6
 <b>SECTION 3 - WATER SUPPLY ANALYSIS.....</b>	<b>3-1</b>
Law.....	3-1
3.1. Documenting Wholesale Water Supplies.....	3-2
Wholesale Supplies Received.....	3-2
3.2. Documenting Water Supplies.....	3-9
Whitewater River Diversion.....	3-11
City Wells.....	3-11
Water Supply Capacities.....	3-14
3.3. Descriptions of All Water Supply Projects.....	3-17

City Well Production _____	3-17
City Wastewater Effluent Production _____	3-20
Imported Water Supplies from SGPWA _____	3-22
3.4. Documenting Normal Year Supply and Demand for City of Banning _____	3-24
3.5. Documenting Single Dry Year Supply and Demand for City of Banning ____	3-25
3.6. Documenting Multiple Dry Year Supply and Demand for City of Banning __	3-25
3.7. Comparison of Banning's Projected Supply and Demand _____	3-26
<b>SECTION 4 - GROUNDWATER ANALYSIS .....</b>	<b>4-1</b>
Law _____	4-1
4.1. Review of Urban Water Management Plan (CWC Section 10910(f)(1)) _____	4-2
4.2. Groundwater Basin Descriptions (Section 10910 (f)(2)) _____	4-3
Baning Storage Unit Description _____	4-5
Banning Bench Storage Unit Description _____	4-6
Banning Canyon Storage Unit Description _____	4-6
Beaumont Storage Unit Description _____	4-7
Cabazon Storage Unit Description _____	4-10
Storage Unit Summary _____	4-11
4.3. Historic Use of Groundwater (Section 10910(f)(3)) _____	4-12
4.4. Projected Use of Groundwater by the City(Section 10910(f)(4)) _____	4-13
4.5. Sufficiency of Groundwater Basin (Section 10910 (f)(5)) _____	4-15
Non-Adjudicated Basins _____	4-15
Adjudicated Basin _____	4-15
<b>SECTION 5 - PRIMARY ISSUE FOR ASSESSMENT .....</b>	<b>5-1</b>
Law _____	5-1
5.1. Findings _____	5-2



## TABLES

Table 1-1: Banning Distribution Center Land Use Summary _____	1-7
Table 2-1: Summary of Significant Proposed Developments _____	2-3
Table 2-2: City of Banning Population Estimates, 2010-2040 _____	2-4
Table 2-3: City of Banning Current and Future Water Demand (AFY) _____	2-5
Table 2-4: Current Level of Industrial Development _____	2-7
Table 2-5: Water Demand Factor for Project _____	2-7
Table 2-6: Estimated Water Demand of Project _____	2-8
Table 2-7: Combined Demand Projections of Industrial and Commercial (AFY) _____	2-9
Table 3-1: Imported Water Deliveries to SGPWA _____	3-3
Table 3-2: Past and Current Water Demands on SGPWA (AF) _____	3-5
Table 3-3: Imported Water Purchased by City, 2010-2015(AF) _____	3-6
Table 3-4: SGPWA Actual and Projected Wholesale Water Supplies(AF) _____	3-8
Table 3-5: Existing Pumping Capacity for City _____	3-15
Table 3-6: City Wells with Emergency Backup Systems _____	3-16
Table 3-7: City Water Supplies, 2011-2015 (AFY) _____	3-18
Table 3-8: Projected City Water Supplies, 2020-2040 (AFY) _____	3-19
Table 3-9: Current and Projected Recycled Water (AFY) _____	3-21
Table 3-10: City Water Supply Projections with Recycled Water 2020-2040 (AFY) _____	3-22
Table 3-11: Projected Normal, Single Dry and Multiple Dry Year Supply and Demand (AFY) _____	3-24
Table 4-1: City Groundwater Production and Rights Summary _____	4-12
Table 4-2: City of Banning Historic Groundwater Production _____	4-13
Table 4-3: City of Banning Projected Ground Water Production (AFY) _____	4-14

## FIGURES

Figure 1-1: Regional Location _____	1-4
Figure 1-2: Project Vicinity _____	1-5
Figure 1-3: Site Topography _____	1-6
Figure 1-4: Existing Land Use _____	1-8
Figure 1-5: Proposed Land Use _____	1-9
Figure 1-6: Site Plan _____	1-11
Figure 1-7: Conceptual Landscape Plan _____	1-12
Figure 3-1 Ground Water Storage Units _____	3-10
Figure 4-1: City of Banning Well Locations _____	4-4

**APPENDICES (available on attached CD)**

- A. City of Banning. *2015 Urban Water Management Plan*. Prepared by Krieger & Stewart Engineering Consultants, May 2016.
- B. Agreement dated December 23, 2003 between City of Banning and Beaumont Cherry Valley Water District to share the cost of constructing and operating three new production wells.
- C. Beaumont Cherry Valley Water District. *2015 Urban Water Management Plan*. January 2017.
- D. San Gorgonio Pass Water Agency. *2015 Urban Water Management Plan*. Prepared by Kennedy/Jenks Consultants, March 2017.
- E. Beaumont Basin *Stipulation for Entry of Judgment and Judgment Pursuant to Stipulation* with exhibits, California Superior Court Case No. RIC 389197, dated February 4, 2004.
- F. California Dept. of Public Works, Division of Water Rights. *Whitewater River Adjudication Proceedings-Order Determining and Establishing the Several Rights by Appropriation to the Use of the Waters of the Whitewater River Stream System, San Bernardino and Riverside Counties*. Order entered April 23, 1928.
- G. *Determination of the Relative Rights, Based Upon Prior Appropriation of the Various Claimants to the Waters of the Whitewater River and its Tributaries in San Bernardino and Riverside Counties, California*, California Superior Court Case No. 18035, recorded December 9, 1938.
- H. Beaumont Basin Watermaster, *2016 Annual Report (Draft)*, August 2017.
- I. Geoscience Support Services, Inc. *Maximum Perennial Yield Estimates for the Banning and Cabazon Storage Units, and Available Water Supply from the Beaumont Basin, prepared by the City of Banning*. March 29, 2011.



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## SECTION 1 - INTRODUCTION

### 1.1 Purpose

In October of 2001, Senate Bill 610 (SB 610) was signed into California state law with an effective date of January 1, 2002. SB 610 amended existing legal requirements for confirmation of water supply sufficiency as a condition of approval for development projects. The confirmation of water supply sufficiency is achieved through an analysis of the water purveyor's existing and future water sources and existing and projected water demand in relation to a "project" as defined by SB 610, resulting in the production of a project-specific Water Supply Assessment ("WSA" or "Assessment"). The WSA also requires additional analysis if any portion of the water purveyor's water supplies include groundwater.

Section 1 of this Assessment describes the existing and proposed land use designations of the project site, the proposed project's relation to the water supplier's Urban Water Management Plan (UWMP), a review of statewide conservation requirements and Assessment methodology. Section 2 provides the water demand analysis of both the project site and the City, Section 3 reviews the projected water supplies for the project and the City; Section 4 contains the required discussion of the City's groundwater supplies; and Section 5 concludes the Assessment by answering the primary question at hand.

The SB 610 Assessment is triggered for projects that are subject to the California Environmental Quality Act (CEQA) and that meet the definition of "project" as defined in Water Code Section 10912.

### Law

*Water Code Section 10910: (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.*

Water Code Section 10912: *For the purpose of this part, the following terms have the following meanings:*

(a) *"Project" means any of the following:*

- (1) A proposed residential development of more than 500 dwelling units.*
- (2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.*
- (3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.*
- (4) A proposed hotel or motel, or both, having more than 500 rooms.*
- (5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.*
- (6) A mixed-use project that includes one or more of the projects specified in this subdivision.*
- (7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.*

## **1.2 Proposed Project**

The "Banning Distribution Center" ("Project") proposes to develop 63.9 acres (gross) into industrial use, which would result in a maximum cumulative building area of 1,000,000 square feet. Therefore, the proposed floor area square footage of this project triggers the need for preparation of a WSA pursuant to SB 610.

The Project will be supplied by a public water system operated by the City of Banning. As CEQA Lead Agency and water supplier for the Project, the City of Banning commissioned this Assessment from Albert A. Webb Associates on August 9, 2017 to answer the following key question per SB 610: whether the projected supply for the next 20 years, based on normal, single dry and multiple dry years, will meet the demand projected for the project plus existing and planned future uses, including agricultural and manufacturing uses.



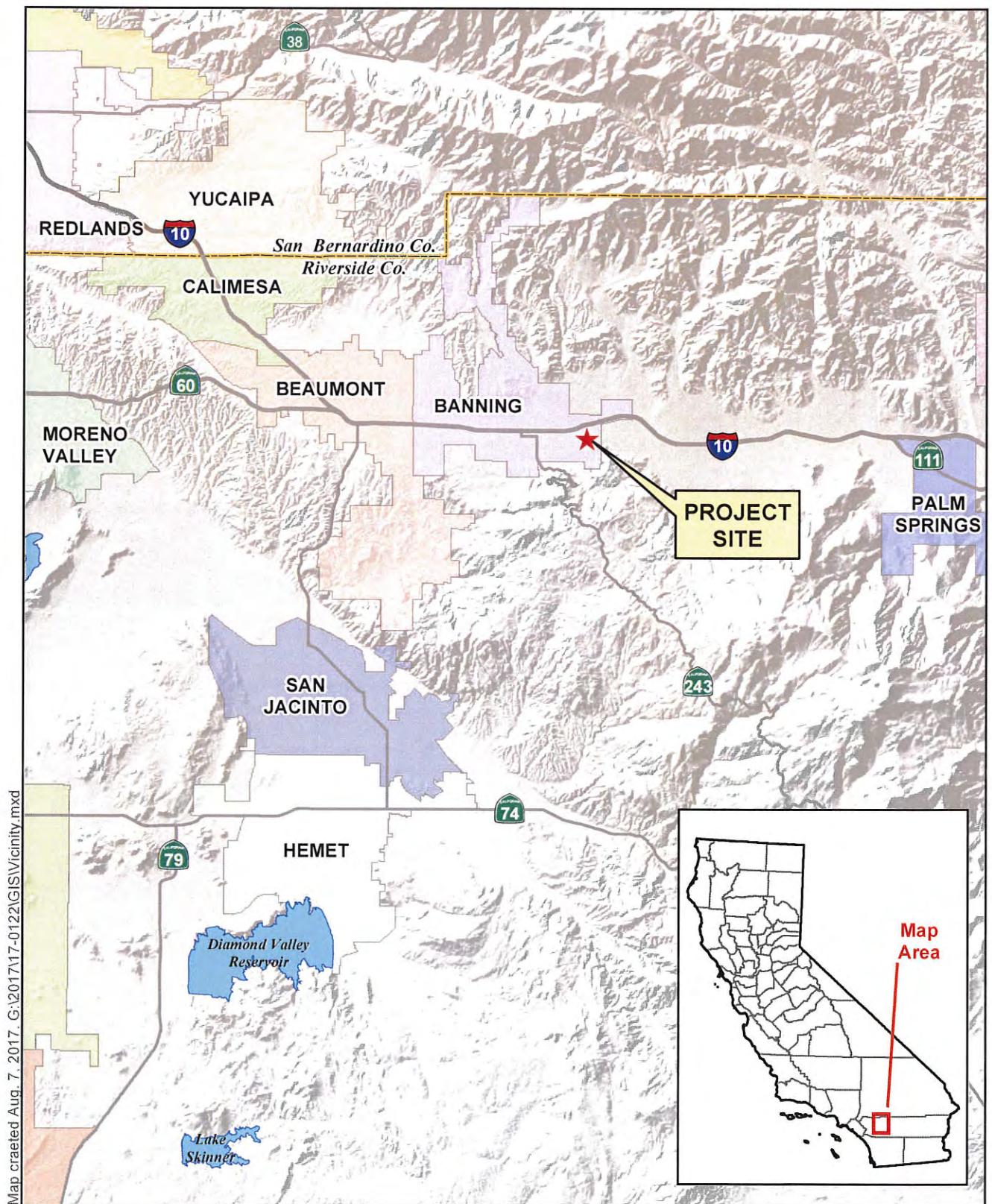
## **Project Location**

The Banning Distribution Center is located in the City of Banning within Riverside County. Specifically, the Project site is located immediately north of the Banning Airport and immediately south of Interstate 10 (I-10) and the Union Pacific Railroad line (UPRR). The Project site consists of three existing parcels (APNs 532-110-006, 532-130-001, and 532-130-002), which will be combined into one new parcel as part of the applications submitted to the City by the project developer. Please refer to **Figure 1-1**, “Regional Location.”

## **Existing Site Description**

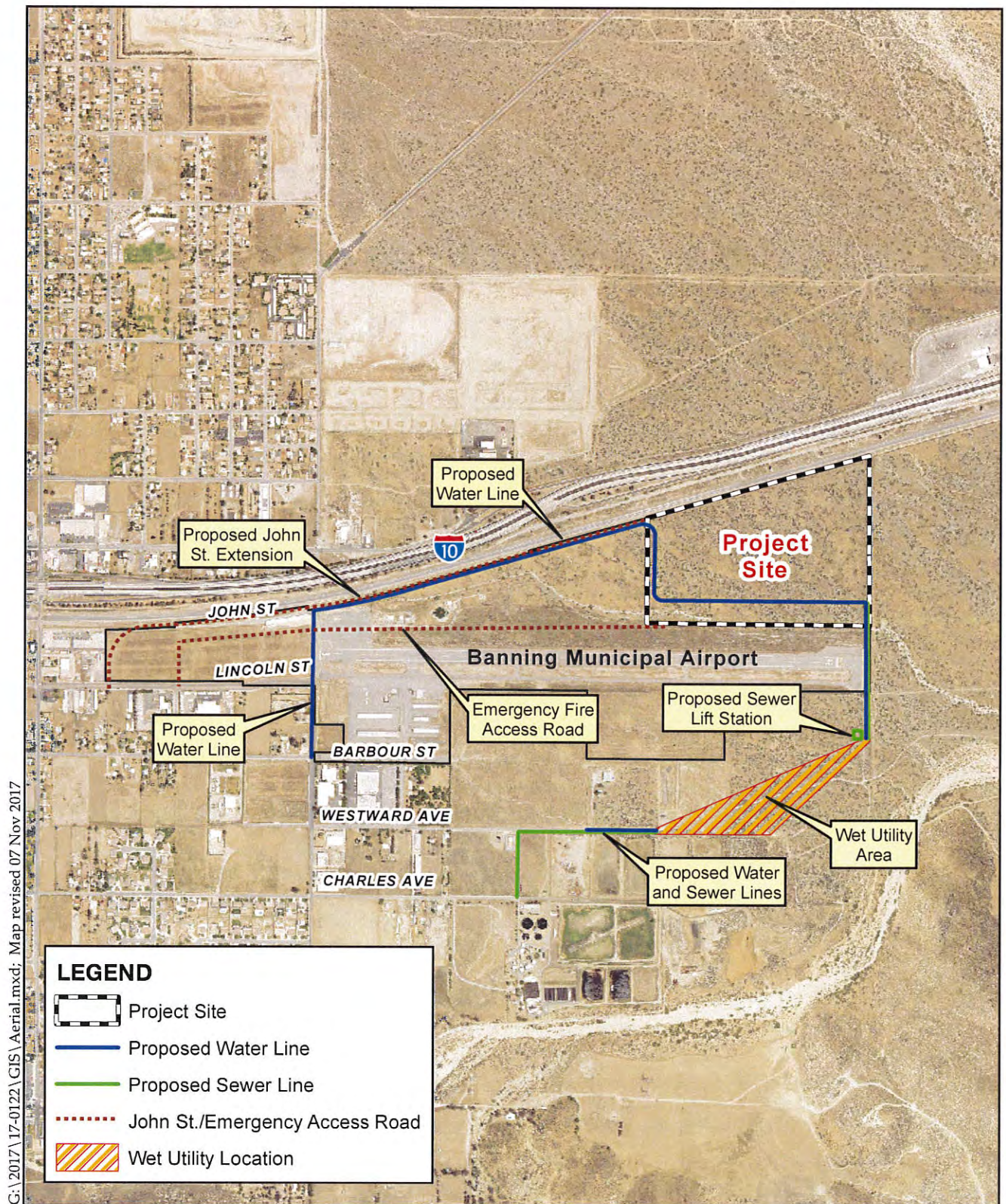
The Project site consists of 63.75 acres (net) that are currently vacant with low-lying grasses and scrub brush. The area directly to the south and west of the Project site consists of the Banning Municipal Airport facility, which is a city-owned facility zoned as Public Facilities consisting of approximately 295 acres. The property to the east of the Project is owned by the Morongo Band of Mission Indians and is currently vacant; it is not within the City’s sphere of influence. The area north of the Project is the UPRR line and I-10 freeway. Please refer to **Figure 1-2**, “Project Vicinity.”

The site topography is relatively flat and slopes gently to the south and east. Current elevations range from about 2,179 feet above mean sea level (msl) on the northwest corner of the site to about 2,101 feet msl on the southeast corner of the site. Please refer to **Figure 1-3**, “Site Topography.”



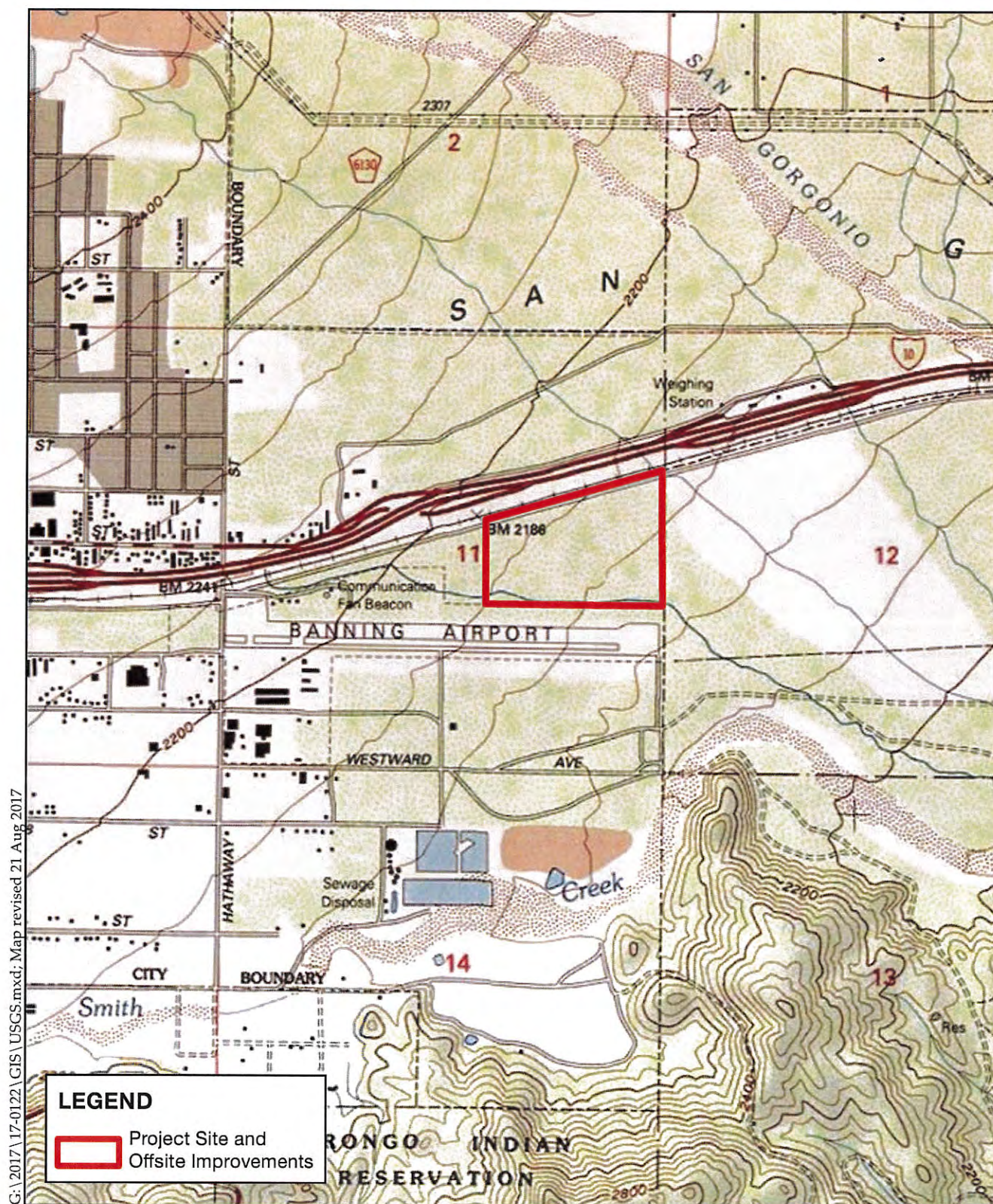
**Figure 1-1 – Regional Location**  
Banning Distribution Center





**Figure 1-2 - Project Vicinity**  
Banning Distribution Center







## Project Land Use Designations

The City's General Plan (2006), has designated the Project site as mostly Airport Industrial (44 acres) and partly Public Facilities-Airport (20 acres). Surrounding land use designations include Business Park, Industrial, and Airport Industrial. The existing land use designations for the Project site are shown on **Figure 1-4**.

The Project includes a General Plan Amendment to change the land use designation for 20 acres of the site from Public Facilities-Airport to Airport-Industrial. The proposed land use plan for the project site is shown on **Figure 1-5**.

According to the City's General Plan (2006), the Airport-Industrial land use designation allows airport-related and transportation-related functions such as machining, manufacturing, warehousing, flight schools, restaurants and office uses (p. III-8).

The Banning Distribution Center will consist of 1,000,000 square feet of industrial warehouse (non-refrigerated high-cube warehouse) that includes approximately 10,000 square feet of office space on 63.9 acres (gross) of vacant land. It can be assumed that the future tenant of the building will not be "e-commerce." The proposed warehouse is consistent with the site's existing land use and zoning designations.

The land use details for each proposed Planning Area are summarized in **Table 1-1**.

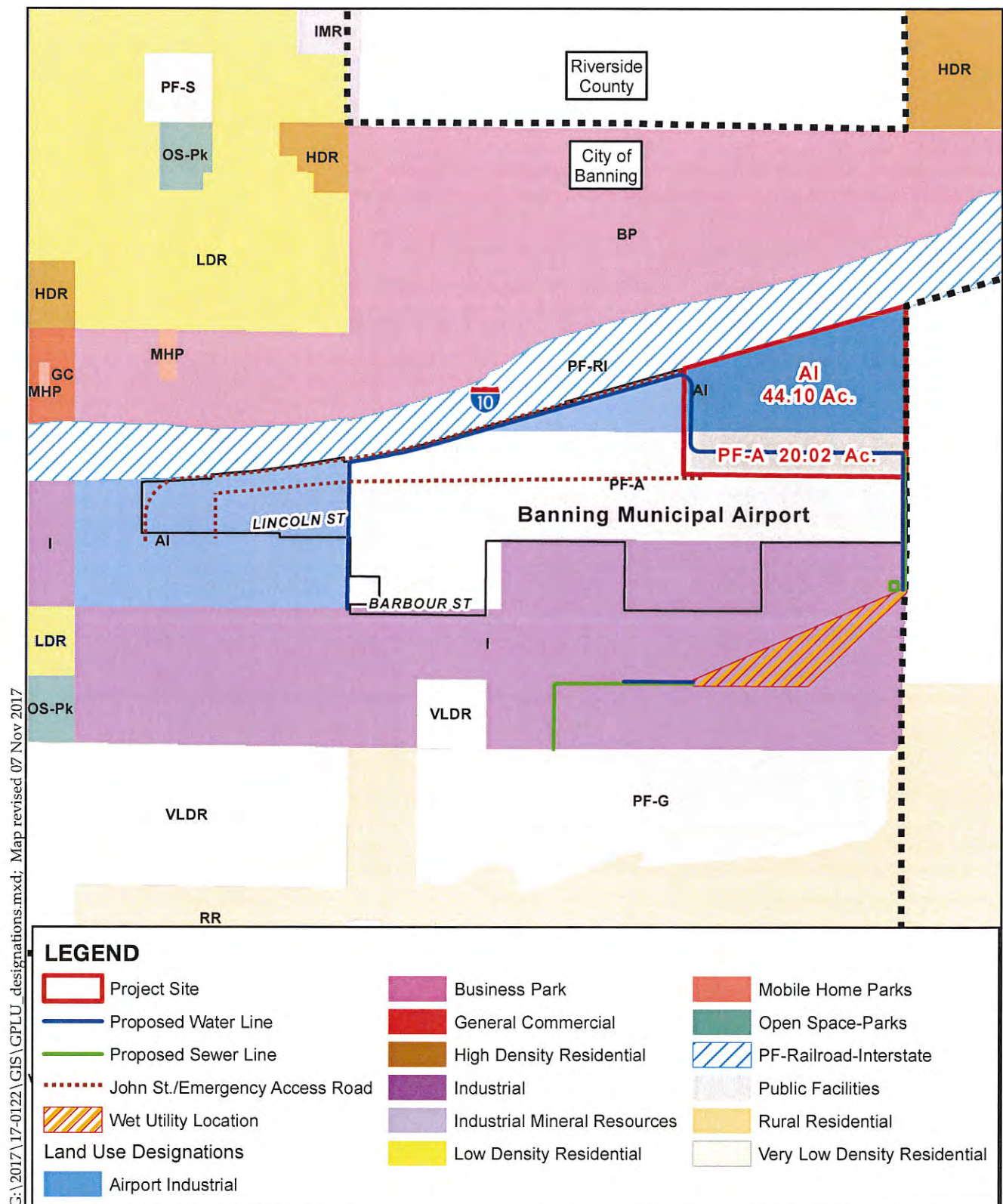
**Table 1-1: Banning Distribution Center Land Use Summary**

Existing Land Use	Existing Site Acreage	Proposed Land Use	Proposed Floor Area (SF)	Proposed Acreage gross (net)	Proposed Floor-to-Area Ratio (FAR)
Airport-Industrial	44	Airport - Industrial	1,000,000	63.90 (63.75)	0.36
Public Facilities-Airport	20				

Notes:

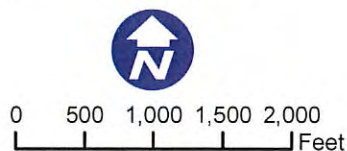
Data from City of Banning, *Initial Study for Banning Distribution Center*, updated June 12, 2017, Draft Screencheck 1.

Definitions: FAR = floor area ratio, which is the amount of building square feet in relation to the size of the lot.  
SF = square feet.



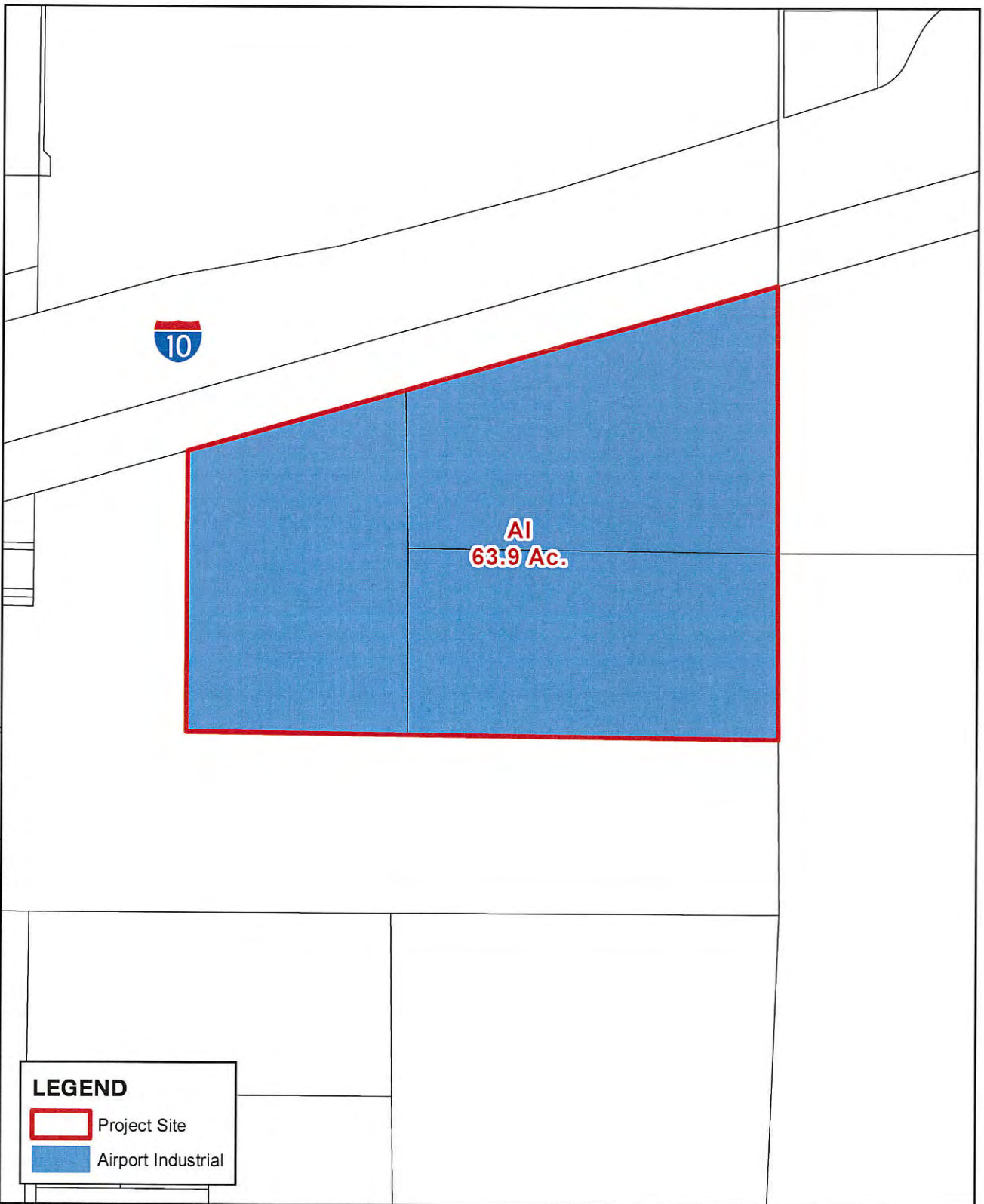
Sources: City of Banning, 2016;  
Riverside Co. GIS, 2017.

**Figure 1-4 - Existing Land Use**  
Banning Distribution Center



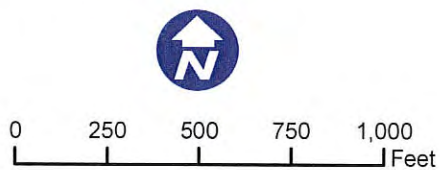


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Source: Riverside Co. GIS, 2017.

**Figure 1-5 - Proposed Land Use**  
Banning Distribution Center



The project also includes offsite utility improvements in order to connect the proposed warehouse to the City's sanitary sewer and potable water systems. Two stormwater detention basins are proposed on-site that are designed to contain a maximum combined volume of 12.52 acre-feet.<sup>1</sup>

The proposed development plans that were used for this Assessment are shown in **Figure 1-6** and the proposed landscaping plans that were provided for this Assessment are provided in **Figure 1-7**. Landscaping is provided over approximately 19% of the site (530,091 square feet or 12.2 acres) with the remainder of the site consisting of the building and hardscape (2,252,052 square feet or 51.7 acres).<sup>2</sup>

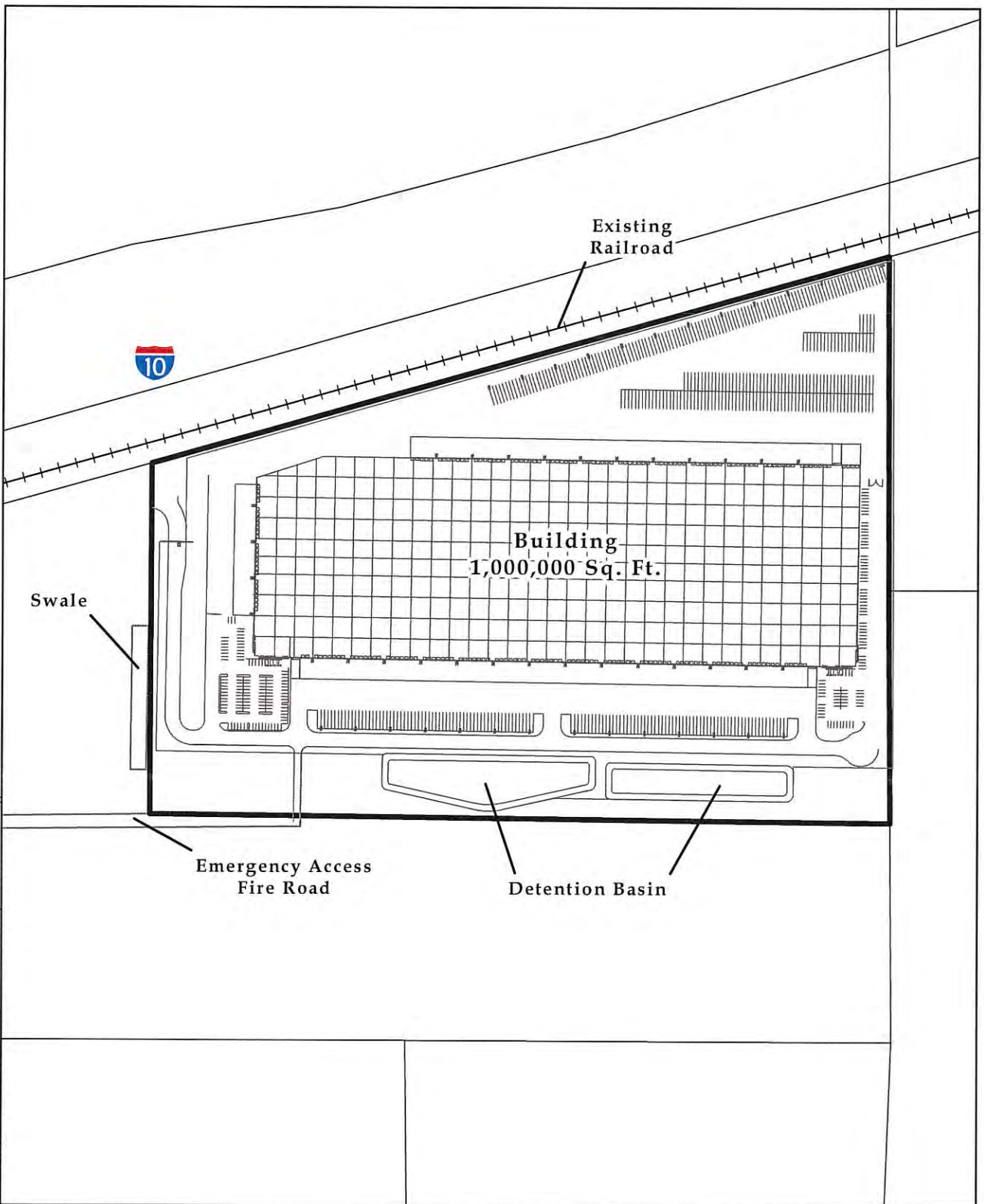
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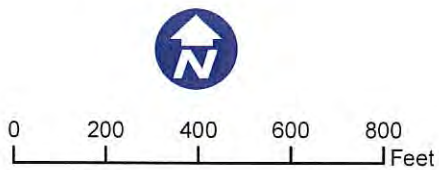
<sup>1</sup> Albert A. Webb Associates. *Drainage Study for Banning Distribution Center, City of Banning, CA*. Prepared for Banning Industrial, LP. July 2016.

<sup>2</sup> From *City of Banning, Banning Distribution Center Design Review No.16-7002 & Conceptual Grading Plan* by Albert A. Webb Associates, dated 12/21/2016.

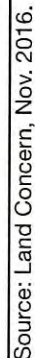
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**Figure 1-6 - Site Plan**  
Banning Distribution Center







**Figure 1-7 - Conceptual Landscape Plan**  
Banning Distribution Center

### 1.3 Project Relation to Urban Water Management Plan

#### Law

Water Code Section 10910. (c) (1) *The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code [CEQA], shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).*

*(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).*

*(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.*

*(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand*



*associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

The City of Banning, through its Public Works Department and Water Division provides municipal water to its service area of approximately 16,908 acres, which includes the area within the City's boundary as well as some unincorporated areas of Riverside County (Appendix A, p. 2-1). The City of Banning is the water supplier for the Project and has prepared a 2015 Urban Water Management Plan (UWMP, **Appendix A**), that was adopted by City Council on June 14, 2016 and deemed complete by the California Department of Water Resources on April 26, 2017.

Banning's 2015 UWMP references a *Recycled Water Master Plan* (prepared by Carollo Engineers, dated September 2006 and included in Appendix A). The City anticipates implementing upgrades by 2025 at the City's wastewater treatment plant that will produce effluent that meets recycled water standards (Appendix A, Standardized Table 6-6). Therefore, recycled water will not be considered for the Project in this Assessment, which is consistent with the current development plan.

The City has also recently updated its *Sewer System Management Plan* (revised 6/30/16),<sup>3</sup> and is in the process of preparing an integrated master plan for sewer, water, and recycled water. The City has also developed a *Chromium-6 Compliance Plan* (dated December 2015 and located in Appendix M of the City's 2015 UWMP) that outlines treatment options that are expected to be built in early 2020; however the State Water Resources Control Board has very recently rescinded the chromium-6 maximum contaminant level (MCL) of 10 parts per billion (ppb) for drinking water. Until a new MCL for chromium-6 is adopted, the previous MCL of 50 ppb for Total Chromium is currently in effect.<sup>4</sup>

<sup>3</sup> Available at City's Web site: <http://www.ci.banning.ca.us/DocumentCenter/View/1006> or from City of Banning Public Works Department.

<sup>4</sup> As of May 31, 2017, the Superior Court of Sacramento County issued a judgment invalidating the hexavalent chromium MCL and as of August 1, 2017, the State Water Resources Control Board directed staff to start the process of adopting a new MCL that properly considers the economic feasibility of complying with the MCL. Estimated to take 18-24 months.



The City of Banning and Beaumont-Cherry Valley Water District (BCVWD) jointly own and operate three groundwater wells in accordance with an agreement between the two parties, dated December 23, 2003 (**Appendix B**). The City also purchases imported water from the San Geronio Pass Water Agency (SGPWA), which is a State Water Project contractor.

BCVWD has prepared a 2015 UWMP (**Appendix C**) that discusses its relationship with the City of Banning. Likewise, SGPWA has prepared a 2015 UWMP (**Appendix D**) that incorporates Banning's projections for population growth and future demands for purchased imported water.

#### **1.4 Statewide Mandatory Water Conservation Requirements**

The Governor proclaimed a statewide State of Emergency due to ongoing drought conditions on January 17, 2014. Since then, the Governor has issued at least six Executive Orders and other Proclamations in response to impacts from extended statewide drought conditions. Executive Order B-37-16 issued on May 9, 2016, established a new water use efficiency framework for California. The order established longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating wasteful practices, strengthening urban drought contingency plans and improving agricultural water management and drought plans.

The City of Banning adopted Ordinance No. 1489 on June 9, 2015 in response to the Emergency Conservation Regulations mandated by the State Water Resources Control Board. The Ordinance updated the City's Water Conservation Plan that is codified in Chapter 13.16 of the City's Municipal Code. The ordinance outlines stringent prohibitions and penalties, a voluntary conservation stage that is always in effect, and mandatory water shortage stages 1 through 4 that target a strict enforcement of water conservation routines following a water crisis. In addition, the City's Water Shortage Contingency Plan describes the methods to achieve and the implications of reducing water supplies up to 50% (Appendix A, Chapter 7). Lastly, the City implements various

programs to reduce water consumption, identified as Demand Management Measures in the UWMP. According to May 22, 2017 data reported to the state, cumulative water savings by the City since June 2015 is at 24.8%.<sup>5</sup>

On April 7, 2017 the Governor issued Executive Order B-40-17 that ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne. The Executive Order maintains the mandatory water reporting requirements and prohibitions on wasteful practices contained in Executive Order B-37-16, as described previously.<sup>6</sup> In a related action, state agencies released a plan to implement Executive Order B-37-16 titled, "Making Water Conservation a California Way of Life."<sup>7</sup>

## 1.5 Methodologies of Analysis

This Assessment follows the report outline suggested by the California Department of Water Resources' *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001*. The projected potable water demands published in the City's 2015 UWMP were determined based upon population growth projections from Southern California Association of Governments (SCAG), a City demand factor of 220 gpcd (gallons per capita per day) and the proportion of actual historical water use by industrial properties (Appendix A, p. 4-2). The UWMP used a population growth-based approach to estimating future water demand as opposed to a land use-based approach that follows the current and ultimate land uses shown in the General Plan.

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<sup>5</sup> Available at State Water Resources Control Board Web site for required conservation reporting: [http://www.waterboards.ca.gov/water\\_issues/programs/conservation\\_portal/docs/2017jun/supplierconservation\\_060617.pdf](http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/2017jun/supplierconservation_060617.pdf)

<sup>6</sup> State of California, Executive Order B-40-17 can be found at [https://www.gov.ca.gov/docs/4.7.17\\_Exec\\_Order\\_B-40-17.pdf](https://www.gov.ca.gov/docs/4.7.17_Exec_Order_B-40-17.pdf).

<sup>7</sup> April 2017 Final Report, available at [http://www.water.ca.gov/wateruseefficiency/conservation/docs/20170407\\_EO\\_B-37-16\\_Final\\_Report.pdf](http://www.water.ca.gov/wateruseefficiency/conservation/docs/20170407_EO_B-37-16_Final_Report.pdf).

## SECTION 2 - WATER DEMAND ANALYSIS

The purpose of this section is to evaluate whether the proposed Project was considered in the water supplier's planning for water demand. This section will: 1) identify the various water use sectors, 2) identify water demand by those sectors for the next twenty years, and 3) compare the Banning Distribution Center's water demand to the water demand for the Project site that was included in the Banning 2015 Urban Water Management Plan (UWMP, Appendix A).

### Law

*Water Code Section 10910: (c) (2) (2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).*

*(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.*

### 2.1 Citywide Demographic Factors

A variety of demographic factors may affect water use. The Urban Water Management Planning Act lists several demographic factors to be detailed including climate, current



and projected population, density, and the mix of customer types (or sectors).<sup>1</sup> As suggested by the Department of Water Resources' *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001*, these data are provided herein are taken generally from the City's latest UWMP.

The City of Banning is located in the San Geronio Pass; a geologically-unique valley between the Peninsular Range province (San Jacinto Mountains) to the south and the Transverse Range province (San Bernardino Mountains) to the north. The local climate is characterized by hot, dry summers and short, mild winters. According to the 2015 UWMP, "The area receives an average annual precipitation of 19.7 inches, most of which takes place between December and March. Evapotranspiration in the area ranges from 7.88 inches in July to 1.94 inches in December (p. 2-3)." The average annual high temperature is approximately 77°F, and the average annual low temperature is 47°F (ibid, Table 2-1).

As of 2015, the population of Banning was estimated at 30,500 persons. The City currently provides water through 10,650 metered connections (Appendix A, p. 2-4). Most of the anticipated growth in the City will occur through two planned Specific Plan developments: Butterfield and Rancho San Geronio, which are summarized below.

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<sup>1</sup> California Water Code Sections 10631 (e)(1) and (2).

**Table 2-1: Summary of Significant Proposed Developments**

Butterfield Specific Plan	Rancho San Geronio Specific Plan
1,543 acres	831 acres
4,900 residential units	3,385 residential units
Two elementary schools	-
Two commercial sites	-
Clubhouse	-
Community parks and trails	49 acres of park land, 160 acres of paseos and open space
-	81 acres of right-of-way and utility easements
Constructed in 5 phases over 30 years	Constructed in 6 phases over 18 years

Notes:  
From 2015 UWMP (Appendix A) p. 2-5.

Based on these two development proposals, approximately 8,285 new dwelling units (26,194 people) are anticipated by 2040 (3.16 people per residential connection). The year of ultimate buildout of the City has been estimated at 2061, when the City reaches a population of 80,226 persons (2010 Banning UWMP, p. 61).

The City's estimated population growth over the next 25 years, with and without the previously mentioned Specific Plan developments is shown in **Table 2-2**.

**Table 2-2: City of Banning Population Estimates, 2010-2040**

Population	2010	2015	2020	2025	2030	2035	2040
<b>Without Proposed Specific Plans</b>	29,603	30,491	31,913	33,335	34,757	36,179	37,700
<b>With Proposed Specific Plans</b>	-	30,491	35,730	40,969	46,207	51,446	56,685

Notes:

2010 data from Banning 2010 UWMP, Table 2-3.

2015-2040 data reproduced from 2015 UWMP Table 2-2 (Appendix A).

The projected rate of population growth beginning in 2015 is approximately 5,239 more people every five years, or about 1,050 people (approximately 3%) every year. In comparison, the rate of growth over the five year period from 2010 to 2015 was 3%.

## 2.2 City of Banning's Current and Future Water Demand

The City of Banning categorizes its water customers into five categories: residential, commercial, industrial, public and irrigation. The Irrigation category consists of one irrigation account that receives non-potable water from one City well located in the Beaumont Basin.

The City also provides water to the Banning Heights Mutual Water Company on an emergency or as-needed basis which generally occurs during the summer time. Banning Heights Mutual Water Company currently serves 200 domestic customers in the Banning Bench community (BHMWC Web site, 7/21/17).<sup>2</sup> The City also provides water to High Valleys Water District, which is located in the San Jacinto Mountains and has no natural water source. High Valleys Water District pumps the water purchased from the City of Banning up the mountain to serve approximately 225 residential customers located in the Twin Pines and Poppet Flats communities (HVWD Web site,

<sup>2</sup> Banning Heights Mutual Water Company Web site: <http://www.bhmwco.com/>



7/31/17).<sup>3</sup> The City of Banning has included a 1% annual growth rate in the number of residential connections for both of these agencies in their water demand projections.

According to the water loss audit prepared as part of the 2015 Banning UWMP (Appendix A), the City estimates that 11% of produced water is lost and has assumed that rate into the future (p. 3-2).

The City of Banning's total water use in 2015 was 6,709 AFY, which includes water provided to other agencies and system losses as previously discussed (Appendix A, Table 3-3). The current and future water demands by customer category are reproduced below in **Table 2-3**.

**Table 2-3: City of Banning Current and Future Water Demand (AFY)**

Customer Category	2015	2020	2025	2030	2035	2040
	Actual	Projected				
<b>Residential <sup>a</sup></b>	3,300	4,382	4,578	4,772	4,966	5,173
<b>Proposed Specific Plan Developments (residential)</b>	-	1,609	1,983	2,288	2,649	2,988
<b>Commercial</b>	1,705	2,281	2,382	2,484	2,586	2,694
<b>Industrial</b>	92	94	99	103	107	111
<b>Public</b>	53	63	66	69	71	74
<b>Irrigation (potable)</b>	524	739	779	818	859	903
<b>Irrigation (non-potable)</b>	202	205	207	210	211	212
<b>Sales/Transfers/Exchanges to other agencies <sup>b</sup></b>	95	100	105	110	116	122
<b>Losses (11%)</b>	738	1,042	1,122	1,194	1,272	1,351
<b>Sub-Total</b>	<b>6,709</b>	<b>10,515</b>	<b>11,321</b>	<b>12,048</b>	<b>12,837</b>	<b>13,628</b>
<b>Effluent for Cabazon Storage Unit</b>	2,207	2,869	1,409	1,607	1,823	2,039
<b>Recycled Water for Irrigation</b>	-	-	1,680	1,680	1,680	1,680
<b>TOTAL WATER DEMAND</b>	<b>8,916</b>	<b>13,384</b>	<b>14,410</b>	<b>15,335</b>	<b>16,340</b>	<b>17,347</b>

Notes: Data from Appendix B to 2015 Banning UWMP (standardized Tables 4-1, 4-2, 4-3, and 6-4).

(a) Includes single-family detached residences, condominiums, apartments, and mobile homes.

(b) Water provided to High Valleys Water District and Banning Heights Mutual Water Company, assuming a 1% growth rate per year.

<sup>3</sup> High Valleys Water District Web site: <http://www.highvalleyswater.com/index.html>

By far, the most common land use in the City is residential, at 92% of the City's water customer accounts and consuming 57% of the City's 2015 water deliveries (Appendix A, p. 3-2). Included in the residential category are single-family residences, condominiums, apartments, and mobile homes. The second most common customer type are commercial accounts that make up 7% of customers and use 29% of the City's 2015 water deliveries. Industrial customers make up 1% of water customers and consumed roughly 2% of water delivered in 2015. Public customers and irrigation accounts are nominal; however irrigation consumed 12% of water delivered in 2015. Agricultural accounts within the City are included in the residential sector accounts, and additional agricultural activities are not expected to develop in the future (ibid, p. 3-4). On the other hand, the City does expect growth in the residential, commercial, industrial, and public sector accounts.

### 2.3 Project Water Demand

Water service to the Project will be provided by the City of Banning. As shown in **Figure 1-4**, the Project site is currently designated by the City General Plan as mostly Airport-Industrial (44 acres) and partly Public Facilities-Airport (20 acres). The Project proposes a General Plan Amendment to change 20 acres currently designated Public Facilities-Airport to Airport-Industrial (**Figure 1-5**). Because the City has not established unit water demand factors for each land use category, we are unable to state with certainty whether the anticipated water use rate between Public Facilities-Airport and Airport-Industrial differs, and if so, by how much.

According to data provided by the City for this Assessment, approximately one-third of the properties designated for industrial development have been developed, as shown in **Table 2-4**. The Industrial-Mineral areas (i.e., Robertson's Ready Mix plant) have been excluded because it is distinctly unique from the other industrial designations. Although they have a well on-site, it is unreliable and the City provides them water as needed through a two-inch service.

**Table 2-4: Current Level of Industrial Development**

General Plan Land Use	Developed (acres)	Vacant (acres)	Total (acres)	Percent Developed
Industrial	147	274	421	35%
Airport-Industrial	42	94	136	31%
Sub-Total	189	368	557	34%
Industrial-Mineral <sup>a</sup>	189	28	217	87%
Total	378	396	774	49%

Notes: Values are rounded to nearest whole number. Data provided by City Staff via email (July 25, 2017).

(a) Distinctly unique compared to other industrial properties in the City..

A water unit demand factor was calculated for the Project using the industrial water demand in 2015 of 92 AFY (shown in **Table 2-3**), divided by the developed industrial area of 189 acres (shown in **Table 2-4**). The calculated Project water demand factor is shown in **Table 2-5**.

**Table 2-5: Water Demand Factor for Project**

Land Use	Annual Water Demand (AFY)	Developed Industrial Area (acres)	Industrial Water Demand (AFY per acre)
Industrial	92	189	0.5

Notes:

Values rounded to nearest whole number.

A draft Conceptual Landscape Plan for the Project (dated November 9, 2016, prepared by Land Concern Landscape Architecture) was provided for this Assessment (**Figure 1-7**). The conceptual landscape plan provides an Estimated Annual Water Use (EAWU) rate of 21 AFY (rounded) for the landscaping proposed over 530,091 square feet (12.2 acres) of the site. Using the Project water demand factor of 0.5 AFY per acre



multiplied by the remaining area of the site (51.7 acres) gives an estimated water demand of 26 AFY (rounded). The total water demand for the Project is then the sum of the EAWU of 21 AFY and 26 AFY, as shown below in **Table 2-6**.

**Table 2-6: Estimated Water Demand of Project**

Landscape Demand (AFY) <sup>a</sup>	Industrial Water Demand (AFY/acre)	Hardscape/Other Area (acres)	Total Water Demand for Project (AFY)
21.2	0.5	51.7	47

Notes:

(a) From Land Concern Landscape Architecture, *Conceptual Landscape Plan*, dated November 9, 2016.

We have estimated the Project's potable water demand at 47 AFY based on the information and guidance provided by the City.

As shown in **Table 2-3**, the City expected an increase in water demand by industrial customers of 19 AFY (from 92 AFY to 111 AFY) between 2015 and 2040, which is roughly a 0.8 AF per year increase. The estimated water demand of the Project is significantly more than the City had anticipated in their 2015 UWMP demand projections for industrial properties.

However, based on information provided by the City for this Assessment that commercial and industrial developments often are accounted for by the City in a combined way, the Project's water demand will be compared to the combined commercial and industrial demand projections. As shown in **Table 2-7**, water demands from commercial land uses are projected to increase 989 AFY from 2015 to 2040, or roughly 198 AF every five years. When combined with industrial, this increases to 1,008 AFY increase in water demands from 2015 to 2040, or roughly 202 AF every five years for commercial/industrial.

**Table 2-7: Combined Demand Projections of Industrial and Commercial (AFY)**

	2015	2020	2025	2030	2035	2040
<b>Commercial</b>	1,705	2,281	2,382	2,484	2,586	2,694
<b>Industrial</b>	92	94	99	103	107	111
<b>Sum</b>	<b>1,797</b>	<b>2,375</b>	<b>2,481</b>	<b>2,587</b>	<b>2,693</b>	<b>2,805</b>

Considering the City has not seen any significant new developments in either the commercial or industrial sectors since the 2010 UWMP was prepared, the Project's estimated water demand of 47 AFY is well within the water demand projections of the commercial/industrial sectors.

The following two sections of the Assessment describe the supplies projected to be available to the City of Banning from 2015 to 2040, as according to the 2015 UWMP. Based on the findings therein, the water supply available to the City is more than adequate to meet the Project's estimated needs.

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### SECTION 3 - WATER SUPPLY ANALYSIS

This section identifies the sources of potable water that are available to and utilized by the City of Banning. The purpose of this section is to evaluate the water supplies that could be utilized by the proposed Project during normal, single-dry and multiple-dry water years during a 20-year projection. Section 4 – Groundwater Analysis contains additional required information regarding the City's groundwater supplies.

#### Law

Water Code Section 10910 (d)(1): *The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.*

*(2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:*

*(A) Written contracts or other proof of entitlement to an identified water supply.*

*(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.*

*(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.*

*(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.*

### 3.1. Documenting Wholesale Water Supplies

Many retail water suppliers in California, including the City of Banning, receive supplies from one or more water wholesalers. SB 610 requires this Assessment to document wholesale supplies received by: i) describing the quantities of water received from each wholesaler in prior years; ii) identifying existing entitlements, water rights, and/or water service contracts held by the City for the wholesale supply; iii) provide proof of entitlements, water rights, service contracts, relevant capital outlay programs, and construction permits for necessary infrastructure to deliver wholesale supplies, if any; and iv) regulatory approvals required to convey or deliver the wholesale supply.

#### Wholesale Supplies Received

Wholesale imported water is available to the City and neighboring entities to purchase from the San Geronio Pass Water Agency (SGPWA or “Agency”), the local wholesaler of State Water Project water and participant in the Yuba Accord Agreement.

State Water Project water is imported from northern California and available as stipulated by the Department of Water Resources (DWR) in response to hydraulic conditions in the Sacramento/San Joaquin delta, environmental regulations and the local hydrology.<sup>1</sup> Therefore, imported water supplies to southern California can be highly variable; in 2014 for example, the allocation of State Water Project water reached the lowest proportions on record due to persistent drought conditions.

The Agency began importing State Water Project water into the region in 2003, when Phase 1 of the East Branch Extension (EBX) of the California Aqueduct was completed. Since that time, deliveries of State Water Project water within the region increased steadily until the recent drought, as shown in **Table 3-1**.

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<sup>1</sup> Department of Water Resources, *State Water Project Delivery Capability Report*, published every 2 years as well as “Notice to State Water Project Contractors” issued as often as needed.

**Table 3-1: Imported Water Deliveries to SGPWA**

Calendar Year	Actual Volume Delivered (AF)	Proportion of Maximum Allocation Available
2003	116	90%
2004	814	65%
2005	687	90%
2006	4,420	100%
2007	4,815	60%
2008	4,905	35%
2009	6,609	40%
2010	8,403	50%
2011	10,730	80%
2012	10,974	65%
2013	9,695	35%
2014	5,131	5%
2015	3,930	20%
<b>Sum</b>	<b>71,229</b>	<b>-</b>
<b>Median</b>	<b>4,905</b>	<b>60%</b>
<b>Mean</b>	<b>5,479</b>	<b>57%</b>

From San Geronio Pass Water Agency, *Report on Water Conditions Reporting Period 2015, January 2017*, Table 4. Available at the SGPWA Web site: <http://www.sgpwa.com/wp-content/uploads/2017/07/2015-Final-Report-on-Water-Conditions.pdf> [cited as Report, 2015]

SGPWA's maximum allocation (or contract amount) of State Water Project water ("Table A") is 17,300 AFY. As shown in **Table 3-1**, the average allocation that has been made available to SGPWA from 2003 to 2015 is 57% of their Table A contract amount. It is rare that an agency receives their entire Table A allocation.

DWR prepares a biennial report to assist State Water Project contractors in assessing the near and long-term availability of supplies from the State Water Project to use in their planning efforts and for use in their UWMP's. DWR issued its most recent update,



the 2015 State Water Project Delivery Capability Report (DCR) in July 2015.<sup>2</sup> To evaluate supply availability under future conditions, the 2015 DCR included four model studies that used the following assumptions to model current conditions: existing facilities, hydrologic inflows based on 82 years of historical inflows (1922 to 2003) that were adjusted to reflect current levels of development in the supply source areas, current regulatory and operational constraints, and contractor demands for State Water Project water at maximum Table A amounts. The first of the future-conditions studies, the Early Long Term (ELT) scenario, was based on these assumptions but reflected changes expected to occur from climate change (a 2025 emission level and a 15 cm sea level rise). The 2015 SGPWA UWMP uses the ELT scenario to estimate future State Water Project supply availability because of the model assumptions and because it is consistent with the studies DWR has used in previous DCR's for supply availability under future conditions. Based on the ELT scenario, DWR estimates in the 2015 DCR that for all contractors combined, the State Water Project can deliver on a long-term basis a total Table A supply of 62% of total maximum Table A amounts. During the single dry year, DWR also estimates that a total Table A supply of 11% of total maximum Table A amounts can be delivered. Likewise, DWR estimates that during a four-year dry period the State Water Project can deliver 33% of total maximum Table A amounts. Notably, the 2015 DCR does not include the extremely dry period that occurred in 2013 and 2014; however, it is anticipated the next update of the DWR models will include these years for the next update of the biennial DCR. (Appendix D, p. 3-6).

SGPWA has therefore assumed in their 2015 UWMP supply projections that 62% of their Table A amount will be available on average during normal precipitation years; 11% during a single dry year, 5% during a worst-case single dry year and 33% during a multiple dry year period based on DWR's 2015 Final DCR (Appendix D, p. 3-1).

Sales of imported water from SGPWA to local retail agencies, specifically Beaumont Cherry Valley Water District (BCVWD), City of Banning, and Yucaipa Valley Water

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<sup>2</sup> Delivery Capability Report can be found at DWR Web site: <http://baydeltaoffice.water.ca.gov/swpreliability/>

District (YVWD) currently account for all of SGPWA's water demands (Appendix D, p. 2-1). Additional smaller agencies may potentially request supplies in the future. When the SGPWA is able to obtain water in excess of customer demands, they can store it in the groundwater basins for future use. The volumes delivered to member agencies of SGPWA in 2010 and 2015 are listed in **Table 3-2**. Note the decrease in demands between the two time periods, as well as each agency's two-year average proportion of total deliveries.

**Table 3-2: Past and Current Water Demands on SGPWA (AF)**

Retail Agency Name	2010 (AF)	2015 (AF)	Percent Change from 2010 to 2015	Average Percent of Total
Beaumont Cherry Valley Water District	5,727	2,773	-52%	73%
City of Banning	1,338	694	-48%	17%
Yucaipa Valley Water District	713	454	-36%	10%
<b>Total <sup>a</sup></b>	<b>7,778</b>	<b>3,921</b>	-	-

Notes: From Appendix D, Table 2-2.

(a) Total deliveries received by retail customers shown here are slightly less than volume delivered to SGPWA in Table 3-1, likely due to system loss during conveyance.

The City of Banning purchases imported water from SGPWA for the purpose of groundwater replenishment within the Beaumont Storage Unit (aka Beaumont Basin). Replenishment of the basin on behalf of the City occurs at BCVWD's Noble Creek spreading facility. Future recharge volumes of imported water in the Beaumont Basin will be dependent on the availability of State Water Project water and the availability of basin storage capacity. Pursuant to the Beaumont Basin Judgment (**Appendix E**), the City is entitled to the water it purchases and replenishes in the Beaumont Basin. Like a bank account, the volume to which the City is entitled but does not pump can be credited to the City's storage account. The volumes purchased from SGPWA and recharged to the Beaumont Based from 2010 to 2015 are provided in **Table 3-3**.

**Table 3-3: Imported Water Purchased by City, 2010-2015 (AF)**

2010	2011	2012	2013	2014	2015
1,338	800	1,200	1,200	608	694

Notes:

From Appendix A, Table 5-1.

In addition to State Water Project water, SGPWA purchases imported water supplies from Yuba County. SGPWA entered into the Yuba Accord Agreement, which allows for the purchase of water from the Yuba County Water Agency through DWR. Yuba Accord water comes from north of the Delta, and as such the water purchased under this agreement is subject to losses associated with transporting it through the Delta. SGPWA receives approximately 300 AFY on average under this Agreement, and has recently signed a time extension to the Agreement (Appendix D, p. 3-9).

In its 2015 UWMP, SGPWA has projected adequate supplies to meet the projected water demands from BCVWD, City of Banning, YVWD and “others” that may join in the future, which cannot be met from each agency’s other water supply sources. SGPWA’s future supplies to meet future demand include a combination of existing and planned sources (beginning in 2020), during average precipitation years and multiple-dry years through 2040. Planned supplies are discussed below and include purchasing supply from San Bernardino Valley Municipal Water District, exchanges with other contractors and/or other sources. SGPWA has also projected that additional supplies will be required to meet the projected demands from current and future customer agencies during a single dry year beginning around 2025 (Appendix D, Table 3-4 and pp. 5-1 to 5-4).

SGPWA plans to purchase up to 5,000 AF of San Bernardino Valley Municipal Water District’s (Valley District’s) Table A amount in years when Valley District’s Board declares a surplus. SGPWA expects this to occur two years out of every five, or on average, 2,000 AFY (Appendix D, p. 3-10). In addition, SGPWA has signed on as an owner of capacity in the proposed Sites Reservoir Project, and completed design of a



conjunctive use storage facility for additional supplies, including Article 21 water from the State Water Project when available (Appendix D, p. 3-11).<sup>3</sup>

SGPWA has exchanged imported water with a neighboring wholesale agency, Crestline Lake Arrowhead Water Agency (CLAWA) on three different occasions. In 2010, SGPWA received 1,000 AF of CLAWA's Table A amount in exchange for a like amount to be returned by 2020. Likewise, in 2013, SGPWA received 2,000 AF of CLAWA's Table A amount in exchange for 1,300 AF to be returned by 2023. Lastly, in 2016, SGPWA received 1,200 AF of CLAWA's Table A amount in exchange for 600 AF to be returned by 2026 (Appendix D, p. 3-10). Therefore, future exchanges are possible though no details have been provided.

SGPWA's 2015 UWMP states the following in terms of future water supply acquisitions (Appendix D, p. 3-11):

*The Agency's Board has committed to keeping ahead of the regional water demand curve and implementation of the capacity fee will enable it to do so financially. The Agency has updated a study identifying additional supplemental supplies that are for sale around the state, particularly south of the Delta, and will move quickly to negotiate a deal for one or more of these sales in 2016 or early 2017.*

The actual supplies and the projected wholesale water supplies that are expected to be available to SGPWA through 2040 are shown in **Table 3-4**.

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<sup>3</sup> The Article 21 Program with DWR provides water supplies to SWP Contractors when water in excess of the current SWP need is available.

**Table 3-4: SGPWA Actual and Projected Wholesale Water Supplies (AF)**

Source of Supply	2015	2020	2025	2030	2035	2040
	Actual	Projected				
Existing Imports						
Imported SWP <sup>a</sup>	10,700	10,700	10,700	10,700	10,700	10,700
Yuba Accord	300	300	300	300	300	300
Sub-Total Existing Supplies	11,000	11,000	11,000	11,000	11,000	11,000
Planned Purchases						
Valley District	-	2,000	2,000	2,000	2,000	2,000
Other	-	1,500	3,800	7,700	11,700	15,000
Sub-Total Planning Supplies		3,500	5,800	9,700	13,700	17,000
Total Supplies	11,000	14,500	16,800	20,700	24,700	28,000

Notes: From Appendix D, Table 3-1.

(a) Assumes future imported supplies at 62% of SGPWA's Table A amount (17,300 AFY).

\*

Although the supply from the SWP that was available to SGPWA in 2015 was 11,000 AF (Appendix D, Table 3-1), the actual volume provided to customer agencies (BCVWD, Banning and YVWD) was significantly less at 3,921 AF as shown previously in **Table 3-2**.

SGPWA adopted Ordinance No. 10 to establish procedures for allocating reduced deliveries of water to its Purchasers (including Banning) during a drought or other water shortage event. The ordinance established a Water Shortage Contingency Plan with rationing and reduction goals to be conducted by the retail water agencies, which includes Banning (Appendix D, Table 7-1).

Approximately 27% of the SGPWA service area contains the City of Banning and the City's sphere of influence. In its 2015 UWMP, the City has taken this percentage as the proportion of SGPWA's supplies they are entitled to (Appendix A, p. 5-4), and presented this to SGPWA in a draft agreement. This agreement remains unsigned, as wholesale water suppliers typically do not commit to delivering a set volume or

proportion of their supply. SGPWA can be expected however, to provide water when their customer agencies make a request.

Nonetheless, the City of Banning has assumed in their supply projections that a set proportion of SGPWA's Table A allocation will be available for purchase based on the following parameters, which come from the previously mentioned unsigned agreement:

- 17,300 AFY – SGPWA Table A allocation;
- 58% - proportion of Table A allocation to be available; and
- 27% - Banning's portion of SGPWA service area.

Based on the above, the estimated annual recharge quantity that could be purchased was determined by the City as follows (Appendix A, p. 5-4):

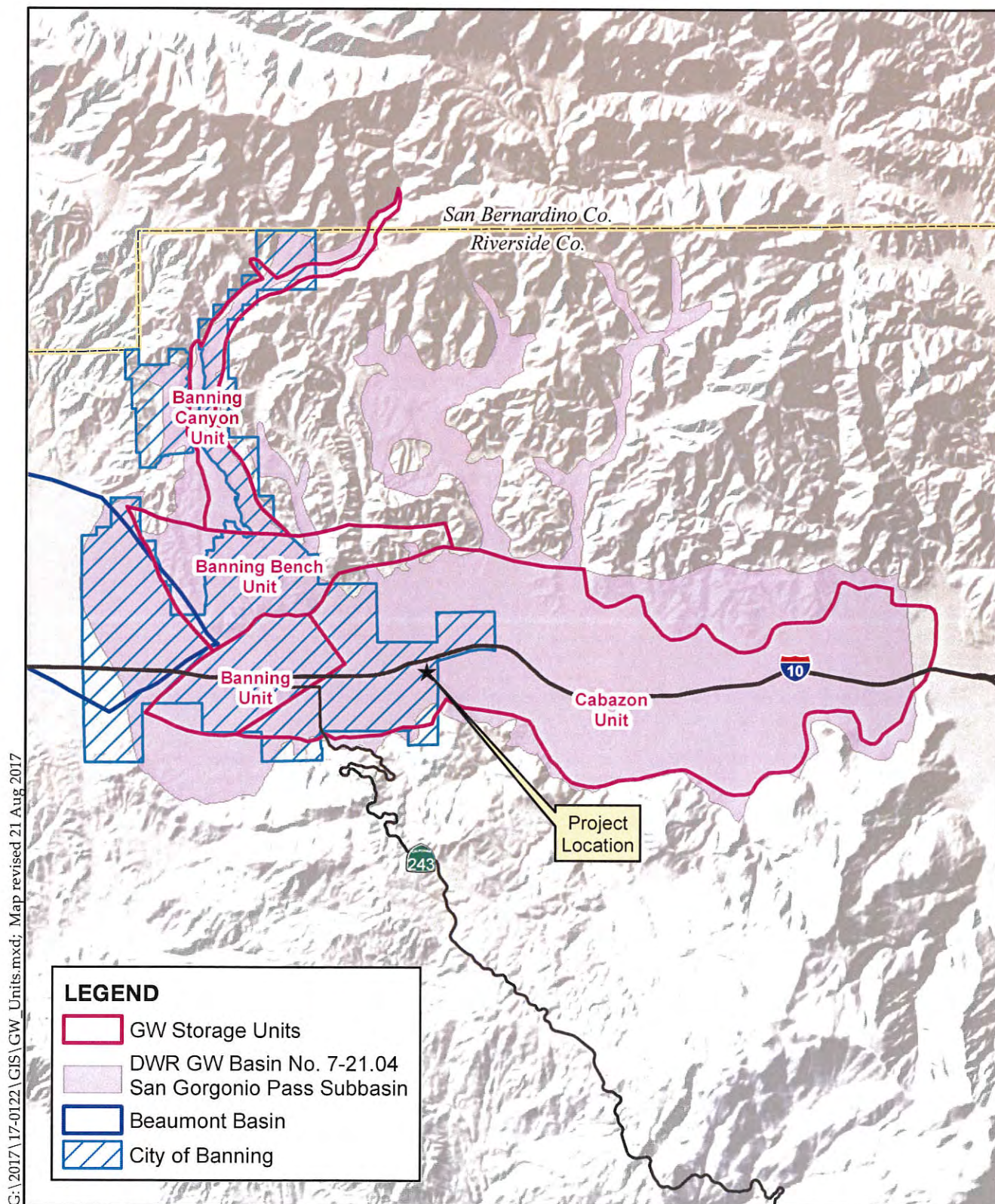
$$17,300 \text{ AFY} \times 57.5\% \times 27.3\% = 2,718 \text{ AFY}$$

Although the percentage of the SGPWA Table A allocation that SGPWA has used in its planning projections is 62%, the City opts for a more conservative proportion of 58% as reasoned in the City's 2015 UWMP (p. 6-4).

### 3.2. Documenting Water Supplies

The City of Banning obtains all of its water supply from groundwater, but there are three sources of water that provide the majority of the City's groundwater supply: 1) replenishment credits from purchasing and infiltrating imported water from SGPWA within the Beaumont Basin (as previously discussed), 2) diverted surface water from the Whitewater River that recharges the Banning Canyon Storage Unit, and 3) other City wells in the surrounding groundwater basins (also called "storage units," as discussed in Section 4 – Groundwater Analysis). Refer to **Figure 3-1** for locations of the storage units accessed by the City.

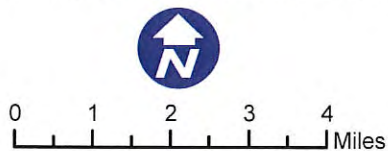




G:\2017\17-0122\GIS\GW\_Units.mxd; Map revised 21 Aug 2017

Sources: Calif. Dept. of Water Resources, 2016;  
USGS, 2006; Riverside Co. GIS, 2017.

**Figure 3-1 - Groundwater Storage Units**  
Banning Distribution Center



ALBERT A.  
**WEBB**  
ASSOCIATES



## Whitewater River Diversion

Since 1913, surface water (snowmelt) from the Whitewater River has been diverted into Banning Canyon by way of “the Flume,” which was originally used to generate hydroelectric power by predecessor companies of Southern California Edison (SCE). Although the water still flows through two hydroelectric power plants, SCE no longer generates power and is in the process of withdrawing its license. The City of Banning is currently seeking a Special Use Permit from the U.S. Forest Service for the continued operation and maintenance of the Flume. After passing through the power plants, water delivered by the Flume stops at a reservoir within Banning Canyon that is owned by the Banning Heights Mutual Water Company (BHMWC). Approximately 1,000 AFY is used by BHMWC (Appendix A, p. 5-9). The Flume/reservoir system is the only water source for customers of BHMWC. Excess water then flows to the San Geronio River and adjacent recharge basins to recharge the Banning Canyon Storage Unit. The City estimates that an average of 1,500 AFY has been diverted into Banning Canyon since 1961 (ibid). Based on historical pumping rates, the Banning Canyon Storage Unit provides the largest supply of water for the City.

## City Wells

As of 2015, the City owns and operates 21 groundwater wells outright, and shares ownership of three wells with BCVWD. A copy of the Agreement between the City of Banning and BCVWD dated December 23, 2003 is provided in **Appendix B**. All of the wells pump groundwater from five sub-units (“Storage Units”) of the San Geronio Pass Basin, which are not totally independent from each other: Beaumont, Banning, Banning Bench, Cabazon, and Banning Canyon. Depending on the source, the City maintains different types of water rights, as follows:

- **Beaumont Basin:** Appropriative Water Right (defined in the Judgment as, “each Appropriator’s share of Appropriative Water, such share expressed as a percentage as shown on Exhibit C”). The City of Banning’s share of the Safe

Yield allocated to Appropriators is 31.43%.<sup>4</sup> Based on the five-year format used in the Rules and Regulations of the Judgment, the Appropriative Water estimated in 2010 is allocated to Appropriators during 2015. A copy of the Beaumont Basin Judgment is provided in **Appendix E**.

- **Banning Storage Unit:** This storage unit is not adjudicated. The City is the only remaining large user of water, after it acquired the Mountain Water Company.
- **Banning Bench Storage Unit:** This storage unit is not adjudicated. The City and Banning Heights Mutual Water Company rely on this basin to serve a portion of their respective water demands.
- **Cabazon Storage Unit:** This storage unit is not adjudicated. The City of Banning, Mission Springs Water District, Morongo Band of Mission Indians and Cabazon Water District rely on this basin to serve a portion of their respective water demands (Appendix D, p. 3-17).
- **Banning Canyon Storage Unit:** See **Appendix F** for a copy of the “Whitewater River Adjudication Proceedings, April 23, 1928” that documents the following rights in reverse chronological order:
  1. Joint entitlement between The Banning Water Company (to which the City of Banning is a successor), BHMWC and the San Gorgonio Power Company (a predecessor of SCE) to “...divert from the natural flow of the South Fork of Whitewater River, through the Consolidated Reservoir and Power Company Canal [“the Flume”] a total of 13.26 cubic feet per second - priority October 31, 1906...and subject to the provisions of an Agreement dated January 10, 1913, an Instrument dated December 30, 1913, and a Deed dated August 7, 1922” (see page 6 of Appendix F).
  2. Entitlement of The Banning Water Company (City of Banning) to “...divert from the natural flow of San Gorgonio River and its tributaries, through its system of spreading [diversion] ditches an amount of 20,000 acre-feet per annum, with a priority date of January 1, 1887...provided that said

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<sup>4</sup> Judgment (2004) defines Safe Yield as, “The maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage.”



water is subsequently withdrawn from said underground storage and applied to beneficial use by said Banning Water Company..." (see page 9 of Appendix F).

3. Entitlement of The Banning Water Company (City of Banning) to "...divert from the natural flow of San Gorgonio River, or from its underground storage in San Gorgonia [sic] Canyon as provided for in [the two previously mentioned entitlements], or in part from both of said sources, through the Main Stone Lined Conduit of said Banning Water Company's system, and through various ditches and pipe lines leading thereto hereinafter mentioned, a total of 14,000 acre-feet per annum - priority March 17, 1875...and said total quantity of water to be diverted at such times and at such rates throughout the year as may be necessary in order that said Banning Water Company may adequately supply the requirements of water for domestic, stock watering and irrigation purposes within the territory which it serves as hereinabove described...and the requirements of water for domestic and municipal purposes within the city of Banning" (pp. 9-10 of Appendix F).

In the same 1928 proceedings, the State determines that, "Banning Water Company, Banning Heights Mutual Water Company and San Gorgonio Power Company are the owners of the paramount right to divert water from the South Fork of Whitewater River through the Consolidated Reservoir and Power Company Canal..." (p. 17). The three entitlements listed above are reiterated in a December 1938 proceeding that determined the relative rights of various claimants to the waters of the Whitewater River and its tributaries (Riverside County Superior Court, case no. 18035), a copy of which is provided in **Appendix G** (refer to pp. 28-36).

- **Imported water from SGPWA:** Annual water order request form.

An expanded discussion that is required for groundwater supplies by SB 610 is located in Section 4 – Groundwater Analysis.

## Water Supply Capacities

The capacity of a supply system differs from the available supplies or safe yield in that “capacity” presents the maximum output possible. For example, the capacity of the City’s groundwater wells refers to a pumping rate based on running the pumps at full utilization, 24-hours a day, 7 days a week. Although this maximum rate of pumping is assumed in terms of comparing capacities, groundwater pumps are rarely used at more than two-thirds capacity. Knowing the system capacity is important to ensure the City can meet all demands imposed upon the system, specifically meeting “average day demand” and “maximum day demand.” Demand can be met with multiple supply sources, storage, or a combination of both. The City’s reservoirs are not considered part of the City’s supply in this Assessment, however, they are used to regulate hourly fluctuations in demand, provide fire flow, and supplement supply during an extended outage of a source (Appendix A, section 7.1.2).

As the City land uses and population change, so will the average and maximum day demands. The City is required to meet the following water supply criterion from the California Code of Regulations: “a source of supply equal to one maximum day demand, with one average day demand from local sources.” Based on 2015 data, the maximum day demand for the City is currently estimated at 30 AF per day (6,788.6 gpm, Appendix A p. 7-3).

The estimated pumping capacities of the City’s (active) well field are provided below in **Table 3-5**. The adjudicated/estimated safe yields for each Storage Unit are included to compare with the pumping capacities. Per the criterion described previously, the City’s source of supply as of 2015 meets and exceeds the maximum day demand, all from local sources (i.e., existing wells).

**Table 3-5: Existing Pumping Capacity for City**

Source	Number of Active Wells	Nominal Capacity (gpm) <sup>a</sup>	Safe Yield (AFY) <sup>d</sup>
Beaumont Basin	5	4,650	2,097 (City's portion in 2015) <sup>c</sup>
	3 equally shared with BCVWD	3,000 <sup>b</sup>	
Banning	4	3,500	1,130 (estimated)
Cabazon	1	900	2,515 (estimated)
Banning Bench	3	3,650	1,960 (estimated)
Banning Canyon	8	8,600	4,070 (estimated)
<b>Total</b>	<b>21 (plus 3 equally shared)</b>	<b>24,300</b>	<b>11,773</b>

Notes: Data from Appendix A, Sec. 5.1.1-5.1.5.

(a) "gpm" is gallons per minute. Capacities are design capacities based on historical water use records.

(b) Combined nominal capacity of the three wells is 6,000 gpm, half of which is allotted to the City.

(c) From Appendix H, Table 3-7. Banning's portion in 2015 is 31.43% of the Appropriative Water (unused overlying water) estimated in 2010.

(d) Estimated safe yields for Banning, Banning Bench, and Banning Canyon storage units come from Appendix I (p. 45), calculated as the average of two methods of calculating maximum perennial yield: Zero Net Draft Method (the average annual groundwater production over a selected period of time when the average groundwater elevation is the same), and the Hill Method (production for an average water level change of zero). Due to limited data, Cabazon was calculated differently using the equation of hydrologic equilibrium.

Notably, the pumping capacity for the Beaumont Basin in **Table 3-5** does not include any of the production rights the City has to water that is banked in their Beaumont Basin storage account, which was most recently measured at the end of 2016 at 49,990.8 AF according to the 2016 (draft) Watermaster Annual Report (Appendix H, p. 3-10).

In the event of an emergency, the City can nearly meet the current maximum day demand of 30 AF (6,788.6 gpm) with its suite of emergency backup systems. Seven of the City's active wells are equipped with emergency generators or other backup



systems in the event of a power outage, as shown below in **Table 3-6**. If additional supply is needed in an emergency, portable generators can be obtained to operate other wells and booster stations (Appendix A, p. 7-3). The City also maintains 13 reservoirs currently containing 19.7 million gallons (ibid, p. 7-4).

**Table 3-6: City Wells with Emergency Backup Systems**

Well No.	Storage Unit	Capacity (gpm)	System Type
1	Banning Bench	1,250	Pelton wheel
3		500	
4	Banning Canyon	600	
5		550	
10		600	Diesel engine drive
C2	Beaumont Basin	1,000	Generator
M12	Banning	950	
<b>Total</b>		<b>5,450</b>	-

Notes: From Appendix A, p. 7-4

The City shares a 12-inch diameter emergency potable water interconnection with BCVWD located at the western boundary of the City's service area, which can be another source of water in the event of an emergency. The interconnection was built in the 1990's so that water can be supplied in either direction between agencies and, according to BCVWD's 2015 UWMP: "The City of Banning's water system pressure zones closely match BCVWD's and mutual exchanges are possible" (Appendix C, p. 6-58). In addition, BCVWD has provided several large pipeline "stub outs" (future points of connection) from their potable water system across Highland Springs Avenue to the City of Banning. BCVWD expects these "stub outs" will be extended through the future Butterfield Specific Plan project (see Section 2, Table 2-1) to connect with the City's potable water system. According to BCVWD, "These interconnections allow Banning to recharge imported [State Water Project water] at BCVWD's groundwater recharge facility and, using the joint wells and the interconnections, extract that water when needed, and convey it to Banning's water system for use" (Appendix C, p. 6-58).

### **3.3. Descriptions of All Water Supply Projects**

#### **City Well Production:**

The City of Banning currently owns 21 groundwater wells outright, and shares equal ownership of three additional wells with BCVWD. A study of the maximum perennial yield estimates of the Banning, Banning Bench, Banning Canyon, and Cabazon storage units was commissioned by the City and prepared by Geoscience Support Services, Inc. in 2011. The report estimates the amount of groundwater in storage within the City of Banning water resource area to be approximately 1.1 to 1.2 million AF, although existing wells may not be able to access all of it (Appendix I, p. 23). The report also estimates long-term supply available from the adjudicated Beaumont Basin based on the information available and previous safe yield.

The Beaumont Basin Watermaster has estimated that at the end of 2016, approximately 101,425.0 AF of water is held in storage for each party with a storage account. The City's storage account currently holds 49,990.8 AF (Appendix H, p. 3-10). Pursuant to the Judgment, the City is allowed to pump sufficient water from the Beaumont Basin in order to meet its water demand. Should this amount exceed the City's rights, the Watermaster has an obligation to replenish the overproduction (Appendix I, p.43).

The City has indicated that additional groundwater can be developed from the Cabazon Storage Unit, particularly after the City's WWTP is expanded and upgraded (Appendix A, p. 5-5). The City is currently seeking funding to construct additional groundwater wells and water storage reservoirs (ibid, p. 6-11).

In addition to planning for new wells, the City repairs or replaces facilities as necessary in order to maintain the integrity and reliability of the City's water system. One project that will repair a major component of the City's supply network is currently in the final planning stages. The "Banning Water Canyon Main Replacement Project" will replace portions of the existing Banning Water Canyon main (a riveted steel pipeline that was constructed circa 1927), which conveys potable water from a series of City wells along

the San Gorgonio River (Banning Canyon Storage Unit) to the City's service area (ibid). The City has completed its environmental impact document for the project pursuant to the California Environmental Quality Act (CEQA) and is in the process of obtaining the appropriate permits and approvals from various agencies, including but not limited to: the U.S. Forest Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board-Colorado River Basin.

The City's water supply for the last five years (groundwater pumped by City wells and imported water from SGPWA) is shown in **Table 3-7**. The City pumped 6,659 AF in 2015 from all five storage units. Notably, the City reduced pumping by approximately 24% between the high of 8,742 AF in 2013 and 2015.

**Table 3-7: City Water Production and Purchases, 2011-2015 (AFY)**

Storage Unit	2011	2012	2013	2014	2015
Beaumont	1,483	1,170	2,136	2,729	1,675
Banning	1,345	1,260	1,747	1,393	527
Banning Bench	1,319	1,644	1,701	1,001	1,208
Cabazon	499	455	11	787	787
Banning Canyon	3,808	4,046	3,147	2,558	2,462
<b>Sub-Total</b>	<b>8,454</b>	<b>8,575</b>	<b>8,742</b>	<b>8,468</b>	<b>6,659</b>
<b>Purchased Water from SGPWA</b>	800	1,200	1,200	608	694
<b>TOTAL</b>	<b>9,254</b>	<b>9,775</b>	<b>9,942</b>	<b>9,076</b>	<b>7,353</b>

Notes: Actual amounts produced. From Appendix A, Tables 5-1 and 5-2.

As of 2015, approximately 91% of the City's water supply came from groundwater, with a majority pumped from the Banning Canyon Storage Unit. The City strives to maximize local water supplies, and minimize the need for imported water. The City does not consider imported water its current or future primary source of water (Appendix A, p. 6-4).



In terms of reliability, the City has not experienced any actual supply deficiencies in its groundwater supply despite the recent five-year drought (Appendix A, p. 6-1). Further, as part of the Beaumont Basin adjudication, the City can store up to 80,000 AF of water in the basin. At the end of 2015, the City's storage account held approximately 47,888 AF (Appendix H, p. 3-10).

The City's water supply projections from 2020 to 2040 are shown in **Table 3-8**, with the City's assumed available supply from SGPWA at 2,718 AFY. Recycled water supply is not included. Compared to the actual supplies historically required by the City in **Table 3-7**, total groundwater supply projections show a 59% increase from 2015 to 2040.

**Table 3-8: Projected City Water Supplies, 2020-2040 (AFY)**

Source	2020	2025	2030	2035	2040
<b>Beaumont Basin Appropriative Water (Actual quantity to be pumped)<sup>a</sup></b>	1,266 (840)	1,145 (1,645)	1,029 (2,372)	925 (3,162)	925 (3,643)
<b>Banning Storage Unit</b>	1,130	1,130	1,130	1,130	1,130
<b>Banning Bench Storage Unit</b>	1,960	1,960	1,960	1,960	1,960
<b>Cabazon Storage Unit</b>	2,515	2,515	2,515	2,515	2,515
<b>Banning Canyon Storage Unit</b>	4,070	4,070	4,070	4,070	4,070
<b>Sub-Total</b>	<b>10,941</b>	<b>10,820</b>	<b>10,704</b>	<b>10,600</b>	<b>10,600</b>
<b>Purchased SWP water from SGPWA <sup>a</sup></b>	2,718	2,718	2,718	2,718	2,718
<b>Total</b>	<b>13,659</b>	<b>13,538</b>	<b>13,422</b>	<b>13,318</b>	<b>13,318</b>

Notes: From Appendix A, Table 5-4.

(a) From Appendix A, Table 5-3. Shown for comparison only, not part of totals.

Projected supplies from the Beaumont Basin (i.e., Appropriative Water available after overlying producers take their share) are subject to the provisions of the Judgment (see discussion in Section 4) and are expected to vary annually and decrease over time.

However, as shown in **Table 3-8**, the City's projection of the quantities of groundwater pumped from the Beaumont Basin increase with time to meet projected demands by accessing the City's water storage account. The volume projected to be pumped from the Beaumont Basin increases on average by approximately 140 AFY from 2020 to 2040 while the available supply decreases by roughly 17 AFY over the 20-year period.

The City's water supply projections in **Table 3-8** for the other sources (Banning, Banning Bench, Cabazon, Banning Canyon, and imported water) show a consistent supply from 2020 to 2040. These constant supply volumes from the storage units correlate to the estimated safe yield of each storage unit, and the City's assumption on annual imported water availability from SGPWA at 2,718 AFY.

A thorough description of the City's groundwater rights pursuant to SB 610 guidance is provided in Section 4 – Groundwater Analysis.

#### **City Wastewater Effluent Production:**

The effluent discharged from the City's wastewater treatment plant (WWTP) is currently treated to secondary standards and is then discharged to percolation ponds that recharge the Cabazon Storage Unit. The City currently does not produce effluent that meets the threshold for recycled water that can be distributed for irrigation and other beneficial uses. Therefore, the City is planning an upgrade of the WWTP with the addition of tertiary treatment facilities, as well as an expansion by 2025 from a treatment capacity of 3.6 million gallons per day (MGD) to 5.1 MGD.<sup>5</sup>

After completion of the WWTP upgrades, the City would have recycled water to distribute for beneficial uses, which is estimated at 1,680 AFY. This would be in addition to continuing the use of percolation basins. The City's 2006 Recycled Water Master Plan estimated the demand for recycled water at that time to be 2,700 AFY

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<sup>5</sup> Parsons Corp. for City of Banning, *Water Reclamation Facility Preliminary Draft Pre-Design Report* (July 2007) and *90% Design Plans for 1.5 MGD Water Reclamation Facility Expansion Project* (April, 2008) (Available from City of Banning Public Works Dept.).

(Appendix A, p. 5-12). Although the demand for recycled water may exceed the supply, distribution is limited by the network of recycled water pipelines.

The actual 2015 volume of wastewater collected, treated and then percolated, as well as the projected volumes of recycled water are shown in **Table 3-9**.

**Table 3-9: Current and Projected Recycled Water (AFY)**

Level of Effluent Treatment and Use	2015	2020	2025	2030	2035	2040
	Actual	Projected				
Secondary (percolation)	2,207	2,869	1,409	1,607	1,823	2,039
Tertiary (irrigation)	0	0	1,680	1,680	1,680	1,680
<b>Total</b>	<b>2,207</b>	<b>2,869</b>	<b>3,089</b>	<b>3,287</b>	<b>3,503</b>	<b>3,719</b>

Notes: From Appendix A, Tables 5-5 and 5-6.

According to DWR, recycled water is wastewater that has been treated to a specific quality to enable it to be used again (2015 UWMP Guidebook Appendices, Appendix M). For the purposes of the 2015 UWMPs, DWR considered the term “recycled water” to include the various levels of secondary, tertiary, and advanced treatment that are described in Title 22 of the California Code of Regulations. Therefore we have included recycled water in the supply projections as shown in **Table 3-10**.



**Table 3-10: City Water Supply Projections with Recycled Water 2020-2040 (AFY)**

Supply Source	2020	2025	2030	2035	2040
<b>Beaumont Basin Appropriative Water Allocation</b>	1,266	1,145	1,029	925	925
<b>(Actual quantity to be pumped)</b>	(840)	(1,645)	(2,372)	(3,162)	(3,643)
<b>Banning Storage Unit</b>	1,130	1,130	1,130	1,130	1,130
<b>Banning Bench Storage Unit</b>	1,960	1,960	1,960	1,960	1,960
<b>Cabazon Storage Unit</b>	2,515	2,515	2,515	2,515	2,515
<b>Banning Canyon Storage Unit</b>	4,070	4,070	4,070	4,070	4,070
<b>Purchased SWP water from SGPWA</b>	2,718	2,718	2,718	2,718	2,718
<b>Sub-Total <sup>a</sup></b>	<b>13,659</b>	<b>13,538</b>	<b>13,422</b>	<b>13,318</b>	<b>13,318</b>
<b>Recycled Water -Tertiary (irrigation)</b>	0	1,680	1,680	1,680	1,680
<b>Total <sup>B</sup></b>	<b>13,659</b>	<b>15,218</b>	<b>15,102</b>	<b>14,998</b>	<b>14,998</b>

Notes:

(a) Does not include the estimated actual production from the City's storage account in the Beaumont Basin shown in parenthesis in Table 3-8.

(b) Does not include secondary effluent in percolation basins because supply from Cabazon basin is already accounted for in table.

Recycled water is a widely recognized reliable source of water for a growing list of beneficial uses. The City expects future use of recycled water to increase and offset potable water demand. Currently, an integrated master plan for water, wastewater and recycled water is being prepared by the City and a professional consulting firm.

#### **Imported Water Supplies from SGPWA**

Current infrastructure limits SGPWA to importing a maximum of approximately 11,000 AFY. The Agency is in the process of completing the "Phase 2 of the East Branch Extension" project (or "EBX 2") that will provide the infrastructure necessary to import

the entire Table A allocation of 17,300 AFY when it is available, plus additional supplies (Report, 2015). With additional imported water, the Agency has started construction on the “Beaumont Avenue Recharge Facility” that includes a new connection to the East Branch Extension (EBX) and a new pipeline that conveys the water to a new recharge facility. This new facility will enable storage of imports received during wet years to use during dry years (“conjunctive use”).

In addition, SGPWA and Valley District have recently constructed improvements to the existing EBX, an expansion of the Crafton Hills Reservoir from 90 AF to 135 AF, and a bypass line to continue delivering water in the event the Crafton Hills Reservoir is out of service. Lastly, the Agency is considering purchasing capacity in the Valley District’s proposed Bunker Hill Conjunctive Use Project, which would enable the Agency to store imports in the Bunker Hill Basin during wet years and deliver to retail agencies in dry years.

SGPWA has put a financial plan in place to purchase additional supplemental water supplies from various sources. One of the sources of revenue for this financial plan is a recently adopted capacity fee on new growth in the Agency’s service area. (Appendix D, p. 3-12). In order to collect the capacity fee, the Agency has to sign cooperative agreements with retail water agencies or land use planning agencies within its service area. In areas where SGPWA can collect the fee, the Agency has stated that it can assure its retail customers that it will have the financial resources to procure needed additional water supplies.

Although SGPWA has other financial resources to procure additional water for these areas as needed, a cooperative agreement with Banning may be needed as the City grows. However, the size of the proposed Project is such that a cooperative agreement would not be necessary to meet its water demands, in addition to existing City demands.

### 3.4 Documenting Normal Year Supply and Demand for City of Banning

According to DWR, a “normal” or “average” year can be a single year or averaged range of years that most closely represents the average water supply available to the agency (2015 UWMP Guidance, p. 7-4). The City interpreted this to mean, “one year in the historical sequence that most closely represents median runoff levels and patterns” (Appendix A, p. 6-5). Based on that assumption, the representative normal year for the City was 2001 (ibid, p. 6-7). The City has assumed in the 2015 UWMP that supply reliability will remain constant during normal, single dry, and multiple dry precipitation years, due to reliance on groundwater (ibid, p. 6-6). This assumption will be reassessed by the City in the next UWMP.

The normal year supply available to the City and the normal year demand projections from Section 2 are compared in **Table 3-11**.

**Table 3-11: Projected Normal, Single Dry and Multiple Dry Year Supply and Demand (AFY)**

	2020	2025	2030	2035	2040
<b>Supply<sup>a</sup></b>	13,659	13,538	13,422	13,318	13,318
<b>Demand<sup>b</sup></b>	10,515	11,320	12,047	12,837	13,629
<b>Difference</b>	<b>3,144</b>	<b>2,218</b>	<b>1,375</b>	<b>481</b>	<b>-311</b>

Notes: Does not include supply or demand for recycled water. Same as Tables 6-4, 6-5, and 6-6 in Appendix A.

(a) See Table 3-8 herein.

(b) See Table 2-3 herein.

Based on the methodology in the City’s 2015 UWMP, surplus supply will be available during a normal (or “average”) year between 2020 and 2039. A deficit in supply appears beginning in 2040 under normal year conditions. The 2015 UWMP also projected a deficit beginning in 2040 and provided this discussion in response (p. 6-8):



*Although projected supply totals are less than projected demand totals for 2040, the City has 46,774 AF [2014 Watermaster Annual Report, which has been updated to 49,990.8 in 2016 draft Watermaster Annual Report] of stored water in its Beaumont Basin storage account, which is not accounted for in the projected supply totals. Therefore, the City has ample water supplies to meet projected demands through 2040.*

### **3.5 Documenting Single Dry Year Supply and Demand for City of Banning**

A “single dry year” is defined by DWR as, “the year that represents the lowest water supply available to the agency” (2015 UWMP Guidance, p. 7-4). The City interpreted this to mean “the lowest annual runoff for a watershed” (Appendix A., p. 6-5). Based on that assumption, the representative single dry year for the City was 2007 (ibid, p. 6-7). Again, the City assumes that supply will not change during normal, single dry, and multiple dry precipitation years, due to reliance on groundwater. Therefore, the projected water supplies and customer demands for a single dry year would be the same as shown in **Table 3-11** (Appendix A, p. 6-8).

The City has determined in its 2015 UWMP that surplus supply will be available during a single dry year that could occur anytime from 2020 to 2039, with a deficit in supply beginning in 2040. However, because of the groundwater storage account maintained in the Beaumont Basin, the City expects to have sufficient supplies to meet demand through 2040.

### **3.6 Documenting Multiple Dry Year Supply and Demand for City of Banning**

A “multiple dry year” sequence is defined by DWR as, “the period that represents the lowest average water supply availability to the agency for a consecutive multiple year period (three years or more)” (2015 UWMP Guidance, p. 7-5). The City interpreted this to be defined as, “the lowest average runoff for a consecutive multiple year period (three years or more)” (Appendix A, p. 6-5). Based on that assumption, the representative multiple dry year period for the City was 2012 to 2014 (ibid, p. 6-7). Again, the City assumes that supply will not change during normal, single dry, and

multiple dry precipitation years, due to reliance on groundwater. Therefore, the projected water supplies and customer demands for a multiple dry year period would be the same as shown in **Table 3-11** (Appendix A, p. 6-8).

The City has determined in its 2015 UWMP that surplus supply will be available during a multiple dry year that could occur anytime from 2020 to 2039, with a deficit in supply beginning in 2040. However, because of the groundwater storage account maintained in the Beaumont Basin, the City expects to have sufficient supplies to meet demand through 2040 despite a three-year drought.

### **3.7 Comparison of Banning's Projected Supply and Demand**

As explained previously in Section 2, the annual water demand for the Banning Distribution Center is estimated at 47 AFY. This would increase the current industrial water demand 50% from 92 AFY to 139 AFY, and require the City to revise industrial water demand projections accordingly in the 2020 UWMP update.

To reiterate, California Water Code Section 10910(c)(2) states:

*If the project water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).*

The City has provided guidance for this Assessment to combine the commercial and industrial demand projections together for comparison with the Project's estimated water demand. Therefore, the Project's water demand has been included in the City's demand projections for commercial/industrial properties.

Because the supply and demand comparisons shown in **Table 3-11** do not include the actual quantity estimated by the City in their 2015 UWMP to be pumped from the Beaumont Basin, pursuant to their storage account production rights, the resulting estimated supply is less than realistically available. This results in a calculated deficit in

supply shown in 2040. Supply availability in the future will have to take into account the recalculation of the Beaumont Basin safe yield in 2024, any new estimates of safe yield from the other storage units that may be done in the future, or any change in the supplies of imported water and recycled water.

In conclusion, the City of Banning projected water supply (potable, recycled and groundwater held in storage) that is available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the Banning Distribution Center Project, in addition to the City's existing and planned future uses including agricultural and manufacturing uses.



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## SECTION 4 - GROUNDWATER ANALYSIS

As discussed in Section 3, groundwater is the primary source of supply for the City of Banning, which will provide the water supply for the proposed Banning Distribution Center. SB 610 requires specific groundwater information to be included in the Assessment if groundwater will be a source of water for the proposed project.

### Law

*Water Code Section 10910 (f): If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:*

- (1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.*
- (2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as over drafted or has projected that the basin will become over drafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.*

(3) *A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*

(4) *A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*

(5) *An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water supply assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.*

#### **4.1 Review of Urban Water Management Plan (CWC Section 10910 (f)(1))**

The 2015 *Urban Water Management Plan* (UWMP), prepared by Krieger & Stewart Engineering Consultants on behalf of the City of Banning was adopted by the City Council by Resolution 2016-10 UA on June 14, 2016. The UWMP includes information relevant to the identified water supply for the proposed project and is incorporated herein (Appendix A). This information includes: current and projected water demands (System Water Use) through year 2040; a description of the various groundwater basins (System Water Supplies); the reliability of the water supply, projected supply



and demand comparisons, and water shortage plans (*Water Supply Reliability* and *Water Shortage Contingency Planning*); and water demand management efforts (*Demand Management Measures*).<sup>1</sup>

#### 4.2 Groundwater Basin Descriptions (CWC Section 10910 (f)(2))

The City of Banning is underlain by a portion of the San Gorgonio Pass Subbasin of the greater Coachella Valley Groundwater Basin (Basin 7-021.04). The whole of the Subbasin is approximately 38,650 acres (60 square miles) in size and bounded on the north of the San Bernardino Mountains and on the south by the San Jacinto Mountains. The western boundary is defined by a surface drainage that divides the Colorado River and South Coast Hydrologic Study Areas,<sup>2</sup> and the eastern boundary is formed by bedrock constriction that creates a groundwater cascade into the adjacent Indio Subbasin. In 1987, the California Department of Water Resources (DWR) estimated the total storage capacity of the Subbasin at 2.2 million acre-feet (MAF) and the volume held in storage at 1.4 MAF (Bulletin 118, updated 2/27/14).<sup>3</sup>

The westerly half of the San Gorgonio Pass Subbasin includes five hydraulically-connected groundwater storage units (or “basins”), which constitute the City of Banning water resource area.<sup>4</sup> The City extracts water from wells located in the following storage units as shown on **Figure 4-1**:

- Banning Storage Unit;
- Banning Bench Storage Unit;
- Banning Canyon Storage Unit;
- Beaumont Storage Unit; and
- Cabazon Storage Unit.

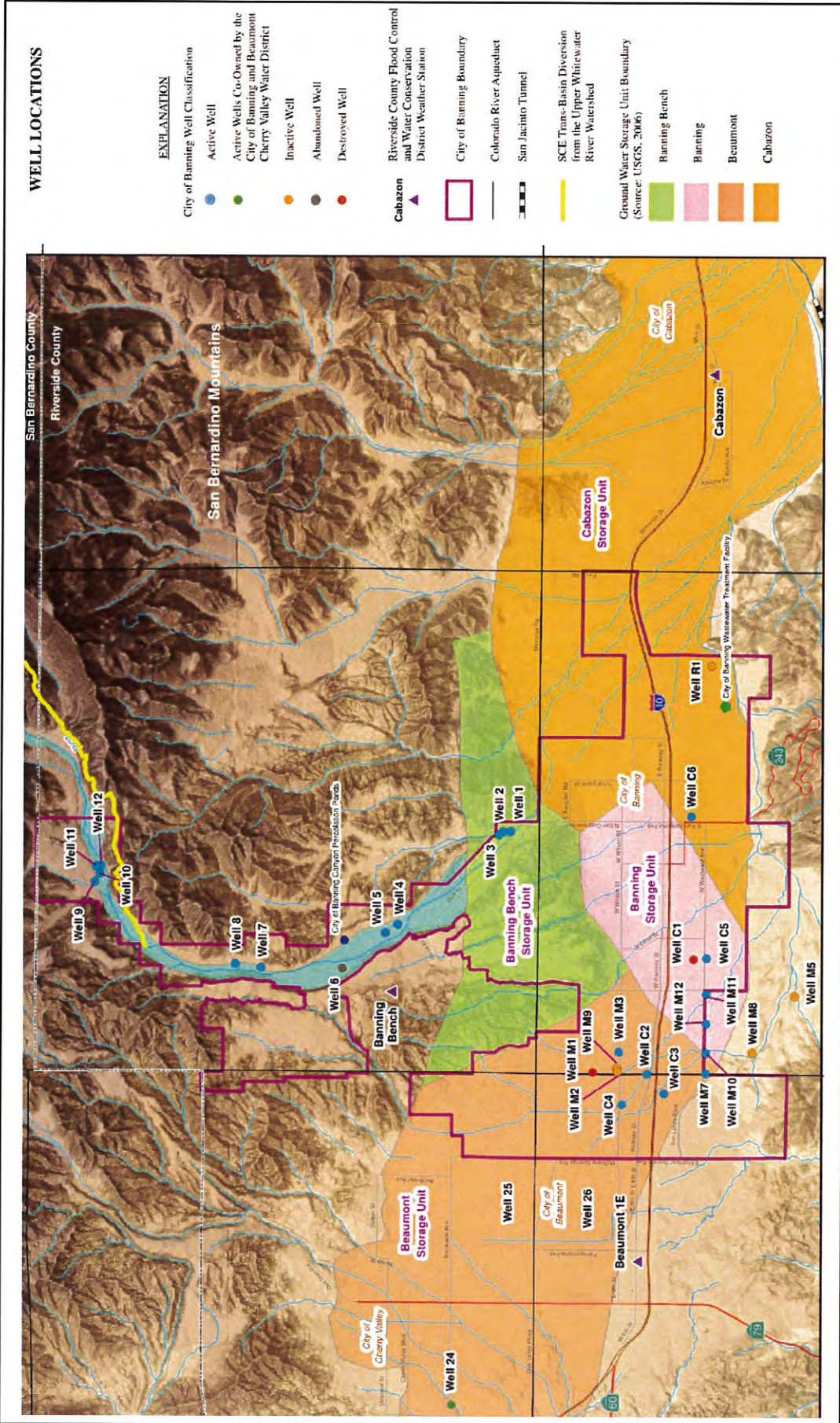
<sup>1</sup> Words and phrases italicized parenthetically reference chapters so titled in the City’s 2015 UWMP.

<sup>2</sup> Also defines the boundary between the Santa Ana River RWQCB and the Colorado River Basin RWQCB.

<sup>3</sup> Available from Bulletin 118 Update, <http://water.ca.gov/groundwater/bulletin118/coloradoriver.cfm>.

<sup>4</sup> Storage unit boundaries have been most recently been defined in the document: *Geology, Ground-Water Hydrology, Geochemistry, and Ground-Water Simulation of the Beaumont and Banning Storage Units, San Gorgonio Pass Area, Riverside County, California, Scientific Investigations Report 2006-5026* prepared by the U.S.G.S. in cooperation with SGPWA, dated 2006. Available at [https://pubs.usgs.gov/sir/2006/5026/pdf/sir\\_2006-5026.pdf](https://pubs.usgs.gov/sir/2006/5026/pdf/sir_2006-5026.pdf).





**Figure 4-1 - City of Banning Well Locations**  
Banning Distribution Center



Not to Scale

Source: 2010 UWMP, Geoscience Inc., May 2011

C:\2017\17-0122\GIS\Wells.mxd; Map created 23 Aug 2017

The Beaumont, Banning Canyon and Cabazon Storage Units have active recharge activities through the use of recharge basins. Other sources of recharge include precipitation and subsurface inflow from storage unit to storage unit.

### **Banning Storage Unit Description**

The Banning Storage Unit is approximately 2,489 acres (4 square miles) in size and underlain by alluvial sediments, with bedrock occurring to the north at the base of the San Bernardino Mountains (Appendix A, p. 5-5). According to a 2011 study by Geoscience Support Services, Inc. (provided in Appendix I), the average saturated thickness in the basin was 600 feet, with an effective porosity of 15-17%, and an estimated storage volume between 211,000 to 240,000 AF (p. 24).

The Banning Storage Unit is not adjudicated and the City is the only remaining large water user in the unit, after acquiring the Mountain Water Company. The City currently operates four groundwater production wells within the Banning Storage Unit, which have a combined nominal pumping capacity of 3,500 gallons per minute (gpm, *ibid*). One of the wells in this storage unit has an emergency generator with pumping capacity of 950 gpm (Appendix A, Table 7-1).

The safe yield of the Banning Storage Unit has been estimated by Geoscience (2011) at 1,130 acre-feet per year (AFY), using historical production data from 1992 to 2010 and groundwater elevations from 2003 to 2009 (Appendix I, Figs. 12, 13).<sup>5</sup> According to the 2015 UWMP, the City has assumed this safe yield rate as the projected annually available water supply from the Banning Storage Unit from 2020 to 2040 (Appendix A, Table 5-4), which are expected to be consistent regardless of any future drought conditions (Appendix A, Table 6-2). In 2015, the City pumped 527 AFY from this unit, or roughly 8% of its total groundwater production (Appendix A, Table 5-2).

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<sup>5</sup> Production analysis of three groundwater storage units were provided in the geohydrologic study: *Maximum Perennial Yield Estimates for the Banning and Cabazon Storage Units, and Available Water Supply from the Beaumont Basin* prepared by Geoscience, dated March 29, 2011. Included herein as Appendix I.



### **Banning Bench Storage Unit Description**

The Banning Bench Storage Unit is approximately 3,573 acres (6 square miles) in size with a considerably smaller estimated volume of groundwater in storage compared to the other storage units, of 1,200 AF to 1,500 AF. The average saturated thickness was estimated in 2011 to be about 30 feet with an effective porosity of 15-17%. (Appendix I, p. 24).

The City currently operates three groundwater production wells within the unit, which have a combined pumping capacity of 3,650 gpm (Appendix A, p. 5-7). Like the Banning Storage Unit, the Banning Bench Storage Unit is not adjudicated. The City and Banning Heights Mutual Water Company rely on this storage unit to serve a portion of their respective water demands. During an emergency, two of the City's wells in this storage unit have the ability to produce a combined maximum rate of 1,750 gpm without electricity using Pelton wheels (Appendix A, Table 7-1).<sup>6</sup>

The safe yield of the Banning Bench Storage Unit was estimated by Geoscience (2011) to be 1,960 AFY using historical production and groundwater elevation data from 1979 to 2009 (pp. 35-36). According to the 2015 UWMP, the City has assumed this safe yield rate as the projected available water supply from the Banning Storage Unit from 2020 to 2040 (Appendix A, Table 5-4), which are expected to be consistent regardless of any future drought conditions (Appendix A, Table 6-2). In 2015, the City pumped 1,208 AFY from this unit, or roughly 18% of total production (Appendix A, Table 5-2).

### **Banning Canyon Storage Unit Description**

The Banning Canyon Storage Unit is approximately 1,058 acres (2 square miles) in size and is mostly comprised of Banning Canyon where the San Geronio River flows intermittently out of the San Geronio Mountains (Appendix A, p. 5-7). From 12,000 to 13,500 AF of groundwater is estimated in storage, with an average saturated thickness of 161 feet and effective porosity of 15-17% (Appendix I, p. 24).

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<sup>6</sup> A Pelton wheel allows pumping to occur without electricity but instead with the pressure in the system as long as upstream wells are pumping.

Recharge also occurs within the canyon through the diversion of the Whitewater River, which began in 1913. Spreading ponds/infiltration basins have been created adjacent to the river bed to facilitate infiltration when surface flow is present. The basins are ungauged and as such, there has been no recordation of the volume of water infiltrated (Appendix I, p. 23). After Banning Heights Mutual Water Company (BHMWC)<sup>7</sup> extracts their allotment of water from the Whitewater River diversion, the City can access the remainder in the groundwater.

The City currently operates eight groundwater production wells within the Banning Canyon Storage Unit, which have a combined pumping capacity of 8,600 gpm (*ibid*). Three of the wells in this storage unit have the ability to produce water in an emergency; two with Pelton wheels and one diesel engine drive (Appendix A, Table 7-1). Using the backup systems, these wells would have a pumping capacity of 1,750 gpm (*ibid*).

The safe yield of the Banning Canyon Storage Unit has been estimated by Geoscience (2011) at 4,070 AFY using groundwater elevation and well production data from 1984 to 2000 (Appendix I, Figs. 16,17). According to the 2015 UWMP, the City has assumed this safe yield rate as the projected available water supply from the Banning Storage Unit from 2020 to 2040 (Appendix A, Table 5-4), which are expected to be consistent regardless of drought conditions (Appendix A, Table 6-2). In 2015, the City pumped 2,462 AFY from this unit, or roughly 37% of total production (Appendix A, Table 5-2).

### **Beaumont Storage Unit Description**

The Beaumont Storage Unit (aka Beaumont Basin) is the second largest of the five storage units at approximately 12,480 acres (20 square miles). The Beaumont Basin was adjudicated by the Riverside County Superior Court in 2004 as a result of a friendly lawsuit to establish water rights and develop a storage program for the basin.

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<sup>7</sup> Banning Heights Mutual Water Company serves 200 domestic water connections with storage and treatment facilities ([www.bhmwco.com](http://www.bhmwco.com)).



A copy of the Judgment is provided in Appendix E.<sup>8</sup> A court-appointed Watermaster Committee was established consisting of representatives from each of the five appropriators (Cities of Banning and Beaumont, BCVWD, South Mesa Water Company, and Yucaipa Valley Water District). Other stipulated users include 17 overlying users, consisting of individuals, golf courses/resorts, poultry farmers, private companies, and a church. The Watermaster carries out the provisions of the Judgment including monitoring of the basin and files an annual report on pumping and replenishment.<sup>9</sup>

The following is a summary description of the Beaumont Basin Judgment from Langridge et al., 2016):<sup>10</sup>

*Parties to the judgment entered into agreements with the Watermaster to store 260,000 AF in the basin. The safe yield of the basin, estimated at 8,650 AFY, was distributed to overlying users who only incurred water replacement charges if they pumped more than five times their share of the safe yield over a five-year period. Allocation to the five appropriative users included any portion of the safe yield available after overlying users satisfied their needs. If they pumped more than their allotment they also had to pay to replace that water. Appropriators were allocated an additional "temporary surplus" totaling 160,000 AF from 2004-2013 to satisfy their needs, with some to be stored in the basin for future use. The temporary surplus is no longer available...*

The safe yield of the Beaumont Basin was reevaluated as required by the Judgment ten years after issuance.<sup>11</sup> As of April 3, 2015, the safe yield available to all parties was

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<sup>8</sup> Beaumont Basin Judgment: *San Timoteo Watershed Management Authority v. City of Banning et al.*, Stipulation for Entry of Judgment Adjudicating Groundwater Rights in the Beaumont Basin, Case No. RIC 389197, Superior Court of California in and for the County of Riverside.

<sup>9</sup> All Watermaster documents can be accessed on the Web site: <http://www.beaumontbasinwatermaster.org/>

<sup>10</sup> Ruth Langridge, Abigail Brown, Kirsten Rudestam and Esther Conrad, 2016, *An Evaluation of California's Adjudicated Groundwater Basins, Report for the State Water Resources Control Board*. Available at [http://groundwater.ca.gov/docs/UCSC\\_Adjudicated\\_Groundwater\\_Basins\\_Report\\_FINAL.pdf](http://groundwater.ca.gov/docs/UCSC_Adjudicated_Groundwater_Basins_Report_FINAL.pdf).



determined to be 6,700 AFY, which is a 23% decrease from the original estimate of 8,650 AFY.<sup>12</sup> The “temporary surplus” is no longer allowed and appropriators are permitted to extract only the amount each has in storage and their proportionate share of Appropriative Water (Appendix A, p. 5-4).

The Watermaster determines on an annual basis the amount of groundwater to which each producer is entitled without incurring a replenishment obligation. The City of Banning’s share of the safe yield is currently 31.43% of the Appropriative Water, which is the amount left after the Overlying Users have taken their share. For example, in 2016 the City’s proportion of Appropriative Water was equivalent to 2,099.1 AF and according to Watermaster records the City pumped 1,472.7 AF in 2016 or about 70% of their allocation. For comparison, in 2015 the City pumped 80% of their allocation in the Beaumont Basin (2,097.5 AF, Appendix H, Table 3-8). Overtime, as Overlying Users increase the amount of water used, the City of Banning’s share is expected to decline.

The City of Banning purchases imported water from the local wholesaler, San Geronio Pass Water Agency (SGPWA), for recharge of the Beaumont Basin at BCVWD’s recharge facility (Appendix H, p. 3-6). In 2015, the City recharged 694 AFY of imported water at this location (Appendix A, Table 5-1). Again, the City can credit this recharge volume to its storage account for future withdrawal. Future recharge rates (and available supply from SGPWA) are estimated by the City to be 2,718 AFY based on an unsigned draft agreement with the SGPWA (*ibid*, p. 5-4).<sup>13</sup>

As of December 31, 2015, the total storage allowed in the Beaumont Basin stands at 280,000 AF; the City of Banning can store up to 80,000 AF (Appendix H, p. 2-7). At the end of calendar year 2016, the City had approximately 49,990.8 AF in its storage account or 62% of capacity, based on the draft 2016 Watermaster Report provided in

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<sup>11</sup> The Beaumont Basin Watermaster Committee adopted a report entitled, “Final 2013 Reevaluation of the Beaumont Basin Safe Yield” prepared by Thomas Harder & Co. in association with Alda, Inc. on April 1, 2015 as part of Resolution No. 2015-01.

<sup>12</sup> Judgment (2004) defines Safe Yield as, “The maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage.”

<sup>13</sup> A copy of the draft agreement could not be obtained for this Assessment.

Appendix H (p. 3-10). The volume held in the Beaumont Basin storage account is notable because of its size and that it is not accounted for in the City's projected supplies. The City only includes in its supply projections their estimated proportion of Appropriative Water, not the actual volume that could be pumped since the City will only pump that volume which is required to meet demands. The Beaumont Basin storage account is of such size that hypothetically, it could provide enough water to meet 2015 demand (approximately 6,700 AFY) for roughly seven years.

The City currently operates five groundwater production wells in the Beaumont Basin that have a combined capacity of 4,650 gpm (Appendix A, p. 5-3). One of the wells has an emergency generator with pumping capacity of 1,000 gpm (Appendix A, Table 7-1).

The City shares equal ownership in three additional water production wells in the Beaumont Basin with Beaumont Cherry Valley Water District (BCVWD) in accordance with an agreement dated December 23, 2003 (Appendix B). The wells have a combined capacity of 6,000 gpm, of which the City is allotted half. Therefore, the City's total pumping capacity in the Beaumont Basin is 7,650 gpm (Appendix A, p. 5-3).

### **Cabazon Storage Unit Description**

The Cabazon Storage Unit is the largest of the five storage units at approximately 17,215 acres (27 square miles). As such, the estimated volume in storage ranges from 880,000 to 1,000,000 AF, with an average saturated thickness of 350 feet and effective porosity of 15-17% (Appendix I, p. 24).<sup>14</sup>

The Cabazon Storage Unit is not adjudicated. The City currently operates one groundwater production well in this unit, which has a pumping capacity of 900 gpm (Appendix A, p. 5-5). This well is not yet equipped with emergency back-up features to allow production during a power outage (*ibid*, p. 7-1).

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<sup>14</sup> Notably, the volume of storage is approximate as the depth to basin bottom was not observed in wells ranging from 500 to 1,200 feet below ground surface during the preparation of the Geoscience, 2011 report (Appendix I, p. 24).

The safe yield of the Cabazon Storage Unit has been estimated by Geoscience (2011) at 2,515 AFY using an alternate method than the other non-adjudicated storage units discussed previously. Because of limited long-term pumping and groundwater elevation data, Geoscience used a water budget approach that estimates the average annual change in storage based on all the inflow and outflow to the storage unit (1,805 AFY), which was then added to the average production from the City's well (710 AFY) (Appendix I, pp. 29, 45).

Natural recharge of the Cabazon Storage Unit is supplemented by the City of Banning with percolation ponds containing the treated effluent of the City's wastewater treatment plant (WWTP). The City plans to achieve tertiary treatment with an upgrade and expansion of the plant facilities by 2025 (p. 5-12). The City estimates that 1,680 AFY of tertiary-treated recycled water will then be made available for irrigation purposes (and offset an equal amount of potable water demand) and no longer applied to recharge the Cabazon Storage Unit (*ibid*, p. 5-6). The remaining secondary effluent, which is projected to increase with increased development, will be used for recharge purposes.

Based on the findings of the hydrogeologic study by Geoscience (2011), the City plans to more than double groundwater production in the Cabazon Storage Unit from 787 AFY pumped in 2015 to the estimated safe yield of 2,515 AFY by 2020 (Appendix A, p. 5-8). The City assumes consistent reliability at this rate of extraction through 2040 regardless of drought conditions (*ibid*, Table 6-2).

### **Storage Unit Summary**

A summary of the groundwater produced in 2015 from each storage unit, the estimated future production levels, the forms of water right and pertinent notes for each are provided in **Table 4-1**.



**Table 4-1: City Groundwater Production and Rights Summary**

Storage Unit	2015 Production (AFY)	Future (AFY)	Form of Right	Notes
<b>Banning</b>	527	1,130	Non- adjudicated basins	Safe yield 1,130 AFY (estimated)
<b>Banning Bench</b>	1,208	1,960		Safe yield 1,960 AFY (estimated)
<b>Cabazon</b>	787	2,515		Safe yield 2,515 AFY (estimated)
<b>Banning Canyon</b>	2,462	4,070	Appropriative	Safe yield 4,070 AFY (estimated)
<b>Beaumont</b>	1,675	31.43% of unused overlying production	Appropriative	Total safe yield 6,700 AFY
<b>Beaumont Basin Storage Account</b>	694 (SWP water)	2,718 (SWP water)	Water order request	Actual is variable.
	47,888 AF in storage	Up to 80,000 AF can be stored	Groundwater Storage Agreement	Tracked by Watermaster, allowed per Judgment.

#### 4.3. Historic Use of Groundwater (CWC Section 10910 (f)(3))

Banning's groundwater supply comes from their 21 (and 3 shared) active groundwater wells located throughout their service area. The annual groundwater production rate since 2000 from all groundwater storage units available to the City is listed below in **Table 4-2**.

**Table 4-2: City of Banning Historic Groundwater Production**

<b>Calendar Year</b>	<b>Groundwater Produced (AFY)</b>
<b>2000</b>	9,373
<b>2001</b>	9,932
<b>2002</b>	9,691
<b>2003</b>	9,992
<b>2004</b>	9,779
<b>2005</b>	9,212
<b>2006</b>	10,115
<b>2007</b>	10,226
<b>2008</b>	10,225
<b>2009</b>	9,237
<b>2010</b>	8,319
<b>2011</b>	8,454
<b>2012</b>	8,575
<b>2013</b>	8,742
<b>2014</b>	8,468
<b>2015</b>	6,659
<b>Average</b>	<b>9,187</b>

Notes: Data from 2000-2010 obtained from City of Banning's 2010 UWMP, Table 4-3. Data from 2011-2015 from Banning 2015 UWMP, Table 5-2 (Appendix A).

#### **4.4. Projected Use of Groundwater by the City (CWC Section 10910 (f)(4))**

The proposed Project will receive water from a combination of the City of Banning's groundwater wells. The City's projected groundwater use is dependent upon the cost of extracting, treating and transporting the water to its customers. According to the nominal capacities provided in the 2015 UWMP, the City's current well capacity is estimated at 24,300 gpm. The City of Banning's projected use of groundwater from all five storage units in the San Gorgonio Pass Subbasin is reproduced in **Table 4-3**.

**Table 4-3: City of Banning Projected Groundwater Production (AFY)**

Storage Unit	2020	2025	2030	2035	2040
<b>Beaumont</b> <b>(Estimated Proportion of</b> <b>Appropriative Water)</b>	840 (1,266)	1,645 (1,145)	2,372 (1,029)	3,162 (925)	3,643 (925)
<b>Banning</b>	1,130	1,130	1,130	1,130	1,130
<b>Banning Bench</b>	1,960	1,960	1,960	1,960	1,960
<b>Cabazon</b>	2,515	2,515	2,515	2,515	2,515
<b>Banning Canyon</b>	4,070	4,070	4,070	4,070	4,070
<b>Total</b>	<b>10,515</b>	<b>11,320</b>	<b>12,047</b>	<b>12,837</b>	<b>13,318</b>

Notes: From Table 5-3, Banning 2015 UWMP located in Appendix A. Footnote to this table in UWMP states, "The City plans to pump only those quantities of water needed to meet demands" (p. 5-8).

As shown in the projections of **Table 4-3**, the City plans to increase production within the Cabazon Storage Unit, but the details are not yet known. In addition, the production rate is expected to increase in the Beaumont Basin as the City uses water from its storage account, even though the Appropriative Water is projected to decrease over time.

In addition to production from new future wells, the City of Banning will purchase additional imported water supplies when possible from SGPWA for the purpose of recharging the Beaumont Storage Unit as previously discussed. Similarly, the City plans to upgrade its wastewater treatment plant to produce higher quality effluent that can offset potable irrigation water demand. Currently, the City is preparing to start phased repairs of the Banning "water" Canyon pipeline to eliminate aging infrastructure that is prone to leaks. The pipeline will be relocated onto higher ground to make it less likely to incur damage from the San Gorgonio River and easier to maintain. To help with planning future water supply investments, the City is currently preparing an "integrated master plan" for recycled water, sewer, and potable water projects.



#### **4.5. Sufficiency of Groundwater Basin (CWC Section 10910 (f)(5))**

##### **Non-Adjudicated Basins**

The amount of water that the City of Banning expects to be available from each of the four non-adjudicated storage units (Banning, Banning Bench, Banning Canyon and Cabazon) is based on a 2011 geohydrologic study that has been accepted by the City and used for planning projections in the most recent UWMP (refer to Geoscience report in Appendix I). The study updated a prior 2009 geohydrologic study by the same firm in the same area but with additional and updated data sources including driller's logs, geophysical borehole logs, historical production data, groundwater elevation data, weather data, pumping tests, wastewater percolation data, water quality data, public and private files and personal communications with local and state agencies (Appendix I, p. 7). The City has therefore determined that the resulting estimated safe yields are the most accurate measurements of available of supplies. The City has also determined that those supplies are currently and will continue to be sufficient to meet demands up to 2040, as shown in the assumptions used in the 2015 UWMP.

##### **Adjudicated Basin**

The City of Banning's legal right to pump water in an amount not to exceed its Appropriator Production Rights, except as additional annual Production may be authorized by the provisions of the Physical Solution, is protected by the Judgment as discussed above, and buttressed by a number of programs and projects directed at ensuring the sufficiency of groundwater supplies from the Beaumont Basin. An adjudicated water right has perhaps the most substantial indicia of reliability of any water right that currently exists in California. An adjudicated right is based upon long-term studies whose purpose it is to protect the long-term functionality of the water source. These rights are coordinated in an established and binding manner with all the other users of the Basin and are overseen by the Watermaster Committee which has the authority to mandate and proscribe activities whose purpose is to protect the water source and maximize its long-term beneficial use.

The Watermaster Committee consists of representation from the five appropriators: City of Banning, City of Beaumont, SMWC, YVWD, and BCVWD. The Judgment granted the Watermaster discretionary powers to develop and implement a groundwater management plan for the basin, including water quality and quantity considerations and reflecting the provisions of the Judgment. The Watermaster responsibilities according to the Judgment include the following (summarized from Watermaster 2016 Annual Report in Appendix H, pp. 1-3 to 1-4):

- **Administration** of activities under the Rules and Regulations of the Judgment, originally adopted June 8, 2004, and subsequently amended in 2006 and 2008. The Rules and Regulations establish how the Watermaster accounts for the water resources of the Basin. Watermaster collects replenishment assessments from parties pumping in excess of their pumping right to fund its operations. Each year, Watermaster publishes an Annual Report, which documents production and recharge activities in the Beaumont Basin.
- **Approve Producer Activities** such as recharging water, transferring or exchanging water, storing local water, and storing or recovering supplemental water.
- **Maintain and Improve Water Supply** by determining on an annual basis the amount of groundwater that each producer is entitled to pump without incurring a replenishment assessment. Watermaster is responsible for facilitating and coordinating the acquisition, recharge, and storage of imported water or other local supplemental water to replenish and/or conjunctively manage the Basin to increase local supplies.
  - Supplemental replenishment water can be in the form of recycled water, imported State Water Project water, or other imported water. Replenishment can be accomplished by spreading and percolation, injection, or in-lieu use of surface water or imported water.
- **Monitor and Understand the Basin** by collecting information from producers and other cooperating agencies in order to enhance the knowledge of Basin

function to manage it more effectively. Information collected by the Watermaster includes:

- Water production, water level, and water quality information from the Appropriator Parties;
  - Water production and water level information from the Overlying Parties;
  - Water level and water quality data collected by local agencies as part of their Maximum Benefit and Monitoring Program<sup>15</sup> for the Beaumont Management Zone; and
  - Ground surface elevations from surveys to determine whether ground subsidence may be occurring as a result of over-pumping from the basin.
- **Maintain and Improve Water Quality** by participating in efforts to preserve or enhance the quality of groundwater. Assists regulatory agencies to enforce water quality regulations, including the Maximum Benefit Monitoring Program of the Beaumont Management Zone.
- **Develop and Administer a Well Policy** on the proper construction and abandonment methods of wells in the Basin. The Watermaster adopted Resolution 2004-04 to set minimum standards for the construction, repair, abandonment and destruction of groundwater extraction wells in the Basin. The Resolution adopted Riverside County Ordinance No. 682.3<sup>16</sup> and expanded it to require the installation of a sounding tube to measure water levels on all future wells.
- **Develop and Enter into Contracts for Beneficial Programs and Services** that are beneficial to the Basin on behalf of the Parties to the Judgment. Includes

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<sup>15</sup> As a result of the 2004 amendments to the Santa Ana Regional Water Quality Control Board's Basin Plan to incorporate updated total dissolved solids (TDS) and nitrogen management plan, the groundwater subbasin boundaries (called management zones), TDS and nitrate-nitrogen groundwater quality objectives, TDS and nitrogen wasteload allocations, reach designations, and TDS and nitrogen objectives and beneficial uses for specific surface waters were all revised. As a result, the use of recycled water in the Beaumont Management Zone would exceed the new antidegradation objectives. Therefore, maximum-benefit objectives and commitments from affected agencies were agreed upon. One of the commitments is to monitor groundwater and surface water quality for changes in the salt (TDS and nitrogen) concentrations, which is reported annually in the Maximum Benefit Monitoring Program.

<sup>16</sup> An ordinance of the County of Riverside regulating the construction, reconstruction, abandonment and destruction of wells, available at the Clerk of the Board Web site: <http://www.rivcocob.org/ords/600/682.3.pdf>.



programs for conjunctively utilizing the Basin for the storage of supplemental water, and programs for the direct and indirect use of recycled water.

- **Provide Cooperative Leadership** with other local, state, and/or federal agencies to develop and implement regional scale programs for the management of the Basin and its surrounding resources.

All Watermaster processes are governed by Rules and Regulations and receive active oversight from the Court which retains continuing jurisdiction over the administration of the Judgment. Consequently, the sufficiency of the groundwater is not only directed by rigorous Watermaster management processes, but validated and ensured by continuing Court oversight.

The efforts listed above collectively comprise a comprehensive regimen directed to ensuring and maximizing the long-term beneficial use of water in the Beaumont Basin. In particular, and specific to the location of current and future groundwater production facilities upon which Banning relies or will rely to provide water to meet all demands within its service area, efforts related to “Maintain and Improve Water Supply” and efforts related to developing “Contracts for Beneficial Programs and Services,” address the sufficiency of groundwater from the Basin. Fundamentally, the goal of the Watermaster’s responsibilities is to develop a regional, long range, and equitable water supply plan for producers in the Beaumont Basin that incorporates sound basin management.

The sufficiency of the City of Banning’s groundwater supply is assured due to the abundance of groundwater which it overlies, Watermaster responsibilities that prioritize and assure production from the Beaumont Basin, coupled with the pursuit of expanded recycled water that enable the continued use of this abundant supply for municipal purposes.

Sufficiency of groundwater from the five storage units on which the City of Banning relies is further assured for the following reasons:

- SGPWA is a State Water Project contractor that provides imported water from the State Water Project for direct and indirect use by parties to the Judgment in the Beaumont Basin for basin recharge purposes (when supplies are available). SGPWA monitors groundwater levels twice a year over a large network of monitoring wells (currently 110 wells), as well as regular water quality monitoring of imported water supplies.
- Local compliance with the Sustainable Groundwater Management Act of 2014 (SGMA) is in progress with creation of the “San Gorgonio Pass Groundwater Sustainability Agency,” that will develop a Groundwater Sustainability Plan (GSP) for all non-adjudicated parts of the San Gorgonio Pass Sub-basin that is within the SGPWA service area. Members of the new agency include SGPWA, Cabazon Water District, City of Banning and Banning Heights Mutual Water Company. The GSP must be prepared by 2022 to demonstrate, with a relatively robust level of analysis, what actions will be taken to ensure the basin will operate within its sustainable yield. The GSP will include the Banning, Banning Bench, and Banning Canyon Storage Units, and most of the Cabazon Storage Unit.
- The SGPWA 2015 UWMP analyzes the sufficiency of imported water supplies for average rain years as well as single and multiple year drought scenarios from 2015 to 2040 and concludes the Agency is expected to have adequate supplies to meet projected future needs in average and multiple-dry year scenarios. However, the Agency will need to procure additional water supplies, which are described in the UWMP and reiterated herein, to meet projected single dry year conditions.

California Water Code Section 10631(j) provides that urban water suppliers, such as the City of Banning, that rely upon a wholesale agency for a source of water may rely upon water supply information provided by the wholesale agency in fulfilling UWMP informational requirements.

SGPWA's independent analysis of regional water conditions in conjunction with DWR's most recent Delivery Capability Report, provide additional and reliable assurances concerning the sufficiency of imported water supplies that comprise a portion of overall Beaumont Basin supply sufficiency.

The City's pursuit of improved and expanded recycled water supplies described in Section 3, along with future storage and recovery projects will help drought-proof the City's groundwater resources during imported water shortages. These efforts are consistent with the goals of the Beaumont Basin Watermaster, as well as the intent of SGMA.

In conclusion, the sufficiency of groundwater supplies available to the City in the Beaumont Basin is assured because of the City's additions to their storage account and the programs overseen by the Beaumont Basin Watermaster, which are conducted under the auspices of continuing Court jurisdiction, that specifically direct and assure the long-term production of water pursuant to the City's legal rights to produce such water necessary to meet future demands.

Similarly, the sufficiency of groundwater supplies available to the City from the Cabazon, Banning, Banning Bench, and Banning Canyon Storage Units is assured because of the 2011 geohydrologic study of said storage units that was commissioned by the City. The study calculated the safe yields of each based on the most current information available at the time (see Appendix I). These results in combination with the City's efforts and that of other participating parties to maintain the diversion of Whitewater River into Banning Canyon, the City's pursuit of expanded recycled water supplies and increased groundwater production in the Cabazon basin, as well as the City's focus on capturing stormwater runoff as part of new development proposals will help to meet the City's anticipated water demands.



## SECTION 5 - PRIMARY ISSUE FOR ASSESSMENT

As cited below, the lead agency, "...shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy demands of the project, in addition to existing and planned future uses." The lead agency is expected to approve or disapprove the project based on a number of factors, including but not limited to the Water Supply Assessment.

### Law

*Water Code Section 10910(g)(1): Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.*

*Water Code Section 10911(b): The city or county shall include the water assessment provided pursuant to Section 10910, and any information provided pursuant to subdivision 9a), in any environmental document prepared for the project pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.*

*(c) The city or county may include in any environmental document an evaluation of any information included in that environmental document provided pursuant to subdivision (b). The city or county shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. If the city or county determines that water supplies will not be sufficient, the city or county shall include that determination in its findings for the project.*

The lead agency is expected to review the Assessment and decide whether additional water supply information is needed for its consideration of the proposed project.

## 5.1 Findings

Whereas:

1. The City of Banning has been identified as the water supplier for the Banning Distribution Center ("Project").
2. The projected total water demand for the Project is 47 acre-feet per year (AFY).
3. The water demand for the Project was included in the "2015 Urban Water Management Plan" dated May 2016, which was adopted by the City of Banning Utility Authority by Resolution 2016-10 UA on June 14, 2016.
4. The City of Banning's water supply capacity from City wells, as of 2015, was 24,300 gallons per minute (gpm). Supplies are obtained from five hydraulically-connected storage units of the San Gorgonio Pass Groundwater Sub-basin: Banning, Banning Bench, Banning Canyon, Cabazon, and Beaumont Storage Units.
5. The City has estimated build-out of the General Plan to occur beyond the 20-year planning horizon required for this Assessment.
6. As of 2015, the City of Banning's combined potable and non-potable water demand was 6,709 AFY. The City estimates an increase of potable and non-potable water demand to 13,628 AFY by 2040. In addition, the City anticipates the development of tertiary-level recycled water by 2025 in the amount of 1,680 AFY to offset potable water currently used for landscape irrigation.
7. The City of Banning has Appropriative Water Rights in the Beaumont Storage Unit, and documented entitlement to water within the Banning Canyon Storage Unit. The Cabazon, Banning, and Banning Bench Storage Units are not adjudicated. The City purchases imported State Water Project water from San Gorgonio Pass Water Agency for recharge of the Beaumont Storage Unit pursuant to the stipulations of the Groundwater Storage Agreement with the Watermaster.

8. The City of Banning maintains a storage account in the Beaumont Storage Unit, currently estimated by the Beaumont Basin Watermaster at 49,990.8 AF, pursuant to the stipulations of the adjudication. The City has not included this storage account in their supply projections provided in the 2015 UWMP.

Considering the aforementioned facts, the total projected water supplies available to the City of Banning during normal, single dry, and multiple dry water years during a 20-year projection are therefore sufficient to meet the projected water demand associated with the proposed Project, in addition to the City's existing and planned future uses, including agricultural and manufacturing uses, as described in Chapter 6 of the City's 2015 Urban Water Management Plan (Appendix A).



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# **ATTACHMENT 3**

Senate Bill 610

**SB-610 Water supply planning.** (2001-2002)

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**Senate Bill No. 610****CHAPTER 643**

An act to amend Section 21151.9 of the Public Resources Code, and to amend Sections 10631, 10656, 10910, 10911, 10912, and 10915 of, to repeal Section 10913 of, and to add and repeal Section 10657 of, the Water Code, relating to water.

[ Filed with Secretary of State October 09, 2001. Approved by Governor October 09, 2001. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 610, Costa. Water supply planning.

(1) Existing law requires every urban water supplier to identify, as part of its urban water management plan, the existing and planned sources of water available to the supplier over a prescribed 5-year period. Existing law prohibits an urban water supplier that fails to prepare or submit its urban water management plan to the Department of Water Resources from receiving drought assistance from the state until the plan is submitted.

This bill would require additional information to be included as part of an urban water management plan if groundwater is identified as a source of water available to the supplier. The bill would require an urban water supplier to include in the plan a description of all water supply projects and programs that may be undertaken to meet total projected water use. The bill would prohibit an urban water supplier that fails to prepare or submit the plan to the department from receiving funding made available from specified bond acts until the plan is submitted. The bill, until January 1, 2006, would require the department to take into consideration whether the urban water supplier has submitted an updated plan, as specified, in determining eligibility for funds made available pursuant to any program administered by the department.

(2) Existing law, under certain circumstances, requires a city or county that determines an environmental impact report is required in connection with a project, as defined, to request each public water system that may supply water for the project to assess, among other things, whether its total projected water supplies will meet the projected water demand associated with the proposed project. Existing law requires the public water system to submit the assessment to the city or county not later than 30 days from the date on which the request was received and, in the absence of the submittal of an assessment, provides that it shall be assumed that the public water system has no information to submit. Existing law makes legislative findings and declarations concerning "Proposition C," a measure approved by the voters of San Diego County relating to regional growth management, and provides that the procedures established by a specified review board established in connection with that measure are deemed to comply with the requirements described above relating to water supply planning by a city or county.

This bill would revise those provisions. The bill, instead, would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment, except



as otherwise specified. The bill would require the assessment to include, among other information, an identification of existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project and water received in prior years pursuant to those entitlements, rights, and contracts. The bill would require the city or county, if it is not able to identify any public water system that may supply water for the project, to prepare the water supply assessment after a prescribed consultation. The bill would revise the definition of "project," for the purposes of these provisions, and make related changes.

The bill would prescribe a timeframe within which a public water system is required to submit the assessment to the city or county and would authorize the city or county to seek a writ of mandamus to compel the public water system to comply with requirements relating to the submission of the assessment.

The bill would require the public water system, or the city or county, as applicable, if that entity concludes that water supplies are, or will be, insufficient, to submit the plans for acquiring additional water supplies.

The bill would require the city or county to include the water supply assessment and certain other information in any environmental document prepared for the project pursuant to the act. By establishing duties for counties and cities, the bill would impose a state-mandated local program.

The bill would provide that the County of San Diego is deemed to comply with these water supply planning requirements if the Office of Planning and Research determines that certain requirements have been met in connection with the implementation of "Proposition C."

(3) The bill would incorporate additional changes in Section 10631 of the Water Code proposed by AB 901, to be operative only if this bill and AB 901 are enacted and become effective on or before January 1, 2002, each bill amends Section 10631 of the Water Code, and this bill is enacted last. (4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** (a) The Legislature finds and declares all of the following:

- (1) The length and severity of droughts in California cannot be predicted with any accuracy.
- (2) There are various factors that affect the ability to ensure that adequate water supplies are available to meet all of California's water demands, now and in the future.
- (3) Because of these factors, it is not possible to guarantee a permanent water supply for all water users in California in the amounts requested.
- (4) Therefore, it is critical that California's water agencies carefully assess the reliability of their water supply and delivery systems.
- (5) Furthermore, California's overall water delivery system has become less reliable over the last 20 years because demand for water has continued to grow while new supplies have not been developed in amounts sufficient to meet the increased demand.
- (6) There are a variety of measures for developing new water supplies including water reclamation, water conservation, conjunctive use, water transfers, seawater desalination, and surface water and groundwater storage.
- (7) With increasing frequency, California's water agencies are required to impose water rationing on their residential and business customers during this state's frequent and severe periods of drought.
- (8) The identification and development of water supplies needed during multiple-year droughts is vital to California's business climate, as well as to the health of the agricultural industry, environment, rural communities, and residents who continue to face the possibility of severe water cutbacks during water shortage periods.
- (9) A recent study indicates that the water supply and land use planning linkage, established by Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code, has not been implemented in a manner that

ensures the appropriate level of communication between water agencies and planning agencies, and this act is intended to remedy that deficiency in communication.

(b) It is the intent of the Legislature to strengthen the process pursuant to which local agencies determine the adequacy of existing and planned future water supplies to meet existing and planned future demands on those water supplies.

**SEC. 2.** Section 21151.9 of the Public Resources Code is amended to read:

**21151.9.** Whenever a city or county determines that a project, as defined in Section 10912 of the Water Code, is subject to this division, it shall comply with Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code.

**SEC. 3.** Section 10631 of the Water Code is amended to read:

**10631.** A plan shall be adopted in accordance with this chapter and shall do all of the following:

(a) Describe the service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.

(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments as described in subdivision (a). If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:

(1) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.

(2) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the amount and location of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the location, amount, and sufficiency of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(c) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:

(1) An average water year.

(2) A single dry water year.

(3) Multiple dry water years.

For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to replace that source with alternative sources or water demand management measures, to the extent practicable.

(d) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

(e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors, including, but not necessarily limited to, all of the following uses:

- (A) Single-family residential.
- (B) Multifamily.
- (C) Commercial.
- (D) Industrial.
- (E) Institutional and governmental.
- (F) Landscape.
- (G) Sales to other agencies.
- (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.
- (I) Agricultural.

(2) The water use projections shall be in the same five-year increments as described in subdivision (a).

(f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:

- (A) Water survey programs for single-family residential and multifamily residential customers.
- (B) Residential plumbing retrofit.
- (C) System water audits, leak detection, and repair.
- (D) Metering with commodity rates for all new connections and retrofit of existing connections.
- (E) Large landscape conservation programs and incentives.
- (F) High-efficiency washing machine rebate programs.
- (G) Public information programs.
- (H) School education programs.
- (I) Conservation programs for commercial, industrial, and institutional accounts.
- (J) Wholesale agency programs.
- (K) Conservation pricing.
- (L) Water conservation coordinator.
- (M) Water waste prohibition.
- (N) Residential ultra-low-flush toilet replacement programs.

(2) A schedule of implementation for all water demand management measures proposed or described in the plan.

(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.

(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of such savings on the supplier's ability to further reduce demand.



(g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies. This evaluation shall do all of the following:

(1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors.

(2) Include a cost-benefit analysis, identifying total benefits and total costs.

(3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost.

(4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

(h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single dry, and multiple dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

(i) Urban water suppliers that are members of the California Urban Water Conservation Council and submit annual reports to that council in accordance with the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated September 1991, may submit the annual reports identifying water demand management measures currently being implemented, or scheduled for implementation, to satisfy the requirements of subdivisions (f) and (g).

**SEC. 3.5.** Section 10631 of the Water Code is amended to read:

**10631.** A plan shall be adopted in accordance with this chapter and shall do all of the following:

(a) Describe the service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.

(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments as described in subdivision (a). If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:

(1) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.

(2) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(c) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:

- (1) An average water year.
- (2) A single dry water year.
- (3) Multiple dry water years.

For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.

(d) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

(e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors, including, but not necessarily limited to, all of the following uses:

- (A) Single-family residential.
- (B) Multifamily.
- (C) Commercial.
- (D) Industrial.
- (E) Institutional and governmental.
- (F) Landscape.
- (G) Sales to other agencies.
- (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.
- (I) Agricultural.

(2) The water use projections shall be in the same five-year increments as described in subdivision (a).

(f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:

- (A) Water survey programs for single-family residential and multifamily residential customers.
- (B) Residential plumbing retrofit.
- (C) System water audits, leak detection, and repair.
- (D) Metering with commodity rates for all new connections and retrofit of existing connections.
- (E) Large landscape conservation programs and incentives.
- (F) High-efficiency washing machine rebate programs.
- (G) Public information programs.
- (H) School education programs.
- (I) Conservation programs for commercial, industrial, and institutional accounts.
- (J) Wholesale agency programs.

(K) Conservation pricing.

(L) Water conservation coordinator.

(M) Water waste prohibition.

(N) Residential ultra-low-flush toilet replacement programs.

(2) A schedule of implementation for all water demand management measures proposed or described in the plan.

(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.

(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.

(g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies. This evaluation shall do all of the following:

(1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors.

(2) Include a cost-benefit analysis, identifying total benefits and total costs.

(3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost.

(4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

(h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single dry, and multiple dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

(i) Urban water suppliers that are members of the California Urban Water Conservation Council and submit annual reports to that council in accordance with the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated September 1991, may submit the annual reports identifying water demand management measures currently being implemented, or scheduled for implementation, to satisfy the requirements of subdivisions (f) and (g).

**SEC. 4.** Section 10656 of the Water Code is amended to read:

**10656.** An urban water supplier that does not prepare, adopt, and submit its urban water management plan to the department in accordance with this part, is ineligible to receive funding pursuant to Division 24 (commencing with Section 78500) or Division 26 (commencing with Section 79000), or receive drought assistance from the state until the urban water management plan is submitted pursuant to this article.

**SEC. 4.3.** Section 10657 is added to the Water Code, to read:

**10657.** (a) The department shall take into consideration whether the urban water supplier has submitted an updated urban water management plan that is consistent with Section 10631, as amended by the act that adds this section, in determining whether the urban water supplier is eligible for funds made available pursuant to any program administered by the department.



(b) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

**SEC. 4.5.** Section 10910 of the Water Code is amended to read:

**10910.** (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.

(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with any entity serving domestic water supplies whose service area includes the project site, the local agency formation commission, and any public water system adjacent to the project site.

(c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).

(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).

(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.

(d) (1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.

(2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:

(A) Written contracts or other proof of entitlement to an identified water supply.

(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.

(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.

(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(e) If no water has been received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts, the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall also include in its water supply assessment pursuant to subdivision (c), an identification of the other public water systems or water service contractholders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has identified as a source of water supply within its water supply assessments.

(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:

(1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.

(2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water supply assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.

(g) (1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.

(2) Prior to the expiration of the 90-day period, if the public water system intends to request an extension of time to prepare and adopt the assessment, the public water system shall meet with the city or county to request an extension of time, which shall not exceed 30 days, to prepare and adopt the assessment.

(3) If the public water system fails to request an extension of time, or fails to submit the assessment notwithstanding the extension of time granted pursuant to paragraph (2), the city or county may seek a writ of mandamus to compel the governing body of the public water system to comply with the requirements of this part relating to the submission of the water supply assessment.

(h) Notwithstanding any other provision of this part, if a project has been the subject of a water supply assessment that complies with the requirements of this part, no additional water supply assessment shall be

required for subsequent projects that were part of a larger project for which a water supply assessment was completed and that has complied with the requirements of this part and for which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has concluded that its water supplies are sufficient to meet the projected water demand associated with the proposed project, in addition to the existing and planned future uses, including, but not limited to, agricultural and industrial uses, unless one or more of the following changes occurs:

- (1) Changes in the project that result in a substantial increase in water demand for the project.
- (2) Changes in the circumstances or conditions substantially affecting the ability of the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), to provide a sufficient supply of water for the project.
- (3) Significant new information becomes available which was not known and could not have been known at the time when the assessment was prepared.

**SEC. 5.** Section 10911 of the Water Code is amended to read:

**10911.** (a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water supply assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:

- (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.
- (2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.
- (3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.

(b) The city or county shall include the water supply assessment provided pursuant to Section 10910, and any information provided pursuant to subdivision (a), in any environmental document prepared for the project pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) The city or county may include in any environmental document an evaluation of any information included in that environmental document provided pursuant to subdivision (b). The city or county shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. If the city or county determines that water supplies will not be sufficient, the city or county shall include that determination in its findings for the project.

**SEC. 6.** Section 10912 of the Water Code is amended to read:

**10912.** For the purposes of this part, the following terms have the following meanings:

(a) "Project" means any of the following:

- (1) A proposed residential development of more than 500 dwelling units.
- (2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
- (3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.
- (4) A proposed hotel or motel, or both, having more than 500 rooms.



(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(6) A mixed-use project that includes one or more of the projects specified in this subdivision.

(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

(b) If a public water system has fewer than 5,000 service connections, then "project" means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

(c) "Public water system" means a system for the provision of piped water to the public for human consumption that has 3000 or more service connections. A public water system includes all of the following:

(1) Any collection, treatment, storage, and distribution facility under control of the operator of the system which is used primarily in connection with the system.

(2) Any collection or pretreatment storage facility not under the control of the operator that is used primarily in connection with the system.

(3) Any person who treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

**SEC. 7.** Section 10913 of the Water Code is repealed.

**SEC. 8.** Section 10915 of the Water Code is amended to read:

**10915.** The County of San Diego is deemed to comply with this part if the Office of Planning and Research determines that all of the following conditions have been met:

(a) Proposition C, as approved by the voters of the County of San Diego in November 1988, requires the development of a regional growth management plan and directs the establishment of a regional planning and growth management review board.

(b) The County of San Diego and the cities in the county, by agreement, designate the San Diego Association of Governments as that review board.

(c) A regional growth management strategy that provides for a comprehensive regional strategy and a coordinated economic development and growth management program has been developed pursuant to Proposition C.

(d) The regional growth management strategy includes a water element to coordinate planning for water that is consistent with the requirements of this part.

(e) The San Diego County Water Authority, by agreement with the San Diego Association of Governments in its capacity as the review board, uses the association's most recent regional growth forecasts for planning purposes and to implement the water element of the strategy.

(f) The procedures established by the review board for the development and approval of the regional growth management strategy, including the water element and any certification process established to ensure that a project is consistent with that element, comply with the requirements of this part.

(g) The environmental documents for a project located in the County of San Diego include information that accomplishes the same purposes as a water supply assessment that is prepared pursuant to Section 10910.

**SEC. 9.** Section 3.5 of this bill incorporates amendments to Section 10631 of the Water Code proposed by both this bill and AB 901. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 10631 of the Water Code, and (3) this bill is enacted after AB 901, in which case Section 3 of this bill shall not become operative.

**SEC. 10.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Rochelle Clayton, Interim City Manager  
Robert J. Meteau Jr., Deputy Human Resources Director

**PREPARED BY:** Rochelle Clayton, Interim City Manager

**MEETING DATE:** May 8, 2018

**SUBJECT:** Status of the Public Information Officer Recruitment (PIO)

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### **RECOMMENDED ACTION:**

Review and discuss the status and process of recruitment for the City's Public Information Officer (PIO).

### **JUSTIFICATION:**

Council members have requested the status of the PIO Recruitment. The former Interim City Manager gave the direction to Human Resources to suspend recruitment, so staff does not have a definitive purpose for the suspension, and this item is so that Council can discuss the status.

### **BACKGROUND:**

The City's former PIO resigned in December 2017. Human Resources opened the recruitment for the position on January 11, 2018. On February 15, 2018 the recruitment was suspended upon direction from the Interim City Manager to Human Resources. At that time, the City had received 54 applications and were in process of scheduling interviews.

The critical tasks that the PIO position performed, that cannot be absorbed without a strain on other employees/departments, include but are not limited to:

1. Compile and organize mailing the City's quarterly Newsletter, the 92220



2. Write and coordinate Press Releases and respond to inquiries from the press (nearly weekly inquiries from the Record Gazette, the Press Enterprise and/or Banning/Beaumont Patch, etc.)
3. Coordinate and plan the State of the City Address
4. Perform the public outreach for Ballot Measures, Proposition 218 initiatives, etc.
5. Write legislative action letters on behalf of Council
6. Communicate the City's "message" to the residents, customers, and business owners, in a consistent unified manner, which includes orally, in writing, on the website, and through social media
7. Work with Council and Staff to ensure communication of a unified message
8. Develop the City's Crisis Communication Plan
9. Reformat the City's utility bills (PIO was in-progress of revamping the bills)
10. Campaign the City's low income assistance programs (PIO was in-progress of working with Utility Billing on a program & outreach)
11. Conduct surveys
12. Organize the Leadership Academy
13. Supervise the Multimedia Specialist, which is now being supervised by the Information Technology Manager

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

1. Public Information Officer Job Description

Approved by:

  
\_\_\_\_\_  
Rochelle Clayton, Interim City Manager

# **ATTACHMENT 1**

(Public Information Officer Job Description)



## CITY OF BANNING, CALIFORNIA

### Public Information Officer

Job Code: 1015

FLSA      ☒ Exempt      ☐ Non-Exempt

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**JOB DEFINITION:** Under administrative direction of the City Manager, serves as liaison for the City to the public on a variety of topics; administers community information programs and public outreach for Proposition 218 and other municipal hearings. Outreach platform duties include: research, write and edit press releases, social media management, design, and photo editing; website maintenance; designs, updates and codes weekly html newsletters; publishes City Newsletter to residents "92220" and Employee Newsletter; single point of contact for the Press Enterprise and the Record Gazette for all interviews and requests for information; reviews City-wide outbound communication including legislative action letters; manages the programs and information broadcasted on the City's cable television channel; performs administrative and analytical projects and other related duties as assigned. The incumbent is an "at-will" classification serving at the pleasure of the City Manager.

**ESSENTIAL FUNCTIONS:** *The following duties **ARE NOT** intended to serve as a comprehensive list of all duties performed by all employees in this classification. Shown are duties intended to provide a representative summary of the major duties and responsibilities. Incumbent(s) may not be required to perform all duties listed and may be required to perform additional, position-specific duties.*

Establishes, promotes and maintains effective relations with the media and advises officials, departments and employees on how to properly frame issues and present information to facilitate public understanding; serves as the primary contact person with the media to ensure a single staff source providing the most accurate information.

Develops, manages and administers strategic communication plans; prepares and oversees the drafting of speeches including the annual State of the City, press releases, public service announcements, brochures, flyers, pamphlets, newsletters, annual reports, articles and scripts for City officials and staff to educate the public and enhance the City's public image including assisting with "branding" the City.

Keeps informed on City programs and projects and provides advice on the method and timing of press releases, press conferences, and media events. Identifies opportunities for promoting the City's programs and projects. Plans, organizes and implements multimedia events and special publicity campaigns for various projects, programs and issues.

Effectively uses the City's cable television channel to disseminate information through community education projects; promote public awareness campaigns and community relations' initiatives.

Coordinate and implement communication strategies regarding both normal and emergency municipal operations.

Coordinate and implement programs to assess customer satisfaction and to promote positive customer relations.

As directed, communicate with influential sites, blogs, and other online communities to develop positive relationships, promote community content, and drive traffic to city website.

### REPRESENTATIVE DUTIES:

- Develop, implement, coordinate, and maintain programs and activities which focus upon various community problems (social and economic) and the improvement of inter-group relations within the City.
- Represent community relations with City departments and divisions, other governmental agencies, and with the private sector.



# **CITY OF BANNING, CALIFORNIA**

## **Public Information Officer**

**Job Code: 1015**

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- Respond to citizen complaints and requests for information pertaining to community/customer Relations issues.
- Participate in the development and monitoring of the program budget.
- Coordinate special City programs for community participation and/or dissemination of community information to the public.
- May manage a variety of grants to community service agencies.
- Represent the City in the community and at professional meetings as required, explaining City policies and programs as required.

### **KNOWLEDGE and SKILLS:**

#### **Knowledge of:**

- Principles and practices of public administration, journalism and public relations, including understanding of requirements of various media.
- Requirements of the Freedom of Information Act, Public Records Request Act and the Brown Act.
- Individual and group dynamics including volunteers and community-based organizations.
- Community and multi-cultural structures, issues, and tensions.
- Research techniques, sources, and availability of information, and methods of report presentation.
- Applicable federal, state, and local laws, rules and regulations pertaining to local government operations.

#### **Ability to:**

- Analyze a variety of complex problems with emphasis on those related to community relations, political, and social processes, and community needs.
- Communicate clearly and concisely, orally and in writing.
- Ability to analyze complex issues and make recommendations for improvements to policies or management systems
- Properly interpret and make decisions in accordance with laws, regulations, and policies.
- Skill in handling multiple projects, diverse activities and events simultaneously.
- Represent the City effectively in meetings with governmental agencies, community groups, boards and commissions, and the public and building consensus among participants.
- Maintain effective working relationships with elected officials, executive staff, employees, media and the general public and to operate effectively regardless of circumstances.

# CITY OF BANNING, CALIFORNIA

## Public Information Officer

Job Code: 1015

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- Carry out, under direction, special and continuing assignments requiring organization of materials, concepts and ideas.
  - Write creatively and edit reports and publications covering a wide range of subject matter.
  - Exercise independent judgment.
  - Work effectively with diverse, multi-cultural, religious groups.

### MINIMUM QUALIFICATIONS:

#### Education and Experience:

Any combination of experience and education that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

**Education:** Equivalent to a Bachelor's Degree from an accredited college or university with major work in public administration, sociology, political science, or a closely related field.

**Experience:** Three to five years of work experience in public administration that preferably includes professional experience involving the development and coordination of public affairs, public information, community outreach and social media marketing, community relations and complaint processing; the development, administration and delivery of social oriented community based programs; and working with culturally and ethnically diverse groups; or an equivalent combination of training and experience;

**ADDITIONAL REQUIREMENTS:** Must have at the time of application and must maintain a California driver license. May be required to work outside the traditional work schedule. May be subject to call out and/or call-back.