

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

June 26, 2018
5:00 p.m.

Banning Civic Center
Council Chambers
99 E. Ramsey Street

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

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 – Merle Malland, Police Chaplain
- Pledge of Allegiance
- Roll Call – Council Members Andrade, Franklin, Peterson, Welch, Mayor Moyer

II. REPORT ON CLOSED SESSION

III. PUBLIC COMMENTS, CORRESPONDENCE, PRESENTATIONS, AND APPOINTMENTS

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.

PRESENTATIONS

APPOINTMENTS

1. Planning Commissioner Appointment..... 1
(Staff Report – Patty Nevins, Community Development Director)

Recommendation: **Appoint one person to the position of Planning Commissioner to fill a vacancy until the term ends in February 2019.**

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 16: Items ____, ____, ____, to be pulled for discussion. *(Resolutions require a recorded majority vote of the total membership of the City Council)*

1.	Minutes – Special Meeting – 6/12/2018 (Workshop)	19
2.	Minutes – Special Meeting – 6/12/2018 (Closed Session).....	43
3.	Minutes – Regular Meeting – 6/12/2018	45
4.	Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of May 2018.....	107
5.	Capital Improvement Project Update	143
6.	Information Regarding AB 341 (Mandatory Commercial Recycling) and AB1826 (Mandatory Commercial Organics Recycling)	147
7.	Resolution 2018-77, Calling for the Holding of a General Municipal Election to be held on Tuesday, November 6, 2018 for the Election of Members of the City Council Districts 4 and 5	151
8.	Resolution 2018-78, Adopting Regulations for Candidates for Elective Office, Pertaining to the Electorate and the Costs Thereof for the General Municipal Election to be Held in the City on Tuesday, November 6, 2018	157
9.	Resolution 2018-68, Approving the 2018/2019 Short Range Transit Plan (SRTP) and Authorizing the Submittal of the Fiscal Year 2018/ 2019 Local Transportation Fund (LTF)	163
10.	Resolution 2018-62, Approving the Renewal of the Landscape Maintenance Contract for City Parks with Z&T Ventures, Inc., DBA Service Scape for Fiscal Year 2018/2019 in the Amount of \$80,248.....	205
11.	Transparent California and the Local Government Compensation Report.....	247
12.	Resolution 2018-83, Approving a One Year Extension to the Existing Professional Services Agreement for Environmental Peer Review Services with Aspen Environmental Group.....	311
13.	Resolution 2018-89, Approving a One Year Extension to the Existing Professional Services Agreement for Real Estate Appraisal Services with Capital Realty Analysts, Inc.....	347
14.	Update Regarding the Armory Lease Documents Between the City of Banning and the California National Guard Update	385
15.	Resolution 2018-79, Approving Payment in the Amount of \$31,068 to the Riverside County Sheriff's Department for the Fiscal Year 2018/ 2019 Member Agency Assessment	387
16.	Resolution 2018-93, Authorizing a Letter Opposing AB 1912.....	399

- Open Consent Items for Public Comments
- Make Motion

V. PUBLIC HEARING

1. Resolution 2018-82, Placing Two Cannabis Tax Measures on the Ballot of the November 6, 2018 Municipal Election, One Related to Cannabis Cultivation/Manufacturing/Testing and One Related to Retail Cannabis 421
(Staff Report – Patty Nevins, Community Development Director)

Recommendation: **Adopt Resolution 2018-82, placing cannabis cultivation, manufacturing, and testing tax measure and retail cannabis tax measure on ballot.**

Ordinance 1523, Adoption of Zoning Code Amendments to Allow, Regulate and Zone for Certain Commercial Cannabis Uses: Indoor Commercial Cultivation, Manufacturing Level 1, and Testing Laboratories, contingent upon the adoption of a tax measure on such uses

Recommendation: **Ordinance 1523 pass its first reading.**

Mayor asks the City Clerk to read the title of Ordinance 1523

“Ordinance 1523, An Ordinance 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 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, and Making the Allowance for, and Regulation of, These Businesses Contingent Upon the Voter’s Approval of a Tax Measure on the November 6, 2018 General Municipal Election Ballot”

Motion: I move to waive further reading of Ordinance 1523
(Requires a majority vote of the Council)

Motion: I move that Ordinance No. 1523 pass its first reading.

Ordinance 1524, Municipal Code Amendments to Establish Procedures for the Issuance of Cannabis Regulatory Permits for These Commercial Cannabis Uses

Recommendation: **Ordinance 1524 pass its first reading.**

Mayor asks the City Clerk to read the title of Ordinance 1524

“Ordinance 1524, An Ordinance of the City of Banning, California, Adding Chapter 5.35 to Title 5 (Business Licenses and Regulations) of the Banning Municipal Code, to Establish Procedures for the Issuance of Cannabis Regulatory Permits, Making Required Findings Under CEQA, and Making the Allowance for, and Regulation of, These Businesses Contingent Upon the Voter’s Approval of a Tax Measure on the November 6, 2018 General Municipal Election Ballot”

Motion: I move to waive further reading of Ordinance 1524
(Requires a majority vote of the Council)

Motion: I move that Ordinance No. 1524 pass its first reading.

2. Resolution 2018-80, Approving General Plan Amendment 17-2503; Design Review 17-7004; and Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Environmental Assessment 17-1504) for the Proposed Development of a 36,171 Square Foot Medical Support Office Building Within the Congregate Care District of the Sun Lakes Village North Specific Plan on Sun Lakes Boulevard **563**
(Staff Report – Patty Nevins, Community Development Director)

Recommendation: **Adopt Resolution 2018-80, approving General Plan Amendment 17-2503, Design Review 17-7004; and an Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Environmental Assessment 17-1504) for an approximately 36,171 square foot medical office building.**

Ordinance 1526 to amend the Zoning Map of Title 17 of the Banning Municipal Code from Residential High Density/Affordable Housing Opportunity to Professional Office for an Approximately 3.31 Acre Lot on Sun Lakes Boulevard

Recommendation: **Ordinance 1526 pass its first reading.**

Mayor asks the City Clerk to read the title of Ordinance 1526

“Ordinance 1526, an Ordinance of the City Council of the City of Banning, California, Approving Zone Change No. 17-3503 to Amend the Zoning Map from High Density Residential-20/Affordable Housing Opportunity to Professional Office (PO) in Conformance with General Plan Amendment 17-2503, for Property Located South of Interstate 10, East of Highland Springs Avenue, North of Sun Lakes Boulevard Between Sun Lakes Village Drive and Silver Springs Avenue; APN 419- 140-059.”

Motion: I move to waive further reading of Ordinance 1526
(Requires a majority vote of the Council)

Motion: I move that Ordinance No. 1526 pass its first reading.

3. Resolution 2018-70, Amending the Net Metering Surplus Production Rate Schedule to Set the Net Metering Surplus Electrical Rate to be Equal to the Price of the Lowest-Cost WREGIS-Certified Renewable Energy Resource that is Produced or Procured by the Electric Utility 679
(Staff Report – Tom Miller, Electric Utility Director)

Recommendation: **Adopt Resolution 2018-70: 1) approving the updating of the Net Metering Surplus Production Rate Schedule to set the Net Metering Surplus Electrical Rate to be equal to the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the City of Banning Electric Utility (“Utility”) and 2) authorizing the Electric Utility Director or their designee to implement said updated Net Metering Surplus Production Rate Schedule effective immediately.**

4. Resolution 2018-69, Approving the Closure of the Net Energy Metering Program to New Applicants Due to the Program Being Fully Subscribed, Approving the “Distributed Energy Resources Subsequent to the Net Energy Metering Program Being Closed, and Grandfathering Current Net Energy Metering Customers for 20 Years from the Date of Interconnection of their Renewable Systems or Until the Closing of their Account, Whichever Occurs First..... 689
(Staff Report – Tom Miller, Electric Utility Director)

Recommendation: **Adopt Resolution 2018-69: 1) approving the closure of the Net Energy Metering (“NEM”) program to new applicants because the program is fully subscribed, 2) approving the Distributed Self-Generation Schedule (“Schedule DSG”) for customers installing distributed energy resources subsequent to the NEM program being closed, 3) Grandfathering current NEM customers for 20 years from the date of interconnection of their renewable systems or until the closing of their account, whichever occurs first, and 4) authorizing the Electric Utility Director or his or her designee to administer the provisions approved in this Resolution 2018-69.**

5. Resolution 2018-81, Confirming the Levy and Collection of Assessments Within the City of Banning's Landscape Maintenance District (LMD) No. 1 for Fiscal Year 2018/2019..... 701
(Staff Report – Art Vela, Public Works Director/City Engineer)

Recommendation: Adopt Resolution 2018-81, confirming the Levy and Collection of Assessments within the City of Banning's LMD No. 1 for Fiscal Year 2018/2019 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code and authorize and direct the City Clerk to file the diagram and assessment with the Riverside Assessor-County Clerk-Recorder's Office

6. Proposal by Mayor Pro Tem Peterson to Censure City Council Member Welch..... 715
(Staff Report – Kevin Ennis, City Attorney)

Recommendation: Comply with the procedures set forth in Section 10.5 of the Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning by conducting a hearing on the proposed censure of Council Member based on the Statement of Charges presented by Council Member Peterson.

VI. ANNOUNCEMENTS AND REPORTS

CITY COUNCIL COMMITTEE REPORTS

REPORT BY CITY ATTORNEY

REPORT BY CITY MANAGER

REPORTS OF OFFICERS

1. Resolution 2018-71, Pre-Approving a Vendor List for the Purchase of Information Technology Supplies and Commodities for the City 739
(Staff Report – Jennifer McCoy, Purchasing Manager)

Recommendation: Adopt Resolution 2018-71 establishing a pre-approved vendor list for city wide usage and authorize the purchase of IT supplies and commodities from competitively bid cooperative organizations and or/GSA Schedule 70 (GSA Advantage) or as a Sole Source for the Fiscal Year 2018-2019 and 2019-2020 concurrent approved budgets.

2. Resolution 2018-72, Approving the Rate Adjustment for the Collection, Transportation, and Disposal of Solid Waste Services and to Proceed with the Proposition 218 (Prop 218) Notifications, Setting a Proposition 218 Public Hearing, and Directing Staff to Prepare the Fifth Amendment to the Franchise Agreement with Waste Management 749

(Staff Report – Art Vela, Public Works Director/City Engineer)

Recommendation: **Adopt Resolution 2018-72: 1) approving an annual Consumer Price Index (CPI) adjustment for five consecutive years beginning in 2018 and ending in 2022 and approving a method for establishing the annual CPI adjustment to the service rates for the collection, transportation and disposal of solid waste, 2) approving the Prop 218 Notice and authorizing staff to mail the notice to customers and property owners in compliance with all requirements of Prop 218, 3) scheduling a Public Hearing for August 28, 2018 at 5 p.m. to consider all public protest related to the proposed rate adjustment, and 4) authorizing the City Manager or her designee to make necessary budget adjustments, appropriations and transfers related to the Prop 218 notification and public hearing process.**

3. Resolution 2018-91, Approving an Updated Method for Calculating the Annual Consumer Price Index Adjustment to the Banning Municipal Airport Hangar Rates and Access Fees 767

(Staff Report – Art Vela, Public Works Director/City Engineer)

Recommendation: **Adopt Resolution 2018-91, approving an updated method for calculating the annual consumer price index (CPI) adjustment to the Banning Municipal Airport hangar rental rates and access fees for 2018 and 2019.**

VII. DISCUSSION ITEMS

1. Potential Ballot Measure to be Placed on the November 2018 Ballot by the City Council for a Proposed Ordinance Authorizing a Transfer from the City's Electric Fund to the General Fund in an Amount Not to Exceed 7.5% of Gross Revenues for Three Years and 5.5% of Gross Revenues Thereafter, and Establish an Electric Utility Rate Freeze for a Period of Three Years 773

(Staff Report – Rochelle Clayton, Interim City Manager)

Recommendation: **1) Discuss the possible placement of a Ballot Measure on the November 2018 ballot by the City Council to for a proposed Ordinance authorizing a transfer from the City's electric fund to the general fund in an approximate amount of 7.5% of gross revenues for three years and 5.5% of gross revenues thereafter, and establish an Electric Utility Rate Freeze for a period of three (3) years. 2) Review the Draft Ordinance authorizing the general fund transfer and Draft Resolution 2018-84 calling for the proposed Measure placed on the November 2018 ballot and submitted to the voters of the City at the general municipal election to be held on Tuesday, November 6, 2018.**

RECESS REGULAR MEETING AND CALL TO ORDER A JOINT MEETING OF THE BANNING CITY COUNCIL, THE HOUSING AUTHORITY, THE BANNING UTILITY AUTHORITY, AND THE CITY COUNCIL SITTING IN ITS CAPACITY OF A SUCCESSOR AGENCY BOARD

I. 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 2: Items ____, ____, ____, to be pulled for discussion. *(Resolutions require a recorded majority vote of the total membership of the City Council)*

1. 2nd Reading of Ordinance 1525, Amending Chapter 13.08 of the Banning Municipal Code Approving the Water and Wastewater Rate Schedules **789**
2. Resolutions 2018-66 and 2018-02 HA, Participation in Riverside County Mortgage Credit Certificate Program **841**

- Open Consent Items for Public Comments
- Make Motion

II. REPORTS

REPORTS OF OFFICERS

1. Resolutions Approving the Two Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the City of Banning, Banning Utility Authority, and Successor Agency; the Five Year Capital Improvement Program for Fiscal Years 2018-2019 through 2022-2023; the Gann Limit (Appropriations Limit); and Amending the Classification and Compensation Plan **859**

(Staff Report – Suzanne Cook, Deputy Finance Director)

Recommendation: 1) Adopt Resolution 2018-85 approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the City of Banning. 2) Adopt Resolution No. 2018-09 UA approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the Banning Utility Authority. 3) Adopt Resolution No. 2018-03 SA approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the Banning Successor Agency. 4) Adopt Resolution No. 2018-86 approving the Gann Limit for Fiscal Year 2018-2019. 5) Adopt Resolution No. 2018-92 amending the Classification and Compensation Plan.

ADJOURN JOINT MEETINGS AND RECONVENE THE REGULAR MEETING

VIII. ITEMS FOR FUTURE AGENDAS

New items –

Pending Items – City Council

1. Mills Act – Additional Information
2. Highland Home Road Interchange
3. Fee Waiver Update (November)
4. Assembly Bills – Staff Analysis
5. Council Refresher on Directing Staff
6. Introduction of New Employees
7. Website Redesign
8. Classify Internet/Wi-Fi as Infrastructure

IX. 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.



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director
Sandra Calderon, Development Project Coordinator

MEETING DATE: June 26, 2018

SUBJECT: Planning Commission Appointments

RECOMMENDATION:

Discuss and consider selecting a candidate to fill a vacated position on the Planning Commission.

BACKGROUND:

The Planning Commission ("Commission") consists of five (5) members appointed by the City Council. The Commissioners each serve a four year term, which is intended to stagger every two (2) years concurrent with the City's elections. Due to the recent resignation of Commissioner David Ellis, an unfilled position exists; this position will expire in February of 2019, along with one other position.

Government Code 54974 requires that the vacancy be posted for a minimum of ten days. The vacancy notice was discussed at the City Council's May 22nd meeting, was advertised on the City's website starting May 24th and application forms were made available at the City Hall counter and in the City Council Chamber. Additionally, the Record Gazette posted information online, and the Patch posted information online and on their social media. The final date to submit an application was Friday, June 15, 2018.

The City Clerk received four applications (Attachment 1) from the following candidates: Colleen Wallace, Frank Diaz Jr., David Happe, and Henry Aldredge.

The Commission's rules and responsibilities are governed by Chapter 2.28 of the Municipal Code (Attachment 2). The Commission's two main functions are to

review land development applications for compliance with the Zoning Code and to make recommendations to the City Council regarding large projects and changes to the General Plan or Zoning Ordinance.

OPTIONS:


The City received four (4) applications to fill the vacant Planning Commissioner positions. The City Council may:

1. Appoint one of the four applicants in accordance with section 2.28.020 of the Banning Municipal Code; or,
2. The City Council may reject all four applications and direct the City Clerk to re-advertise the vacancy.

ATTACHMENTS:

1. Planning Commission Applications
2. Chapter 2.28 of the Banning Municipal Code

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Planning Commission Applications



COMMITTEE/BOARD APPLICATION FORM

Name of Committee or Board you are applying for:

PLANNING COMMISSION

Name: Frank Diaz Jr.

Address: 81 W. Repplier Rd, Banning, Ca 92220

Telephone Numbers: Home (626) 399-3788 Cell (626) 676-2197

If employed, where do you work and what is your position?

* Fountain Valley Elementary School District - Operations Supervisor

Length of residence in Banning 1yr 7 months

Are you a registered voter in Banning? Yes X No

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

* I have been employed in the educational sector of "Facilities, Operations, Planning & Construction" for 23yrs. I have experience reviewing, submitting and approving financial documents and facilities plans for modernization, improvements and construction.

I have taken classes in HVAC Repair, Herbicide Spraying, Pesticide Applications, Basic Maintenance of Building, Locksmith.

I am also the Banning School District "DPAC" Secretary.

I also participated and attended School District "Board Oversight" meeting and Union negotiations with Twin Rivers S.D.

RECEIVED
JUN 12 2018
2:13 p.m.
BY: City Clerk's Office



COMMITTEE/BOARD APPLICATION FORM

Name of Committee or Board you are applying for:

PLANNING COMMISSION

Name: Colleen Gail Wallace

Email Address: CWallace957@gmail.com

Address: 1337 Vista Serena

Please Call Cell → (909) 890-8474 Message - (Home) (951) 922-8292
Telephone Numbers: Home (909) 890-8474 Cell (951) 922-8292

If employed, where do you work and what is your position?

Retired

Length of residence in Banning 55 yrs.

Are you a registered voter in Banning? Yes ☒ No ☐

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

I graduated at 16 yrs old from Banning High in Banning Ca. went away to college to study Political Science. Worked for Banning Police Dept, Ferees Group Homes, Advocate Schools for Emotionally Disturbed Children (counselor), H+W concrete (my Dad's Construction Business, Member of Banning Women's Club, Anthropology Women's Club + Pass Democratic Party.

What types of major issues should this committee or board deal with?

Bringing new businesses to the City of Banning. Jobs for our community. Build more grocery stores on the East Side of Banning, and have something for family entertainment.

Please identify specific problems facing the committee or board on which you would like to serve and explain how you feel they might be resolved:

For everyone to work together, and be humble towards one another, so that we can be proud of our city. And to let Banning expand so it will not become a ghost town.

Your name will be considered by the City Council upon receipt of your application.

This is a volunteer position. You must be a registered voter and reside in the City of Banning. You will also need to be fingerprinted, pass a background investigation and attend a brief orientation session at City Hall to explain the role of commissioners on Monday, June 18, 2018 from 2:00 p.m. to 2:30 p.m.

Please return to: City Clerk's Office
City of Banning
99 E. Ramsey Street
P. O. Box 998
Banning, CA 92220

RETURN BY:

**June 15, 2018
5:00 p.m.**

Thank you for your willingness to serve your local government.

Date:

6/12/18

Signed:

Colleen G. Wallace



COMMITTEE/BOARD APPLICATION FORM

Name of Committee or Board you are applying for:

PLANNING COMMISSION

Name: Henry Aldredge

Address: 880 Foothill Drive, Banning

Telephone Numbers: Home none Cell 951-520-6734

If employed, where do you work and what is your position?

Length of residence in Banning 6 years

Are you a registered voter in Banning? Yes X No

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

I am a licensed California Civil Engineer and Real Estate Broker, however, I consider myself a Civil Engineer. I began my career for the County of Orange in 1964, and continued as a Civil Engineer for the cities of Corona and Anaheim. I have worked for various Civil Engineering firms, such as, Poomas and Associates, Tait and Associates, and Webb and Associates. I am currently working as an independent Engineering Consultant on various Projects in Los Angeles County. Although I have not participated in civic involvement, I consider myself an asset to the City if chosen as a Planning Commission Board member where I reside.

What types of major issues should this committee or board deal with?

Traffic issues acquired by continued new developments in Banning and Beaumont.

Upgrading existing areas in Banning that now are an eyesore to residing residences and passers-by.

Please identify specific problems facing the committee or board on which you would like to serve and explain how you feel they might be resolved:

Create a development fund contributed to by new developments in Banning that would be applied as follows:

- (1) Homeless and/or Senior Citizen Housing
- (2) Existing and proposed traffic and pedestrian control improvements.
- (3) Research the availability of State and Federal government grants that could be applied to these efforts.

Your name will be considered by the City Council upon receipt of your application.

This is a volunteer position. You must be a registered voter and reside in the City of Banning. You will also need to be fingerprinted and pass a background investigation.

Please return to: City Clerk's Office
City of Banning
99 E. Ramsey Street
P. O. Box 998
Banning, CA 92220

RETURN BY:

**June 15, 2018
5:00 p.m.**

Thank you for your willingness to serve your local government.

Date:

June 15, 2018

Signed:

Henry Aldehyde



COMMITTEE/BOARD APPLICATION FORM

Name of Committee or Board you are applying for:

PLANNING COMMISSION

Name: David Happe

Email Address: dhappephp@gmail.com

Address: 4256 Hillside Dr.

Telephone Numbers: Home 619-919-6828

Cell 916-6828 619-919-6828

If employed, where do you work and what is your position?

I am a local business owner in Banning. I have operated The Station Taphouse for the last 2 years.

Length of residence in Banning 10 months

Are you a registered voter in Banning? Yes yes No _____

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

Fire Science Studies Miramar College San Diego CA

General Ed Studies Mesa College San Diego CA

25 years service San Diego Fire-Rescue Department

18 mths Fire Code, Building Code enforcement Deputy Fire Marshal SDFD CA

Licensed California Insurance Agent 2014

Owner-Builder Project Manager for residence Spring Valley CA 2005

San Diego YMCA Board of Directors Member 2010-2014

Owner-Builder Project Manager for Business TI's Banning CA 2016

Owner-Operator of restaurant business Banning CA 2016-Present

What types of major issues should this committee or board deal with?

Implementation and adherence of the Banning Housing Element with due regard to state law. Planning and recommending projects that enhance quality of life for all current and future residents of Banning. Considerations include livability, employment, transportation, conservation of resources, recreation, tourism, infrastructure, business opportunity, public and private investment.

Please identify specific problems facing the committee or board on which you would like to serve and explain how you feel they might be resolved:

Study and learn from other municipalities' successes and mistakes. We don't have to reinvent the wheel. Many communities have successfully created solutions for the same problems facing Banning. I am a strong believer in incentive. Creating a strong partnership between residents, business and g'vmnt is essential. It is then that we can implement solution for the issues of affordable housing, homelessness, business development, efficient city services.

Your name will be considered by the City Council upon receipt of your application.


This is a volunteer position. You must be a registered voter and reside in the City of Banning. You will also need to be fingerprinted, pass a background investigation and attend a brief orientation session at City Hall to explain the role of commissioners on Monday, June 18, 2018 from 2:00 p.m. to 2:30 p.m.

Please return to: City Clerk's Office
City of Banning
99 E. Ramsey Street
P. O. Box 998
Banning, CA 92220

RETURN BY: June 15, 2018
5:00 p.m.

Thank you for your willingness to serve your local government.

Date: 6.15.18

Signed: 

What types of major issues should this committee or board deal with?

* The issues the committee should deal with are as follows:

- City infrastructure upgrades.

- City zoning issues.

Please identify specific problems facing the committee or board on which you would like to serve and explain how you feel they might be resolved:

* The specific problems facing the committee are how does the city welcome growth (both economic & population) while at the same time maintain its rich history.

I believe my experience and community involvement will be able to allow me to make key decisions on topics.

Your name will be considered by the City Council upon receipt of your application.

This is a volunteer position. You must be a registered voter and reside in the City of Banning. You will also need to be fingerprinted and pass a background investigation.

Please return to: City Clerk's Office
City of Banning
99 E. Ramsey Street
P. O. Box 998
Banning, CA 92220

RETURN BY:

**June 15, 2018
5:00 p.m.**

Thank you for your willingness to serve your local government.

Date: 5/29/18

Signed: To D.

ATTACHMENT 2

Chapter 2.28 of the Banning Municipal Code

2.28.010 - Planning commission—Membership requirements.

- A. Members of the planning commission shall be residents of the City of Banning who hold no other municipal office in the city. Members may not be employees of the city.
- B. Proof of residency shall be submitted at time of application to the commission through voter registration, utility bill at a physical address within the city boundaries. Residency shall be confirmed prior to appointment and maintained throughout the term served.

(Code 1965, § 2-5.)

2.28.020 - Term and vacancies.

- A. The planning commission shall consist of five members.
- B. Planning commissioners shall serve four-year terms, which shall be staggered every two years concurrent with the city elections. Appointments shall be made by the city council. Applications shall be made available and the closing date announced at least two months prior to the expiration of the commissioner's term to be filled.
- C. Members shall serve at the pleasure of the council and may be removed at any time by a majority vote of the entire council.
- D. Any member who is unexcused for two consecutive regular meetings of the commission or six meetings within a twelve-month period, whether the six meetings are excused or not, will be deemed to have resigned their office and the city council may appoint a new member to serve in the resigned commissioner's place for the remainder of their term.
- E. To be excused from any such meeting, a member shall notify the planning department, at least forty-eight hours prior to any such meeting. If a member is unable to attend due to illness, injury or family matters, a statement by the member at the next regular meeting of the commission shall constitute an excused absence.

(Code 1965, § 2-6.)

2.28.030 - Compensation.

- A. Members of the planning commission shall not receive compensation; reasonable traveling expenses to and from conferences and/or special field trips and training sessions shall be reimbursed.
- B. Upon authorization by the city manager, the planning commission and members of its staff, may attend city planning conferences or meetings, or hearings on city planning legislation, or matters affecting the planning of the city. The reasonable expenses of such attendance shall be charged upon the funds allocated to the commission.

- C. All fundings shall be established through the City of Banning budget, which shall be approved by the city council.

(Code 1965, § 2-7.)

2.28.040 - Rules of procedure.

- A. A quorum of the planning commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the planning commission to hold a meeting.
- B. In the event that only three commissioners are present, any actions recommending amendment to the Municipal Code or general plan must be unanimous; all other actions would require a majority vote of the commission in attendance. A tie vote shall constitute a denial of the matter or request brought before the planning commission.
- C. The commission shall adopt rules for the transaction of business and shall keep a record of its transactions, findings, and determinations. The Brown Act and "Robert's Rules in Plain English" by Doris P. Zimmerman (Harper Perennial) shall be incorporated into such rules.
- D. The commission shall follow all applicable city fiscal and administrative policies and procedures.

(Code 1965, § 2-8.)

2.28.050 - Duties and responsibilities.

- A. The planning commission shall exercise those functions of the planning agency of the city delegated to it in the Banning Municipal Code.
- B. At the regular February meeting, the planning commission shall choose a chairperson and a vice-chairperson from among the planning commission members. The chairman and vice-chairman shall serve for one term. Both positions shall rotate every year. All members must be present to conduct this business.
 - 1. The chairperson shall preside at all regular and special meetings and rule on all points of order and procedure during the meetings.
 - 2. The vice-chairperson shall assume all duties of the chairperson in his or her absence.
 - 3. In the event the chairperson and vice-chairperson are both absent, an acting chairperson shall be appointed from the commission for the meeting from those present.
- C. The planning commission's scope of responsibility is to:
 - 1. Prepare, review, adopt, and recommend to the city council for its adoption, a long range, comprehensive general plan to guide the future physical

development and conservation of the city and its adjoining environs based on geographic, social, economic and political characteristics of the community;

2. Prepare, review, adopt and recommend to the city council for its adoption of special area specific plans for identifiable areas, wherein more detailed guidelines are needed to supplement the objectives of the general plan;
 3. Review development applications submitted to the city for consistency with adopted plans and ordinances. Approve or deny applications when final authority is granted to the planning commission by the Municipal Code. Make a recommendation on those actions for which the city council is the final reviewing approval body;
 4. Act as the appeal body on decisions made by the community development director;
 5. Perform such other functions and duties as the city council may from time to time direct and/or provide within the Banning Municipal Code.
- D. The commission may form ad-hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. A quorum of commission members may not be appointed to serve in a single subcommittee. Before forming a subcommittee, the commission shall establish a specific mission and term for the subcommittee.
- E. The planning commission is an important function within the City of Banning, and as such, certain expectations are held by the city council in making the appointment of individuals to the commission. These expectations include the following:
1. Commissioners will attend all regular meetings and special meetings as they arise;
 2. Commissioners will communicate expected and unexpected absences to the planning department, prior to the meeting;
 3. Commissioners will communicate any potential conflicts of interest on agenda items to the planning department in advance of the hearing to allow confirmation of a quorum;
 4. Commissioners will arrive on time to each meeting, fully participate, and remain in attendance until the end of each meeting;
 5. Commissioners will prepare themselves for each meeting by reading the agenda, reports and other materials, and visiting the site, as necessary, and communicate any questions to the secretary in advance of the hearing.

Pursuant to Resolution 2000-41, if a commissioner visits the site prior to a hearing on the matter, the commissioner shall disclose at the hearing such evidence and observation gathered during the site visit;

6. Commissioners are encouraged to attend the annual planner's institute (Monterey and Southern California) or an equivalent planning training program given by a University of California campus (or approved equivalent) and may

attend other planning conferences and or training classes as the need and opportunities arise. The city will also provide regular in-service training and make-up training where attendance is required;

7. New commissioners are expected to become familiar with the city's general plan, the "Planning Commission Handbook" (prepared by the State of California), and relevant Municipal Code sections particularly those relevant to zoning to become familiar with these documents. The "Guide for New Members" distributed by the Planning Commissioners Journal and www.plannersweb.com are other valuable resources for new commissioners;
 8. Applicants to the planning commission will be expected to attend a brief orientation session explaining the role of commissioners, the planning process, and the expectations of commissioners that are appointed; and
 9. New commission members will attend an expanded orientation session with the liaison to the commission and other staff, as deemed necessary, to provide new appointees with a solid understanding immediately upon appointment. The orientation will include an overview of the planning process, a review of the commission's structure, policies and bylaws, a summary of available documents and resources, and a review of the commission's relationship with citizens, staff, developers, and the governing body.
- F. The planning commission may serve on regional boards or commissions as directed by the city council.
- G. The planning commission shall participate in annual meetings with the city council to discuss development activity, development doctrine, policies, etc.

(Code 1965, § 2-8.1.)

2.28.060 - Conflict of interest requirements.

- A. The State of California Political Reform Act requires planning commission members to disclose interests in investments, real property, and income derived within the City of Banning or from sources doing business within the City of Banning. Filings are required within ten days of assuming office and on an annual basis.
- B. Members shall not work for the "pass" cities, which include Beaumont, Calimesa, and Riverside County in roles, such as economic development, planning, or redevelopment.
- C. If an apparent conflict of interest arises, the member shall inquire of the city attorney or staff prior to the meeting.

(Code 1965, § 2-8.2.)

2.28.070 - Staff liaison.

- A. The staff liaison to the planning commission shall be the community development director.
- B. The planning commission liaison, supported by the secretary to the planning commission (a staff position), shall be responsible for:
 - 1. Confirming that a quorum will be present prior to each meeting;
 - 2. Receiving and recording all exhibits, petitions, documents, or other material presented to the planning commission in support of, or in opposition to, any issue before the planning commission;
 - 3. Signing all meeting minutes and resolutions upon approval;
 - 4. Preparing and distributing agendas and agenda packets;
 - 5. Facilitating the tape recording of meetings and preparation of minutes; and
 - 6. Responding to all questions from planning commission members regarding agenda items in advance of meetings.

(Code 1965, § 2-8.3.)

2.28.080 - Meeting times and places.

- A. The planning commission shall meet on the first Wednesday of each month at 6:30 p.m. at the city council chambers located at 99 E. Ramsey Street, or at such time and place as the commission may designate by resolution.
- B. Commissioners will attend special meetings as they arise.

(Code 1965, § 2-8.4.)

(Ord. No. 1427, § 1, 9-14-10)

2.28.090 - Adoption.

- A. This document, as adopted and amended by council resolution, shall serve as the bylaws for the commission.

(Code 1965, § 2-9.)

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MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

06/12/18
SPECIAL MEETING

A special joint meeting of the Banning City Council, Banning Utility Authority, and the City Council sitting in its capacity of the Successor Agency Board was called to order by Mayor Moyer on June 12, 2018 at 3:00 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL/BOARD 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
Patty Nevins, Community Development Director
Heidi Meraz, Community Services Director
Tom Miller, Electric Utility Director
Art Vela, Public Works Director
Suzanne Cook, Deputy Finance Director
Robert Meteau, Deputy Human Resources Director
Stacy Bouslog, Utility Financial Analyst
Sonja De La Fuente, Deputy City Clerk

WORKSHOP

1. Fiscal Year 2018-19 and 2019-20 Two Year Budget (Draft)

Interim City Manager Clayton presented the Staff Report as contained in the Agenda packet along with a slide presentation regarding the Budget (see Exhibit "A").

There were questions and clarification related to the budget between the Council and the Interim City Manager.

Council Member Franklin pointed out that Sales Tax in the City has increased 16% from 2014 to 2016. Council Member Peterson advised the City recently lost some business and that is a concern. Manager Clayton shared that the businesses who have left are not on the list of top 25 sales tax revenue producers. She is hoping with the new development the additional population would help businesses keep their doors open.

Council Member Peterson asked about the number of employees listed on Transparent California. Manager Clayton explained there are seasonal and part time employees included in the number, but she will look into why the number is higher than the actual number of City employees and bring that information back to the Council.

The Mayor opened Public Comment.

Jerry Westholder encouraged the City Council to reach their targets in order to keep things moving in a positive direction. He expressed his concern with the high commercial utility rates. He also advised that California is the largest state in the nation where people are leaving at record numbers. He also believes the average salary for City employees is too high. He applauded the good work on adjusting the budget and reducing the deficit.

Don Smith applauded the good work on adjusting the budget to reduce the deficit. He believes the employees are paid for their higher skill set. He feels this is a good start in passing a budget, but he encouraged the City to review all departments and staff more carefully going forward to ensure the City is spending appropriately.

Paul Perkins would like to see justification explaining why the City needs something. He also recommended reviewing staff and their positions to ensure they are all needed.

Seeing no further comments, Mayor Moyer closed Public Comment.

Manager Clayton pointed out that it was not in the PowerPoint presentation, but because the Police Department is not fully staffed, there was \$450,000 in overtime last year. She proposed re-instituting the hiring incentives in the form of a bonus. Council Member Franklin suggested getting to the root of the problem. Council Member Peterson feels with proper management the problem would be addressed. There was support from the Council to reinstate the hiring incentives as well.

There was a consensus of the Council that staff move forward with the budget as presented.

ADJOURNMENT

By common consent the meeting adjourned at 3:54 p.m.

Minutes Prepared by:

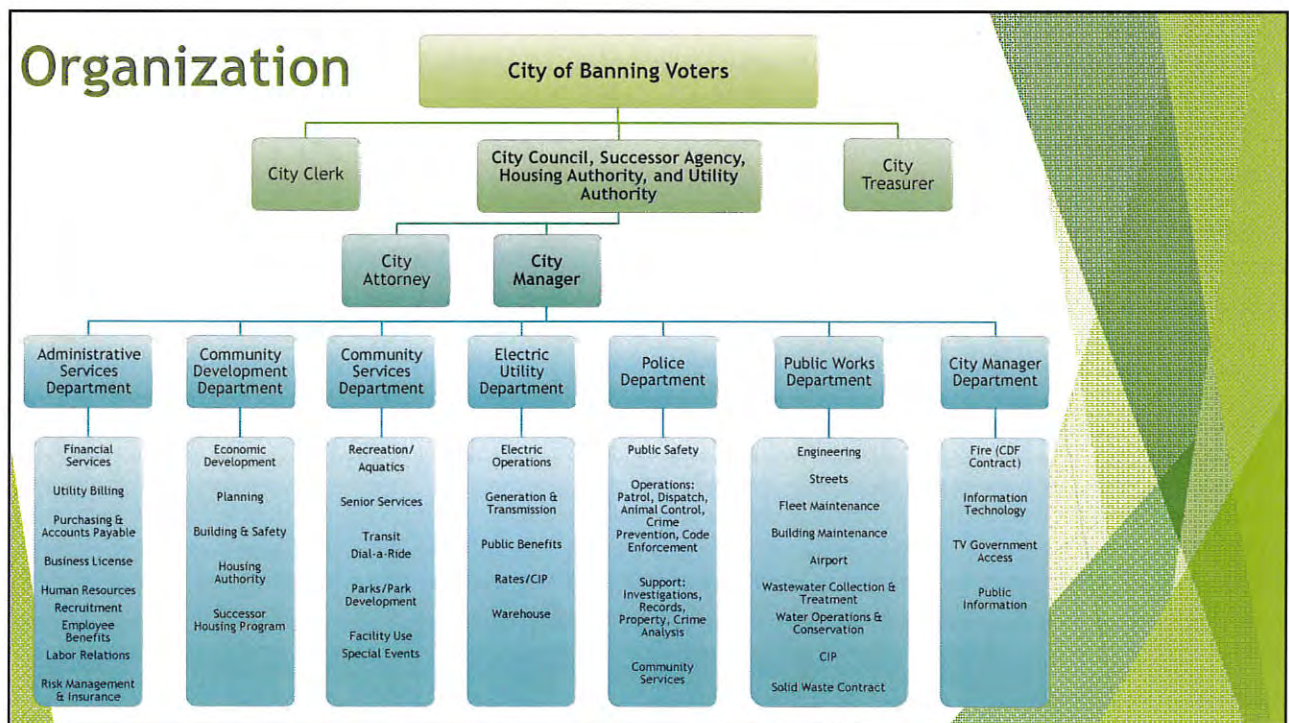
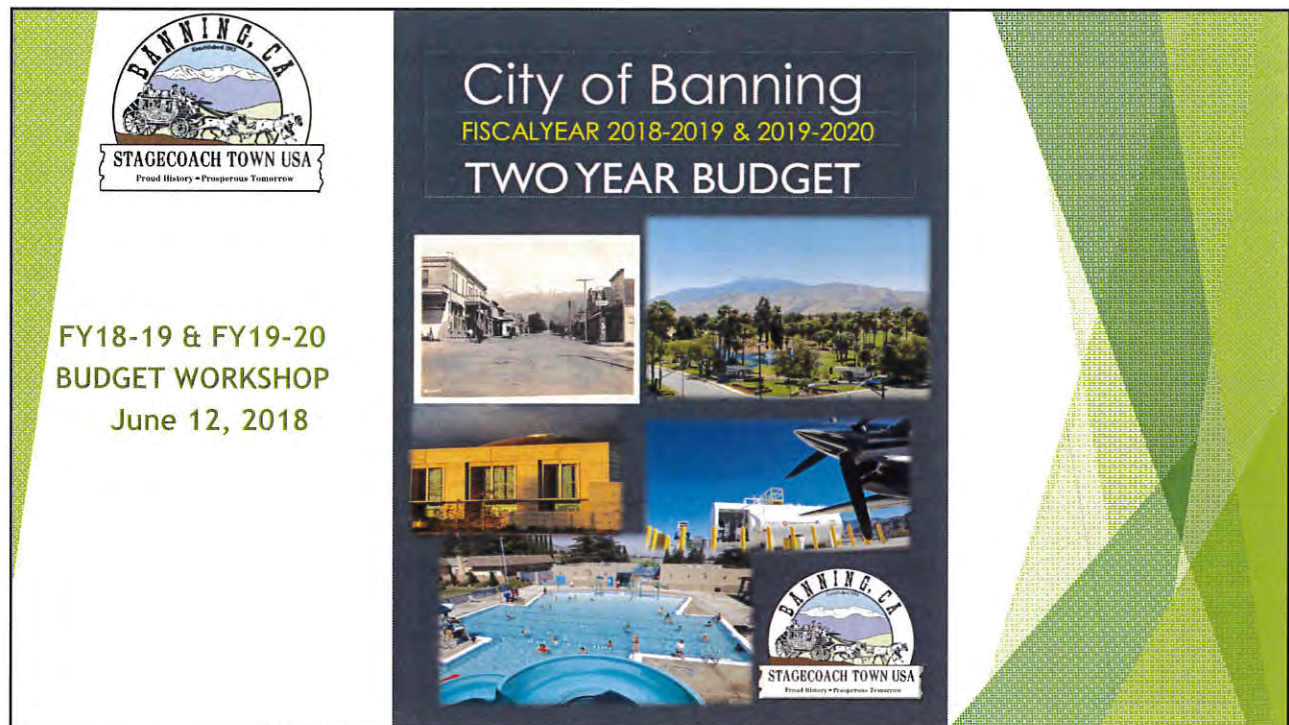
Sonja De La Fuente, Deputy City Clerk

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=fz40YulKpC7m> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

Exhibit “A”

to the June 12, 2018

3:00 P.M. Special Joint Meeting of the Banning City Council, the City Council sitting in its capacity of the Successor Agency Board, and the Banning Utility Authority



BUDGET ADJUSTMENTS

Budget Adjustments Since Workshop 5-22-18

General Fund

- Moved Salaries & Benefits of 4 Police Officers from Fund 003 Riverside County MOU to the General Fund.
- Removed Salaries & Benefits for 2 Code Enforcement Officers.
- Adjusted the fund allocation for the Salaries & Benefits of 2 Maintenance Workers from Parks (General Fund) to Streets (Fund 100).

Budget Adjustments Since Workshop 5-22-18 Cont'd

General Fund

- Moved one Information Systems personnel to Electric Department reducing amount allocated to General Fund approximately \$56,000.
- Other adjustments to Salaries & Benefits: Reduction in COLA for General Unit & Executive, update to reflect new hires, and changes to fund allocations.
- Allocated Lobbyist costs 40% General, 40% Water, 10% Wastewater & 10% Electric - Reducing General Fund by \$30,000.

Budget Adjustments Since Workshop 5-22-18 Cont'd

General Fund

- General Plan Update - \$200,000 to be funded by General Facilities Fund (Fund 430) and reducing General fund by same amount.
- Increase in Election fund by \$33,000 for the November 2018 Election.
- Reduced Attorney Fees by \$100,000
- Changes in allocation percentages for Administrative Costs transfers from Electric, Water, Wastewater & Refuse.

Budget Adjustments Since Workshop 5-22-18 Cont'd

General Fund

- Increased General Fund revenues based on current year actuals through 5/31/18 - including Property Transfer Tax, Business License, Franchise Tax and Lease Income.
- Increased Mining Tax for Robertson's Ready Mix based on plant re-opening and CPI increase by \$275,000.
- Reduced Attorney Fees by \$100,000

Budget Adjustments Since Workshop 5-22-18 Cont'd

General Fund

- Changes in allocation percentages for Administrative Costs transfers from Electric, Water, Wastewater & Refuse.
- Increased Revenue for Code Enforcement, Police Department, Planning, Building & Safety and Engineering based on current year actuals through 5/31/18, including Public Safety Tax.
- Reduction in Expenditures for Supplies, Training, Conferences, and Professional Services.

Budget Adjustments Since Workshop 5-22-18 Cont'd

Other Funds & Items:

- Moved Salaries & Benefits for personnel charged to Public Benefits to the Electric Operations Fund.
- Removed inter-fund allocations hitting the Public Benefits Fund and increased allocations the Electric Fund.
- Removed Alarm Service and Pest Eradication expenditures from Senior Advisory Fund to allow for more funds available for programs.

Budget Adjustments Since Workshop 5-22-18 Cont'd

Other Funds & Items:

- Decreased Fund 610 Transit revenue by \$223,943 due to reduced funding available.
- Increased Capital Improvement budget by \$75,000 for sign in the Electric Fund.

BUDGET REQUESTS & CONSIDERATIONS

FLEET REPLACEMENT PROGRAM

Justification:

- Majority of the vehicles being over 10 years old.
- Some vehicles exceed 20 years old.
- Budget constraints prohibit adequate vehicle replacement without an impact to the reserve funds.
- Employee safety is a significant factor; many older vehicles do not have current safety features.
- A lease program is an alternative that offers a viable solution.
- General Fund Impact for FY18-19 would be \$35,290

FLEET REPLACEMENT PROGRAM

CITY OF BANNING
2018 REPLACEMENT YEAR - ENTERPRISE ESTIMATED OPEN-ENDED (EQUITY) LEASE RATES

REPLACEMENT VEHICLE NUMBER	NEW UNIT: YEAR, MAKE, MODEL	TERM (months)	ESTIMATED ANNUAL MILEAGE	MONTHLY PAYMENT W/ TAX ¹	ESTIMATED FULL MAINTENANCE PROGRAM ²	TOTAL MONTHLY PAYMENT ³	TOTAL ANNUAL PAYMENT	ESTIMATED MARKET VALUE AT TERM ⁴	REDUCED BOOK VALUE AT TERM ⁵	ESTIMATED EQUITY AT TERM ⁶
WATER										
801	2018 Ford F-150 XLT 4x4 SuperCrew Cab Styleside 5.5 ft. box	60	6,700	\$736.40	\$33.63	\$770.03	\$9,240.36	\$24,000.00	\$7,170.50	\$16,829.50
835	2018 Ford F-150 XLT 4x4 SuperCrew Cab Styleside 5.5 ft. box	60	6,700	\$736.40	\$33.63	\$770.03	\$9,240.36	\$24,000.00	\$7,170.50	\$16,829.50
828	2019 Ford F-350 Chassis XL 4x4 SD Regular Cab 9' Utility Body	60	6,700	\$829.35	\$36.64	\$865.99	\$10,391.88	\$21,000.00	\$8,099.56	\$12,900.44
ADDITIONAL	2019 Ford F-350 Chassis XL 4x4 SD Regular Cab 9' Utility Body	60	6,700	\$829.35	\$36.64	\$865.99	\$10,391.88	\$21,000.00	\$8,099.56	\$12,900.44
				\$3,131.50	\$140.54	\$3,272.04	\$39,264.48	\$90,000.00	\$30,540.12	\$59,459.88
ELECTRIC										
311	2018 Ford F-150 XL 4x4 SuperCab Styleside 6.5 ft. box	60	6,700	\$625.87	\$33.63	\$659.50	\$7,914.00	\$19,000.00	\$6,071.50	\$12,928.50
				\$625.87	\$33.63	\$659.50	\$7,914.00	\$19,000.00	\$6,071.50	\$12,928.50
ENGINEERING										
407	2018 Ford F-150 XLT 4x4 SuperCrew Cab Styleside 6.5 ft. box	60	6,700	\$792.72	\$33.63	\$826.35	\$9,916.20	\$24,000.00	\$7,728.04	\$16,271.96
				\$792.72	\$33.63	\$826.35	\$9,916.20	\$24,000.00	\$7,728.04	\$16,271.96

FLEET REPLACEMENT PROGRAM

STREET

606	2019 Ford F-350 Chassis XL 4x2 SD Regular Cab 9' Stakebed	60	6,700	\$718.84	\$35.29	\$754.13	\$9,049.56	\$15,000.00	\$7,015.98	\$7,984.02
620	2019 Ford F-250 XL 4x2 SD Regular Cab 8 ft. box	60	6,700	\$579.06	\$34.68	\$613.74	\$7,364.88	\$14,000.00	\$5,615.70	\$8,384.30
605	2019 Ford Transit-350 XL w/Sliding Pass-Side Cargo Door Low Roof	60	6,700	\$704.35	\$35.29	\$739.64	\$8,875.68	\$14,500.00	\$6,864.30	\$7,635.70
				\$2,002.25	\$105.26	\$2,107.51	\$25,290.12	\$43,500.00	\$19,495.98	\$24,004.02

FLEET MAINT.

436	2018 Ford F-150 XL 4x2 Regular Cab Styleside 6.5 ft. box	60	6,700	\$510.79	\$32.50	\$543.29	\$6,519.48	\$12,000.00	\$4,957.70	\$7,042.30
38	2019 Ford Fusion S 4dr Front-wheel Drive Sedan	60	6,700	\$368.68	\$31.67	\$400.35	\$4,804.20	\$9,200.00	\$3,586.40	\$5,613.60
37	2019 Ford Fusion S 4dr Front-wheel Drive Sedan	60	6,700	\$368.68	\$31.67	\$400.35	\$4,804.20	\$9,200.00	\$3,586.40	\$5,613.60
				\$1,248.15	\$95.84	\$1,343.99	\$16,127.88	\$30,400.00	\$12,130.50	\$18,269.50
TOTAL				\$7,800.48	\$408.90	\$8,209.38	\$98,512.66	\$206,900.00	\$75,966.14	\$130,933.86

ELECTRIC

➤ Position Request

Electric Engineering Manager

FUNDING: 100% to Electric Fund
(\$154,880 for FY18-19).

Justification: Position needed to help
manage the Electric Engineering
Department, currently the Operations
Manager oversees Engineering.

Fiscal Year 2018-2019 & 2019-2020			
Engineering Manager			
Salary and Benefits Calculation			
Engineering Manager		FY 2019	FY 2020
SALARY RANGE - TSS			
FY 19 (\$45,678.4 - \$61,797.3) Step 1	Hourly	45.68	52.04
FY 20 (\$47,048.7 - \$63,661.2) Step 5	Annual \$	\$ 95,011.07	\$ 108,234.05
Uniform Allowance/POST Cert		0.00	0.00
Benefit Allowance		16,200.00	16,800.00
Cash Out:			
Sick Payoff		1,827.14	2,081.42
Comp Payoff		1,827.14	2,081.42
Vacation Payoff		1,827.14	2,081.42
Total Salary Cost		116,692.48	131,278.32
Life Insurance		432.00	432.00
PERS Employer Cost		23,752.77	27,058.51
Medicare		1,692.04	1,903.54
Social Security		7,234.93	8,139.26
SUI		1,064.12	1,212.22
WC		4,011.84	4,570.18
Total Benefit Cost		38,187.71	43,315.71
Total Salary & Benefits		\$ 154,880.19	\$ 174,594.03
General Fund Allocation:	0%	-	-
100% Electric Department			

UTILITY BILLING

➤ Position Update

Lead Customer Service Representative

FUNDING: 100% to Water, Wastewater, Electric, and Refuse Funds (\$5,965 for FY18-19).

Justification: Reclassification of a Utility Billing Representative to Lead Customer Service Representative to provide support to the Manager to improve customer service to Banning Utility Customers.

Lead Customer Service Representative_(cont.)

Justification:

Frees up time for Customer Service and Billing manager to:

- Improve on-line services to help with setting-up service connections.
- Provide Customer outreach for low-income programs.
- Improve the information provided on and appearance of the utility bill.

Fiscal Year 2018-2019 & 2019-2020 Lead Customer Service Representative Salary and Benefits Calculation			
Lead Customer Service Representative		FY 2019	FY 2020
SALARY RANGE - G-46			
FY 19 (\$17,0986 - \$23,1323) Step 9	Hourly	20.41	23.83
FY 20 (\$17,6116 - \$23,8263) Step 13	Annual \$	42,443.65	49,558.70
Uniform Allowance/POST Cert		0.00	0.00
Benefit Allowance		16,200.00	16,500.00
Cash Out:			
Sick Pay off		816.22	953.05
Comp Payoff		816.22	953.05
Vacation Payoff		816.22	953.05
Total Salary Cost		61,092.32	69,217.86
Life Insurance		432.00	432.00
PERS Employer Cost		10,610.91	12,389.68
Medicare		885.84	1,003.66
Social Security		3,787.72	4,291.51
SUI		475.37	555.06
WC		1,792.18	2,092.62
Total Benefit Cost		17,984.03	20,764.52
Total Salary & Benefits		\$ 79,076.35	\$ 89,982.38
Utility Billing Representative		\$ 73,111.06	\$ 79,808.82
Increase in Budget		\$ 5,965.29	\$ 10,173.56
Fund 761 Utility Billing Funded by 660, 670, 680 & 690 23.34%, 46.73%, 14.79% & 15.14%			

PRIOR NEW POSITIONS REQUESTS IMPACT ON GENERAL FUND

POSITION	DEPARTMENT	FY 2019 General Fund Impact	FY 2020 General Fund Impact
Senior Recreation Leader	Community Services	\$ 20,866.83	\$ 23,102.99
Building Maintenance Specialist	Building Maintenance	\$ 35,164.29	\$ 38,456.23
Senior Building Maintenance Specialist	Building Maintenance		\$ 658.93
Lead Customer Service Representative	Utility Billing	\$ -	\$ -
Assistant Civil Engineer	Public Works	\$ 24,861.28	\$ 27,861.04
Assistant Public Utilities Director	Public Works - Water/Wastewater	\$ -	\$ -
Electric Engineering Manager	Electric	\$ -	\$ -
General Fund Impact:		\$ 80,892.40	\$ 90,079.19

SUMMARY OF BUDGET CHALLENGES

Budget Challenges

- Cancellation of City's Animal Control contract by the City of Beaumont will cost the City an additional \$50,000 with a new contract with County of Riverside.
- The increase in City's obligation to Pre-fund CalPERS unfunded accrued liability. The fiscal impact (increase) in 2018-2019 is \$459,515 and 2019-2020 is \$427,680.

Budget Challenges (Cont.)

- Conclusion of MOU with Riverside County that provided approx. \$500,000 in revenue for Police Officers. The \$500,000 will need to be absorbed by the General Fund to maintain the same level of public safety.
- Increase in the Cal Fire Contract for fire services in the approximate amount of \$350,000 for 2018-2019. The increase for 2019-2020 is \$180,253 and for 2020-2021 is \$184,276.

OTHER CONSIDERATIONS

FUTURE POTENTIAL REVENUES

To Balance Future Budgets:

- Request continuation of the Riverside County payments to Banning for the Smith Correctional Facility.
- Explore alternatives for Fire Services.
- Ballot Initiatives in November.

BUDGET PROJECTION SUMMARIES

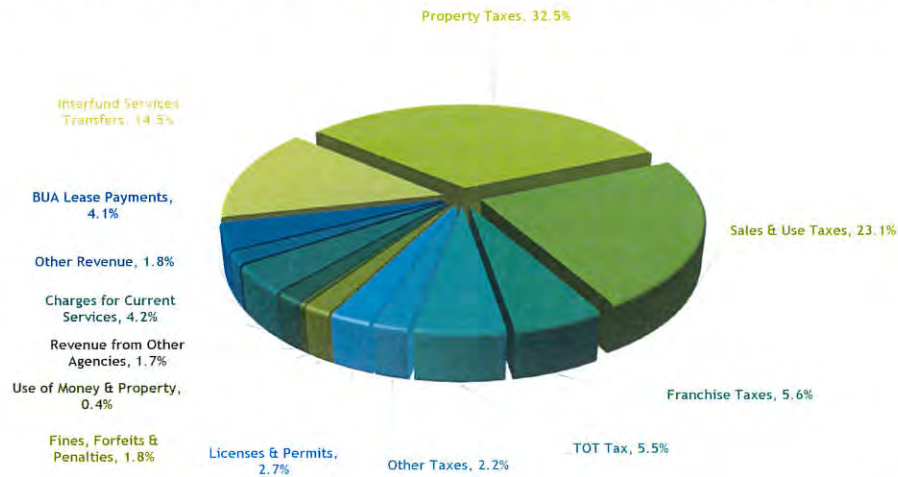
Fiscal Year 2018-2019

Funds	Available Resources	Revenue Budget	Expenditure Budget	Capital Expenditures	Fund Balance
General	11,686,809	18,167,303	18,512,877		11,341,235
Special Revenue	4,232,586	5,664,234	2,497,805	5,549,383	1,849,632
Capital Improvement	2,363,035	3,750	200,000	200,000	1,966,785
Banning UA - Water	19,396,265	12,027,143	11,342,040	4,425,000	15,656,368
Banning UA - Wastewater	16,604,607	4,177,683	4,081,033	851,363	15,849,894
Reclaimed Water	6,654,989	428,074	200,000		6,883,063
Airport	210,657	177,650	192,796		195,511
Transit Operations	426,508	2,178,246	2,059,239		545,515
Refuse	1,467,157	3,621,014	3,464,843		1,623,328
Electric	29,984,058	34,365,633	33,679,518	8,418,155	22,252,018
Internal Service	1,958,786	6,396,730	6,205,703	1,200,000	949,813
Successor Agency	8,652,694	5,178,692	4,652,321	5,867,000	3,312,065
Total All Funds	103,638,150	92,386,152	87,088,175	26,510,901	82,425,227

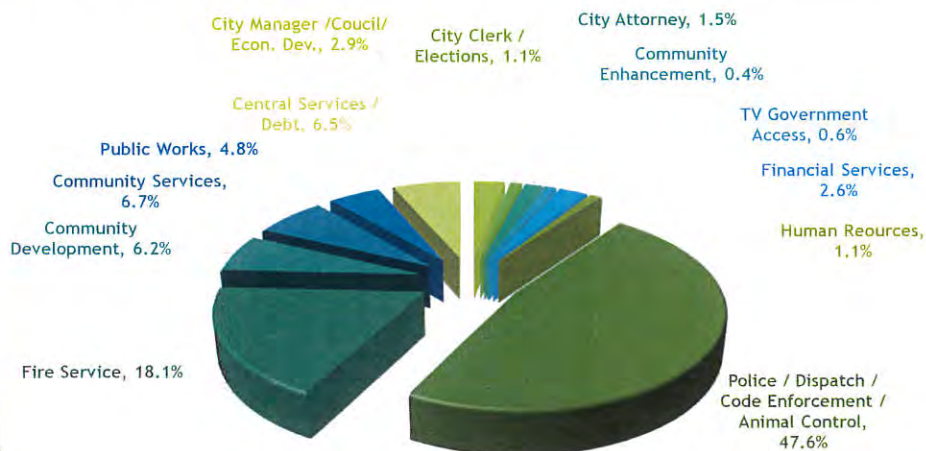
Fiscal Year 2019-2020

Funds	Available Resources	Revenue Budget	Expenditure Budget	Capital Expenditures	Fund Balance
General	11,341,235	18,566,261	19,505,252		10,402,244
Special Revenue	1,849,632	4,232,137	2,295,789	2,053,610	1,732,370
Capital Improvement	1,966,785	3,510		355,000	1,615,295
Banning UA - Water	15,656,368	12,608,215	11,830,182	2,825,813	13,608,588
Banning UA - Wastewater	15,849,894	4,357,094	4,129,178	289,189	15,788,621
Reclaimed Water	6,883,063	239,596			7,122,659
Airport	195,511	181,650	181,450		195,711
Transit Operations	545,515	2,014,057	1,589,296		970,276
Refuse	1,623,328	3,711,539	3,561,967		1,772,900
Electric	22,252,018	34,815,068	34,484,063	3,635,000	18,948,023
Internal Service	949,813	6,652,770	6,394,652		1,207,932
Successor Agency	3,312,065	5,175,187	4,645,197		3,842,055
Total All Funds	82,425,227	92,557,084	88,617,025	9,158,612	77,206,674

General Fund Revenues FY 2018-19 Total = \$18,167,303



General Fund Expenditures FY 2018-19 Total = \$18,512,877



Budget Fiscal Year 2018-2019

CITY OF BIRMINGHAM Fund Summary Status Fiscal Year 2018-2019 Projections												
Fund	Fund Name	FY 2015-2016		FY 2016-2017		FY 2017-18		(1)	(2)	(3)	(4)	(5)
		Revenue Actuals	Expenditure Actuals	Revenue Actuals	Expenditure Actuals	Adopted Budget Revenues	Adopted Budget Expenditures	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1-4)
Governmental Funds												
001	General	15,205,935	13,341,330	15,605,704	14,385,532	16,454,255	16,443,365	11,666,009	10,167,303	10,512,877	(345,574)	11,341,235
	Governmental Funds Sub-total	15,205,935	13,341,330	15,605,704	14,385,532	16,454,255	16,443,365	11,666,009	10,167,303	10,512,877	(345,574)	11,341,235
Special Revenue Funds												
002	Developer Deposit	321,280	321,280	136,122	131,742	35,000	35,000	66,162	0	0	0	66,162
003	Riverside County MOU	500,515	477,687	0	402,062	510,617	511,006	0	0	0	0	0
005	Successor Agency Administration	190,650	12,777	103,932	152,605	250,000	20,835	559,783	250,000	16,010	233,990	793,773
100	Gas Tax Street	251,394	870,120	778,006	822,505	796,705	886,252	56,347	920,067	1,204,254	(363,387)	(107,040)
101	Measure A Street	534,140	0	558,909	0	554,200	0	2,059,642	582,500	0	592,500	2,652,142
102	MDRA (SB1) Gas Tax	0	0	0	0	0	0	121,050	515,917	0	515,917	636,976
103	28300 Street Improvement	(236)	0	(218)	0	200	0	72,606	0	0	0	72,606
104	Article 3 - Sidewalk Construction	(14)	0	0	0	0	0	0	0	0	0	0
110	Community Development Block Grant (CDBG)	120,516	142,869	24,900	3,477	0	0	(15,609)	179,476	179,476	0	(15,609)
111	Landscape Maintenance Assessment Dist #1	137,189	19,015	137,756	83,693	139,721	112,700	402,120	139,793	129,650	10,143	412,271
132	Air Quality Improvement	39,200	0	69,417	3,000	37,300	3,000	106,732	39,250	3,000	36,250	145,032
140	Asset Forfeiture	0	0	41,636	0	0	0	(22,140)	0	0	0	(22,140)
143	Supplemental Law Enforcement	16,901	8,370	123,681	54,130	0	0	221,970	100,000	100,000	0	221,970
150	State Park Bond Act	0	0	0	0	0	0	954	0	0	0	954
190	Housing Authority	0	0	0	0	0	0	0	0	0	0	0
200	Special Donations	10,200	9,219	5,970	5,464	8,000	8,000	25,561	8,000	8,000	0	25,561
201	Senior Center Activities	6,357	12,455	6,354	7,163	7,900	11,000	33,019	8,500	3,500	0	33,019
202	Animal Control Reserve	17	0	20	0	0	0	5,007	0	0	0	5,007
203	Police Volunteer	4	242	3	400	1,500	1,500	354	1,500	1,500	0	354
300	City Hall COP Debt Service	457,013	435,690	435,966	435,943	437,000	437,000	5,066	437,000	437,000	0	5,066
360	Sun Lakes CFB 16-1	124	0	142	0	60	0	35,741	125	0	125	35,866
365	Wilson Street Assessment 93-1 Debt	210	0	286	0	120	0	15,936	235	0	235	54,181
370	Area Police Computer	54,335	24,082	75,782	45,307	31,545	51,495	60,490	51,312	51,312	0	60,490
375	Fair Oaks 2004-1 Debt Service	206,181	202,203	202,841	189,149	201,680	201,680	565,606	187,633	187,633	0	365,606
376	Cameo Homes	162	0	236	0	120	0	6,723	170	0	170	6,293
	Special Revenue Funds Sub-total	3,520,180	2,766,519	3,725,502	2,409,601	3,071,128	2,309,518	4,232,556	3,523,745	2,497,805	1,025,963	5,256,549
Capital Improvement Funds												
400	Police Facilities Development	18	0	7,058	0	25	0	20,625	0	0	0	20,625
410	Fire Facility Development	3,344	0	24,349	0	1,600	0	926,977	3,000	0	3,000	929,977
420	Traffic Control Facility	1,553	0	15,972	930	930	0	462,122	2,000	0	2,000	464,122
421	Ramsey/Highland Home Traffic Signal	106	0	329	0	150	0	82,350	300	0	300	82,650
430	General Facilities	1,537	0	9,225	10,994	300	0	425,209	1,400	200,000	(198,600)	226,609
441	Sunset Grade Separation	0	0	1,531,546	253,219	0	0	(771,497)	0	0	0	(771,497)
444	Wilson Median	1,345	0	1,533	0	700	0	1,643,111	1,450	0	1,450	353,761
451	Park Development	475	0	44,652	0	2,205	0	130,767	0	0	0	130,767
470	Capital Improvement	0	0	0	0	0	0	642,171	0	0	0	642,171
	Capital Improvement Funds Sub-total	8,551	0	1,654,863	284,203	6,430	0	2,369,035	8,150	200,000	(191,850)	2,171,185

Budget Fiscal Year 2018-2019

CITY OF BIRMINGHAM Fund Summary Status Fiscal Year 2018-2019 Projections												
Fund	Fund Name	FY 2015-2016		FY 2016-2017		FY 2017-18		(1)	(2)	(3)	(4)	(5)
		Revenue Actuals	Expenditure Actuals	Revenue Actuals	Expenditure Actuals	Adopted Budget Revenues	Adopted Budget Expenditures	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss)	Projected Balance (Column 2-3)
Running Utility Authority Funds												
600	Water Operations	1,912,424	2,234,659	10,024,044	6,556,062	8,644,550	8,432,475	14,779,272	10,052,710	9,451,327	637,603	15,416,021
661	Water Capital Facility Fee	26,197	1,813	54,561	0	41,000	0	3,819,314	44,000	0	44,000	3,863,314
663	BWA Water Capital Project	(830)	0	1,045	0	2,900	0	697,672	9,500	0	9,500	707,172
669	BWA Water Debt Service	2,777,614	2,719,511	764,606	1,473,059	1,007,196	1,000,496	0	1,190,913	1,190,913	0	0
	Water Sub-total	41,715,445	9,846,023	10,842,299	8,029,121	10,696,546	10,432,971	19,398,265	12,027,129	11,642,040	685,108	20,021,966
600	Wastewater Operations	3,156,566	3,814,621	3,250,926	2,677,137	3,222,104	3,176,914	1,950,307	3,356,900	3,350,250	6,650	1,956,957
661	Wastewater Capital Facility Fee	39,943	0	72,416	0	30,000	0	10,610,021	66,000	0	66,000	10,704,021
603	BWA Wastewater Capital Project	1,719	0	4,287	0	1,300	0	3,261,501	4,000	0	4,000	3,265,501
605	State Revolving Loan	302,567	286,767	302,863	289,650	302,000	282,339	774,718	104,289	104,289	0	774,718
619	BWA Wastewater Debt Service	296,180	386,154	197,523	393,355	252,591	285,094	0	596,494	596,494	0	0
	Wastewater Sub-total	3,689,754	3,512,502	3,628,053	3,375,242	3,887,902	3,865,463	18,604,607	4,177,633	4,062,033	96,600	16,701,337
662	Irrigation Water	4,566	0	5,199	0	2,500	0	1,175,916	100,000	100,000	0	1,176,916
602	Wastewater Territory	246,153	0	337,719	0	163,500	0	3,476,073	228,074	0	228,074	3,704,147
	Recycled Water Sub-total	246,719	0	362,469	0	365,000	0	6,652,429	426,074	200,000	226,074	6,828,063
	Running Utility Authority Sub-total	15,865,918	13,468,583	15,055,255	11,403,424	18,116,748	16,106,572	42,655,661	16,652,960	15,623,073	1,000,827	85,665,663
Enterprise Funds												
600	Airport	238,290	267,846	262,799	133,371	178,950	146,489	210,637	177,650	192,796	(15,148)	195,311
610	Transit Operations	1,992,776	1,669,149	1,899,216	1,562,668	1,779,439	1,797,726	426,160	2,178,246	2,059,239	119,007	545,513
690	Refuse	8,416,323	3,119,813	9,532,719	3,820,410	3,294,000	3,878,649	1,487,157	5,621,014	3,484,843	1,566,171	6,629,328
	Airport, Transit & Refuse Sub-total	9,675,400	4,996,829	9,655,790	3,516,449	5,242,919	5,312,900	1,104,322	5,775,910	5,746,879	269,032	7,964,354
600	Electric Operations	30,105,060	28,481,662	33,833,323	30,841,397	30,773,000	30,181,030	15,666,395	31,190,264	30,707,153	483,106	16,349,501
672	Rate Stability	22,387	0	25,260	0	10,000	0	6,350,276	21,000	21,000,000	(2,079,000)	4,271,276
673	Electric Improvement	45,776	53,044	25,757	21,962	15,150	625,000	4,236,426	21,000	0	21,000	4,247,426
674	Electric Revenue Bond Project	665	287,020	4,976	33,415	3,050	300,000	2,741,043	5,000	0	5,000	2,746,043
675	Public Benefit Fund	756,597	595,652	748,679	699,450	754,250	798,579	999,912	727,400	545,391	102,009	1,001,927
676	Electric Revenue Bond Debt Service	3,150,840	3,550,480	3,075,073	2,349,303	2,413,180	2,423,790	2,476,961	2,476,961	2,476,961	0	0
	Electric Sub-total	37,462,302	31,867,803	35,550,072	33,826,124	34,008,440	34,399,689	29,984,052	34,391,633	33,772,512	(1,397,683)	20,596,472
	Enterprise Funds Sub-total	59,135,755	36,064,630	65,039,862	59,090,193	59,257,029	59,722,705	32,089,320	40,368,943	41,496,395	(1,127,653)	30,960,527
Internal Revenue Funds												
700	Risk Management Fund	2,706,304	1,917,176	1,843,477	2,136,003	1,843,030	2,380,375	722,416	2,555,916	2,137,617	148,259	290,706
702	Fleet Maintenance	1,120,925	1,112,411	1,032,334	1,167,874	1,509,847	1,568,797	163,247	1,412,137	1,358,749	22,358	380,655
703	Information Systems Services	434,211	432,400	439,937	485,500	790,091	772,499	440,772	440,422	440,422	380	200,142
761	Utility Billing Administration	1,922,833	1,899,761	2,389,100	2,115,325	2,989,337	2,734,513	859,720	1,137,905	1,137,905	0	655,720
	Internal Revenue Funds Sub-total	6,205,973	5,354,749	5,664,848	5,905,701	6,342,162	6,576,182	1,950,766	6,596,730	6,205,705	191,027	2,148,613
Successor Agency Funds												
005	Redevelopment Obligation Retirement Fund	3,542,334	1,713,803	3,755,844	3,975,322	4,086,471	4,086,471	0	3,975,619	2,449,240	926,371	527,186
010	Successor Housing Agency	305,330	3,500	4,791	3,605	980,715	0	1,559,897	3,325	3,325	0	1,559,997
020	Debt Service Fund	3,021,004	3,113,232	3,092,451	2,420,187	3,567,507	5,795,722	1,062,266	2,199,244	2,199,244	0	1,062,266
030	Successor Agency	(1,043)	3,522,331	262	0	0	0	87,934	0	0	87,934	79,964
040	BEA Capital Project Fund	1,004,912	0	10,740	0	10,740	0	7,764,646	21,000	0	21,000	7,785,646
041	BEA LMA Capital Project Fund	535,600	(43)	2,448	0	0	0	541,584	2,000	0	2,000	543,584
055	2007 TABS Bond Proceeds	877	3,507,761	3,661	1,343,348	4,513	0	(2,397,137)	0	0	(2,397,137)	0
056	2003 TABS Bond Proceeds	316	281,272	21,884	0	39,245	0	0	0	0	38,966	0
057	2003 TABS Bond Proceeds Loan/Mortg	21,088	833,870	487	0	800	0	102,897	0	0	102,897	0
	Successor Agency Funds Sub-total	18,279,420	15,499,242	17,676,669	17,470,669	18,681,251	17,610,607	8,852,484	9,189,692	8,432,502	537,074	10,146,176
	GRAND TOTAL ALL FUNDS	101,912,711	80,932,915	101,240,441	81,240,441	87,744,545	87,744,545	103,497,661	90,207,895	88,948,175	1,099,912	104,773,731

Budget Fiscal Year 2019-2020

CITY OF BANNING Fund Summary Status Fiscal Year 2019-2020 Projections						
	(1)	(2)	(3)	(4)	(5)	
Fund	July 1, 2019	FY 2019-20	FY 2019-20	FY 2019-20	July 1, 2020	
Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)	
Governmental Funds						
001 General	11,341,235	18,566,261	19,505,252	(938,991)	10,402,244	
Governmental Funds Sub-total	11,341,235	18,566,261	19,505,252	(938,991)	10,402,244	
Special Revenue Funds						
002 Developer Deposit	68,162	0	0	0	68,162	
003 Riverside County MOU	0	0	0	0	0	
005 Successor Agency Administration	793,773	250,000	16,190	233,810	1,027,583	
100 Gas Tax Street	(307,040)	928,432	1,339,437	(411,005)	(718,045)	
101 Measure A Street	2,652,142	604,750	0	604,750	3,256,892	
102 RMRA (SB1) Gas Tax	636,976	521,076	0	521,076	1,158,052	
103 SB900 Street Improvement	72,606	0	0	0	72,606	
104 Article 3 - Sidewalk Construction	0	0	0	0	0	
110 Community Development Block Grant (CDBG)	(13,609)	0	0	0	(13,609)	
111 Landscape Maintenance Assessment Dist #1	412,271	141,882	131,550	10,332	422,603	
132 Air Quality Improvement	145,032	39,800	3,000	36,800	181,832	
140 Asset Forfeiture	(22,348)	0	0	0	(22,348)	
148 Supplemental Law Enforcement	221,770	100,000	100,000	0	221,770	
150 State Park Bond Act	954	0	0	0	954	
190 Housing Authority	0	0	0	0	0	
200 Special Donations	25,568	8,000	8,000	0	25,568	
201 Senior Center Activities	38,019	8,300	8,300	0	38,019	
202 Animal Control Reserve	5,007	0	0	0	5,007	
203 Police Volunteer	354	1,500	1,500	0	354	
300 City Hal COP Debt Service	5,866	437,000	437,000	0	5,866	
360 Sun Lakes CFD 86-1	35,866	125	0	125	35,991	
365 Wilson Street Assessment 91-1 Debt	54,191	255	0	255	54,446	
370 Area Police Computer	60,490	51,812	51,812	0	60,490	
375 Fair Oaks 2004-1 Debt Service	365,606	199,000	199,000	0	365,606	
376 Cameo Homes	6,893	170	0	170	7,063	
Special Revenue Funds Sub-total	5,258,549	3,292,103	2,295,789	996,314	6,254,863	

Budget Fiscal Year 2019-2020 (Cont.)

CITY OF BANNING Fund Summary Status Fiscal Year 2019-2020 Projections						
	(1)	(2)	(3)	(4)	(5)	
Fund	July 1, 2019	FY 2019-20	FY 2019-20	FY 2019-20	July 1, 2020	
Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)	
Capital Improvement Funds						
400 Police Facilities Development	20,625	0	0	0	20,625	
410 Fire Facility Development	989,977	3,000	0	3,000	992,977	
420 Traffic Control Facility	464,122	1,750	0	1,750	465,872	
421 Ramsey/Highland Home Traffic Signal	82,650	310	0	310	82,960	
430 General Facilities	226,609	1,400	0	1,400	228,009	
441 Sunset Grade Separation	(771,497)	0	0	0	(771,497)	
444 Wilson Median	385,761	1,450	0	1,450	387,211	
451 Park Development	130,767	0	0	0	130,767	
470 Capital Improvement	642,171	0	0	0	642,171	
Capital Improvement Funds Sub-total	2,171,185	7,910	0	7,910	2,179,095	
Banning Utility Authority Funds						
660 Water Operations	15,416,881	10,570,147	9,840,864	729,284	16,146,165	
661 Water Capital Facility Fee	3,963,314	45,000	0	45,000	4,008,314	
663 BUA Water Capital Project	701,172	3,750	0	3,750	704,922	
669 BUA Water Debt Service	0	1,989,318	1,989,318	0	0	
Water Sub-total	20,081,368	12,608,215	11,830,182	778,034	20,859,401	
680 Wastewater Operations	1,956,957	3,567,979	3,430,923	137,056	2,094,013	
681 Wastewater Capital Facility Fee	10,704,081	86,860	0	86,860	10,790,941	
683 BUA Wastewater Capital Project	3,265,501	4,000	0	4,000	3,269,501	
685 State Revolving Loan	774,718	304,289	304,289	0	774,718	
689 BUA Wastewater Debt Service	0	393,966	393,966	0	0	
Wastewater Sub-total	16,701,257	4,357,094	4,129,178	227,916	16,929,173	
662 Irrigation Water	1,178,916	5,100	0	5,100	1,184,016	
682 Wastewater Tertiary	5,704,147	234,496	0	234,496	5,938,643	
Reclaimed Water Sub-total	6,883,063	239,596	0	239,596	7,122,659	
Banning Utility Authority Sub-total	43,665,688	17,204,906	15,959,360	1,245,546	44,911,234	

Budget Fiscal Year 2019-2020 (Cont.)

CITY OF BANNING Fund Summary Status Fiscal Year 2019-2020 Projections						
		(1) July 1, 2019	(2) FY 2019-20	(3) FY 2019-20	(4) FY 2019-20	(5) July 1, 2020
Fund	Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)
Enterprise Funds						
600	Airport	195,511	181,650	181,450	200	195,711
610	Transit Operations	545,515	2,014,057	1,589,296	424,761	970,276
690	Refuse	1,623,328	3,711,539	3,561,967	149,572	1,772,900
	Airport, Transit & Refuse Sub-total	2,364,354	5,907,246	5,332,713	574,533	2,938,887
670	Electric Operations	16,349,501	31,571,761	31,511,971	59,790	16,409,290
672	Rate Stability	4,271,276	21,000	0	21,000	4,292,276
673	Electric Improvement	4,147,426	21,000	25,000	(4,000)	4,143,426
674	Electric Revenue Bond Project	2,746,043	5,000	0	5,000	2,751,043
675	Public Benefit Fund	1,081,927	795,088	519,873	275,215	1,357,143
678	Electric Revenue Bond Debt Service	0	2,427,219	2,427,219	0	0
	Electric Sub-total	28,596,173	34,841,068	34,484,063	357,005	28,953,178
	Enterprise Funds Sub-total	30,960,527	40,748,314	39,816,776	931,538	31,892,065
Internal Service Funds						
700	Risk Management Fund	890,706	2,468,928	2,234,727	234,201	1,124,907
702	Fleet Maintenance	390,635	1,450,940	1,427,373	23,567	414,202
703	Information Systems Services	208,692	452,512	452,162	350	209,042
761	Utility Billing Administration	659,780	2,280,390	2,280,390	0	659,780
	Internal Service Funds Sub-total	2,149,813	6,652,770	6,394,652	258,118	2,407,932
Successor Agency Funds						
805	Redevelopment Obligation Retirement Fund	527,196	2,975,619	2,445,629	529,990	1,057,186
810	Successor Housing Agency	1,359,937	3,939	3,939	0	1,359,937
830	Debt Service Fund	1,062,266	2,195,629	2,195,629	0	1,062,266
850	Successor Agency	57,984	0	0	0	57,984
480	BEA Capital Project Fund	7,763,666	0	9,000	(9,000)	7,754,666
481	BEA L/M Capital project Fund	543,594	2,000	0	2,000	545,594
855	2007 TABS Bond Proceeds	(2,397,177)	0	0	0	(2,397,177)
856	2003 TABS Bond Proceeds	169,601	0	0	0	169,601
857	2003 TABS Bond Proceeds Low/Mod	102,997	0	0	0	102,997
	Successor Agency Funds Sub-total	9,190,065	5,177,187	4,654,197	522,990	9,713,055
	GRAND TOTAL ALL FUNDS	104,737,062	91,649,450	88,626,025	3,023,425	107,760,487

Discussion & Questions??

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MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

06/12/18
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Moyer on June 12, 2018, at 4:01 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
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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: City of Banning v. Go Green Calming Solutions, et al., Case No. RIC 1806731.
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: Turner v. City of Banning, Case No. RIC 1607623.
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (one case)
4. PUBLIC EMPLOYEE APPOINTMENT: Police Chief – Pursuant to Government Code Section 54957.

5. PUBLIC EMPLOYEE APPOINTMENT: City Manager – Pursuant to Government Code Section 54957.

The Meeting convened to closed session at 4:03 p.m. and reconvened to open session at 5:00 p.m.

ADJOURNMENT

By common consent the meeting adjourned at 5:04 p.m.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

06/12/18
REGULAR MEETING

A regular meeting of the Banning City Council was called to order by Mayor Moyer on June 12, 2018, at 5:11 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
Tim Chavez, Fire Battalion Chief
Robert Fisher, Interim Police Chief
Heidi Meraz, Community Services Director
Tom Miller, Electric Utility Director
Patty Nevins, Community Development Director
Art Vela, Public Works Director/City Engineer
Suzanne Cook, Deputy Finance Director
Robert Meteau, Deputy Human Resources Director
Michelle Devoux, Fire Marshal
Sonja De La Fuente, Deputy City Clerk
Laurie Sampson, Executive Assistant
Leila Lopez, Office Specialist

The Invocation was given by Reverend Bill Dunn from St. Stephen's Episcopal Church. Council Member Franklin led the audience in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

The City Attorney indicated four items were discussed in Closed Session. 1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: City of Banning v. Go Green Calming Solutions, et al., Case No. RIC 1806731. A status report was provided regarding the case with no final or reportable action. 2) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: Turner v. City of Banning, Case No. RIC 1607623. A status report was provided regarding the case with no final or reportable action. 3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (one case). A status report was

provided regarding the case with no final or reportable action. 4) PUBLIC EMPLOYEE APPOINTMENT: Police Chief – Pursuant to Government Code Section 54957. A status report was provided regarding the recruitment with no final or reportable action. 5) PUBLIC EMPLOYEE APPOINTMENT: City Manager – Pursuant to Government Code Section 54957. A status report was provided regarding the recruitment with no final or reportable action.

PUBLIC COMMENTS / CORRESPONDENCE / ANNOUNCEMENTS & REPORTS

PUBLIC COMMENTS

Ellen Carr announced that Animal Action League will be at the Community Center on Friday, June 22nd and Saturday, June 23rd to provide low cost spay/neuter surgeries and shot clinic. The shot clinic is from 10:00 a.m. until 2:00 p.m. (760) 336-1100 to make an appointment for spay/neuter.

Jim Price announced that on Saturday, June 9th the Banning Pass Little League closed their season and he thanked the City for everything they have done to support their program, especially Heidi Meraz. He also thanked all of their sponsors.

Jerry Westholder applauded the Council for hiring Tom Miller, Electric Utility Director. He feels Mr. Miller is doing a great job. He also applauded Jason Smith, as he assisted him with some issues and got some things figured out at his church.

Heather Rhodes with Banning Family Community Health Center advised they will be participating in the Summer Meal Program and providing free meals June 4th through July 27th (Monday through Friday) from Noon until 1:00 p.m.

Frank Burgess requested the City Council take action on getting the Highland Home Road Interchange back in the General Pan. He also suggested moving the City Council Meetings to a later time.

Ed Quental with Watermark Development, property owner at 1450 East Lincoln, informed the Council he would like his property, which is located in the airport industrial zone, to be included in the cultivation zone.

Richard Rutherford expressed his concern with adding new development with the City's current water issues.

Seeing no further comments, the Mayor closed Public Comment.

CORRESPONDENCE

The Deputy City Clerk read a letter from Vera Macias (see Exhibit "A") and a letter from Ed Quental and Mark Quental of Watermark Development (see Exhibit "B").

ANNOUNCEMENTS & REPORTS

Council Member Peterson read a portion of Section 10.5 from the Manual of Procedural Guidelines for the Conduct of City Council Meetings (see Exhibit C”) and a Statement of Charges against Council Member Welch (see Exhibit “D”). He asked Officer Becker to provide Council Member Welch with the Statement of Charges. He reminded the Council that by censuring Councilman Welch, a Council expresses their disapproval of the conduct described, conversely a failure by the Council to censure Councilman Welch shall equate to an approval of his conduct.

Council Member Andrade had nothing to report.

Council Member Franklin reported on the following:

- Attended the Healthy Cities Committee Meeting on June 1st and discussed the Health Fair and 5K Run.
- A Teen CERT class was held last week and 11 students attended.
- Attended the WRCOG Executive Committee Meeting last week, with no reportable action for the City of Banning.
- On June 23rd there will be a rededication of the Roosevelt Williams Park at 10:00 a.m. and the public is invited.

Mayor Moyer reported on the following:

- Thanked Jim Price, the board members, the coaches, and staff.
- A letter was received from Mountain Air Mobile Home Estates thanking the Electric Department staff for a job well done.
- Attended the Finance Committee Meeting and made recommendations to considerably cut the deficit. They also recommended some housing programs the Economic Development Committee recommended.

Council Member Peterson added that Sears closed down due to their landlord raising rent. However, they commended the Utility Department on their good rates.

Council Member Welch had nothing to report.

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

1. Minutes – Special Meeting – 5/22/2018 (Workshop)

Recommendation: Approve the Minutes from May 22, 2018 Special Meeting of the Banning City Council (Workshop).

2. Minutes – Special Meeting – 5/22/2018 (Closed Session)

Recommendation: Approve the Minutes from the May 22, 2018 Special Meeting of the Banning City Council (Closed Session).

3. Minutes – Regular Meeting – 5/22/2018

Recommendation: Approve the Minutes from the May 22, 2018 Regular Meeting of the Banning City Council.

4. Minutes – Special Meeting – 6/4/2018

Recommendation: Approve the Minutes from the June 4, 2018 Special Meeting of the Banning City Council.

5. List of Contracts Approved Under City Manager's Signature Authority

Recommendation: Receive and file list contracts approved under the City Manager's signature authority.

6. Report of Cash, Investments, and Reserve Report for the Month of February 2018

Recommendation: Receive and file report of cash, investments, and reserve report for the month of February 2018.

7. Ordinance 1522, Adopting by Reference Title 6, Animals, of the Riverside County Code as the City's Animal Control Ordinance, and Amending the Banning Municipal Code

Recommendation: Ordinance 1522 pass its 2nd reading.

8. Resolution 2018-74, Approving Amendment No. 1 to the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District for Street Repairs on Hargrave Street

Recommendation: Adopt Resolution 2018-74.

9. Notice of Completion for Project No. HSIPL-5214(010) – Traffic Signal System Improvements on Ramsey Street

Recommendation: Accept Project No. HSIPL-5214(010) – Traffic Signal System Improvements on Ramsey Street as complete.

10. Executive Order B-40-17 to Lift Drought Emergency in All but Four Counties

Recommendation: Receive and file update.

11. Resolution 2018-73, Repealing Resolution 2018-45, Declaring the Intention to Levy and Collect Assessments, Approving the Revised Engineer's Report, and Setting the Revised Date for Public Hearing for Landscape Maintenance District No. 1

Recommendation: Adopt Resolution 2018-73.

The Mayor opened Consent Items 1 through 11 for public comment. Seeing none, closed public comment.

Motion Peterson/Andrade to approve Consent Items 1 through 11. Motion carried, 5-0.

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

REPORTS OF OFFICERS

1. Resolution 2018-01 HA, Approving Housing Programs and Appropriation of Funding

Community Development Director Patty Nevins, presented the Staff Report as contained in the Agenda packet.

Council Member Franklin indicated the City did a Housing Fair around 2006 and it was very successful.

Mayor Moyer encouraged the City working with Community Action Partnership to get even more help.

The Mayor opened the item for public comment.

Don Smith expressed support of the City getting back into Housing. He suggested the City also look into a program that helps homeowners who may be losing their homes that just need some repairs. He also asked about waiving City fees and pointed out that when the City waives fees, it loses money.

Seeing no further comments, the Mayor closed public comment.

Motion Franklin/Andrade to adopt Resolution 2018-01 HA, approving housing programs and appropriations for Fiscal Years 2018/19 and 2019/20. Motion carried 5-0.

The Mayor recessed the joint meeting and reconvened the regular meeting.

REPORTS OF OFFICERS

1. Resolution 2018-58, Approving an Agreement for One (1) Year with an Option to Renew for Two (2) Additional Years with Riverside County Fire Department

Battalion Chief Tim Chavez presented the Staff Report as contained in the Agenda packet.

Council Member Peterson questioned Section 5. City Attorney Ennis clarified the section is only relevant should the City decide in one year to extend this agreement instead of approving another one year agreement in one year.

The Mayor shared his concern with Section 3D. He is not in favor of signing a contract that doesn't have a set amount and the legislature or Board of Supervisors is able to raise the rates.

Dan Talbot, Acting Chief of Riverside County Fire Department, explained the contract being considered by the Council is their standard approved template. The County is only able to provide an estimate and according to the law must bill actual costs.

There was some discussion and clarification regarding the estimate including the highest pay grade (step) for a position, but that the billing includes the actual step of the individual that performs the work.

The Mayor opened the item for public comment.

David Ellis requested the Council put something in the contract requiring CalFire improve landscaping of the Fire facilities.

Seeing no further comments, the Mayor closed public comment.

Motion Peterson/Franklin to adopt Resolution 2018-58, approving an agreement for one year with an option to renew for two additional years with Riverside County Fire Department to provide medical, fire protection and other emergency response services.. Motion carried, 5-0.

2. Resolution 2018-63, Approving a Three Year Enterprise Licensing Agreement with Microsoft (through Software One)

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

City Attorney Ennis advised there is a correction to Section 1 of the Resolution in the Agenda packet. The amount has been changed from \$534,560.15 to the correct amount of \$54,560.15 and the final version that will be executed has been corrected.

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

Motion Franklin/Andrade to adopt Resolution 2018-63, approving the Enterprise Licensing Agreement with Microsoft (through Software One) and authorize the Interim City Manager to execute the agreement. Motion carried, 5-0.

3. Resolution 2018-75, Approving the Agreement with Cybertime Network Communications for Citywide Looped Microwave Backbone System and Data Circuit to the Water Plant, and Provision of 10.0 Mbps Internet Feed to City Hall for Fiscal Year 2018-2019 in the Amount of \$31,188

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

Council Member Peterson expressed concern this provider owns everything resulting in the City only being able to utilize their services. He asked if the City had considered other providers like Verizon or Hughes.

Eric Brown, Information Technology Manager, explained that based on their analysis there are some better options, but more expensive. With the current budget, this is the best option available.

The Mayor opened the item for public comment.

Richard Rutherford requested the City explore banding together with other cities to get other options.

Manager Clayton advised staff will explore the possibility of working with neighboring cities.

David Ellis mentioned a cell tower was recently approved and due to potential interference, he suggested looking into fiber optic even though it may be a little pricier

Seeing no further comments, the Mayor closed public comment.

Motion Andrade/Franklin to adopt Resolution 2018-75, approving the agreement with Cybertime Network Communications for citywide looped microwave backbone system, data circuit to the water plant, provision of 10.0 Mbps internet feed to City Hall, and authorizing the Interim City Manager to execute the agreement. Motion carried, 5-0.

4. Resolution 2018-76, Authorizing the California Statewide Communities Development Authority to form a Community Facilities District (CFD) in the City of Banning

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

Mayor Moyer opened the item for public comment.

Chris with Pardee Homes advised he is available to answer any questions.

Don Smith would like to know what fees would be included in the CFD.

Manager Clayton advised she can bring the information back to Council for information and Pardee Homes is required to disclose that information to each homebuyer.

Seeing no further comments, the Mayor closed public comment.

City Attorney Ennis explained that under Exhibit H of the approved document caps the CFD amount of the assessment at 2% of the projected initial sales price.

Motion Andrade/Peterson to adopt Resolution 2018-76, authorizing the California Statewide Communities Development Authority to form a Community Facilities District within the City of Banning to finance certain public improvements and public safety services for the development project known as Atwell by Pardee Homes. Motion carried, 5-0.

5. City Policy Development on the Negotiation and Execution of Agreements with other Agencies

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

Council Member Franklin requested a section be added to include how the public will benefit.

Council Member Peterson referred to the 2009-10 Grand Jury Report's (see Exhibit "E"). He would like to use their recommendation number six, but add that it must include an "independent certified Member of the Appraisal Institute (MAI) appraisal" ordered by the redevelopment agency or City. He would also like to use their recommendation number

eight. He then referred to the 2015-16 Grand Jury Report (see Exhibit "F") and requested their recommendation number one be followed as well.

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

6. Potential Ballot Measure to be Placed on the November 2018 Ballot by the City Council to Allow Retail Cannabis Businesses to Operate in the City Subject to a City Gross Receipts Tax and Various Zoning and Other Regulations

Community Development Director Patty Nevins presented the Staff Report as contained in the Agenda packet along with a PowerPoint Presentation (see Exhibit "G").

The Mayor asked how zoning was chosen. Director Nevins indicated a limited area was selected based on current uses. He asked for a timeline for Council approval in order to get this on the ballot. City Attorney Ennis advised it would have to be approved at either the June 26th or July 10th City Council Meeting.

Council Member Franklin asked if the Committee had discussed the space between two businesses and the distance requirements from residential. Director Nevins explained the only distance requirement is from residential and because of that the north side of Ramsey would probably not be an option.

The Mayor opened the item for public comment.

Don Smith recalled he and Council Member Andrade suggested this over a year ago, and now feels the City is not allowing enough time to review and make recommendations correctly. He also informed the Council that similar measures were defeated in Moreno Valley and Yucca Valley. He recommended educating the public in order to pass the measure.

Seeing no further comments, the Mayor closed public comment.

Motion Peterson/Franklin to place a second City Council proposed ballot measure on the November 2018 ballot to allow and tax retail cannabis businesses in the City and provide direction to staff. Motion carried, 5-0.

7. Resolution 2018-57, Accepting the 2018 Supplemental Law Enforcement Services Allocation (SLESA) in the Amount of \$100,000

Interim Police Chief Fisher presented the Staff Report as contained in the Agenda packet along with a PowerPoint Presentation (see Exhibit "H").

Council Member Franklin asked what the money would be used for this year. Interim Chief Fisher indicated it would be the same as last year; vehicles, uniforms, and equipment.

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

Motion Welch/Peterson to adopt Resolution 2018-57, authorizing the acceptance of the 2018 SLESA in the amount of \$100,000 and authorizing the Banning Police Department to apply the funds towards the purchase of front line law enforcement related equipment, services, and supplies. Motion carried, 5-0.

8. Resolution 2018-61, Adopting the San Gorgonio Integrated Regional Water Management Plan (IRWM) for the Newly Created San Gorgonio IRWM Region

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

The Mayor pointed out that when the State makes mandates, the local agencies have to pay for them.

The Mayor asked who determines the priority of the projects. Director Vela explained the committee determines priority groups and within that group, there is not a set priority even though one may be listed before another.

The Mayor opened the item for public comment.

David Ellis explained that he shared his concern regarding the Sustainable Groundwater Management Act (SGMA) at the last meeting. He would like to know how housing projects can be approved over water basins.

Seeing no further comments, the Mayor closed public comment.

Council Member Franklin thanked Director Vela for his work on this.

Motion Franklin/Andrade to adopt Resolution 2018-61, adopting the San Gorgonio IRWM Plan. Motion carried, 5-0.

9. Resolution 2018-67, Approving the Water Supply Verification (WSV) for Tentative Tract No. 37298

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

Council Member Peterson asked for clarification on whether or not the figure in the report regarding storage is the new figure based on Council's direction to reduce the amount of water. Director Vela clarified that the Council directed staff to reduce the City's water order from the San Gorgonio Pass Water Agency, and this pertains to water the City already has stored.

Council Member Franklin suggested that since the City cut the amount they are able to buy, maybe some of the developers would be able to work out a plan to purchase and

dedicate water to their developments, ensuring the water allocation to the City stays the same. Director Vela confirmed he believed that is something that could be done.

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

Motion Peterson/Franklin to adopt Resolution 2018-67, approving the WSV prepared by KWC Engineers for Tentative Tract No. 37298, also known as Atwell Specific Plan Phase 1 and previously known as Butterfield Specific Plan Phase 1. Motion carried, 5-0.

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

CONSENT ITEMS

1. Resolution 2018-08 UA, Approving an Increase of \$10,218 to Purchase Order 28567 with Quinn Company for Repairs to the City of Banning's CAT D-6 Dozer

Recommendation: Adopt Resolution 2018-08 UA.

2. Water Enterprise Revenue Bonds Refunding and Improvement Projects, 2015 Series; Requisition No. 1 Bond Project Funds Drawdown

Recommendation: Receive and file report.

3. Wastewater Enterprise Revenue Bonds Refunding and Improvement Projects, 2005 Series Project Funds Drawdown

Recommendation: Receive and file report.

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

Motion Peterson/Welch to approve Consent Items 1 through 3. Motion carried, 5-0.

REPORTS OF OFFICERS

1. Ordinance 1525, Adopting Water and Wastewater Rate Increases

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

Mayor Moyer opened the consent item for public comment.

Ellen Carr felt the City only did the bare minimum to make the notice legal.

Jerry Westholder asked the City to reconsider the rate increase and reject the proposal and find another way to fund projects.

Maggie Scott shared her surprise that only 300 protests were received of the 14,000 mailed, as it does not make sense to her.

Seeing no further comments, the Mayor closed public comment.

Manager Clayton explained the average customer should see approximately \$1.50 per month increase. She also explained that the legal requirement is to only mail the notice to property owners only (approximately 10,000). The City mailed 14,560 because the notice was mailed to property owners and every customer on record.

Council Member Peterson pointed out that water rates have been increased 66% since 2011.

Council Member Andrade asked where the City of Banning falls in their water rates according to rate studies. Manager Clayton shared that in a comparison with various surrounding cities and agencies, the City of Banning has the fourth lowest water rates, with an average of \$49 per month.

The Mayor asked the Deputy City Clerk to read the title of Ordinance 1525.

The Deputy City Clerk read the title of Ordinance 1525; "*Ordinance 1525, an Ordinance of the City of Banning, California, Amending Chapter 13.08 of the Banning Municipal Code Approving the Water and Wastewater Rate Schedules.*"

Motion Welch/Franklin waive further reading of Ordinance 1525. Motion carried, 4-1, with Council Member Peterson voting against.

Motion Welch/Franklin that Ordinance No. 1525 pass its first reading. Motion carried, 4-1, with Council Member Peterson voting against.

The Mayor adjourned the joint meeting and called to order a scheduled meeting of the Banning Financing Authority.

Board Members Present: Board Member Andrade
Board Member Franklin
Board Member Peterson
Board Member Welch
Chairman Moyer

Board Members Absent: None

CONSENT ITEMS

1. Refunding Revenue Bonds (Electric System Project), 2015 Series; Requisition No. 1 Bond Project Funds Drawdown

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

Motion Franklin/Peterson to approve Consent Item 1. Motion carried, 5-0.

The Mayor adjourned the scheduled meeting of the Banning Financing Authority and reconvened the Regular City Council Meeting.

ITEMS FOR FUTURE AGENDAS

Council Member Franklin suggested the City consider making the internet and Wi-Fi part of its infrastructure.

Council Member Franklin would like a proposed position on AB1912; pension liabilities for JPAs.

Mayor Moyer would like to know if the City is looking into the Mills Act. Community Development Director Nevins advised it is on the Senior Planner's list of things to do.

Mayor Moyer pointed out the Armory Lease update has been pending for a while as well.

ADJOURNMENT

By common consent the meeting was adjourned at 7:25 P.M.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

These Minutes reflect actions taken by the City Council. The entire discussion of this meeting can be found by visiting the following website: <https://banninglive.viebit.com/player.php?hash=8ZsntlBUknWQ> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

Exhibit “A”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “B”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “C”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “D”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “E”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “F”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “G”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “H”
to the June 12, 2018, Regular Meeting Minutes

Exhibit “A”
to the June 12, 2018, Regular Meeting Minutes

5-23-18

Dear Mayor + Council -

My daughter + I went
to your meeting yesterday
even because my daughter
wanted to hear about Animal
Control.

Well we left at break
time because of all the
irateful people speaking.
Also we sat in front of
the wardens (the preacher)
& they talked the entire
time & shouted out too.
Also people with cell phones
on.

When at a meeting people
should be more considerate
& turn phones off & do not

-2'
shout out & talk. Make
them go outside. It's
just plain rude!! And a
so called "man of God"
should know better.

Also you should limit
speaking time to 3 mins
instead of 5.

Yes Water is getting expensive,
& we have Homeless people,
And illegals, & I had no
problem sending the paper
back to you I received in the
mail.

I have been in Banning since
1942 & have seen the town at
it's best & worse. And at
least it's Clean now. And
I read in the paper about how

3-

Good after Schools are - &
Thank you for fixing the
parking lot at Community
Center. Looks Good!

Vera Macias
385 W. Wilson
Banning Ca.

92220

951-849-7003

P.S. you have my
permission to read at Council
Meeting.

Exhibit “B”
to the June 12, 2018, Regular Meeting Minutes

Rec'd. 6/12/18 (S)

Watermark Development Inc.

1838 North Valencia Avenue, Placentia, CA 92870. Telephone 714-879-3569 Email: watermarkinc@earthlink.net
CA State License # 741507

June 12, 2018

City of Banning City Council

99 E Ramsey Street
Banning, CA 92220

Banning Work Lofts Project -

Project Address : 1450 E. Lincoln Street - Banning, CA 92220

Honorable City Council Members and City staff

We are writing this letter to bring it to your attention that we are very disappointed that the Airport Industrial (AI) Zone is being excluded from the current cannabis indoor cultivation zone per last weeks Planning Commission meeting. We would have attended but we received no notification of the meeting.

Back in April of 2018 a map graphic was released that we interpreted included our zoning. See attached Map 1. Our approximate location is shown by the 'Red X' within the designated oval shaped area.

After review of the map from last weeks Planning Commission meeting the new map graphic clearly shows the exclusion of the AI zone. See attached Map 2.

As you may recall, our project, the Banning Work Lofts (BWL) is shovel ready with all permits pulled. I have explained in previous Council Meetings that the benefit to our BWL project to be in the cultivation zone would be that the increased land value would then allow more favorable construction loan financing to occur and the project to break ground.

If a future cannabis related business were to request occupancy in our building all State and City processes would be faithfully executed to the satisfaction of the City of Banning staff, Planning Commission and City Council as well as applicable codes and ordinances.

We purchased the land with the intent to develop about 14 years ago. We have invested many hundreds of thousands of dollars into plans and approvals. We would really like the opportunity to get started with the project and bring which would bring jobs, housing, new development, business to local merchants and retail, not to mention City business licensing, tenant improvement permits, utility service requests and the like.

This past April 2018, our project was granted an 2 year Entitlement Extension via unanimous approval from the Planning Commission. The project is currently in an approved state.

The AI zone intent was created to support the Banning Airport quite a long time ago. But, no airport related businesses exist in the zone. Currently the AI zone is comprised of 11 parcels of land. And we have spoken to most of the owners (and are in the process of obtaining signatures) and they are in favor of supporting the extending or a zone overlay to include the AI zoning.

The designated cultivation zone is to the West and to the South of the AI zone. With the airport being to the North and East. It is our opinion that if this is not done then we will be left with a zoning hole type situation whereby adjacent and neighboring properties will appreciate within the cultivation zone. But the AI zone would be left without the enhanced real estate values and further loss of development opportunities of the 11 lots within the zone.

We are committed to developing our project as approved. We are waiting for leases and land values to increase so that we can obtain construction financing at a reasonable rate. The inclusion of the AI Zone into to indoor cultivation zone would allow that to happen.

If included our project, being already approved, could be one of the first to get off the ground and begin the revitalization of this under utilized area of the City.

We also realize that the voters have the final approval of this in November. And we realize that is may get voted down. But we need the chance, the opportunity for this to happen for the benefit of our project, the AI zone and this area of the City of Banning.

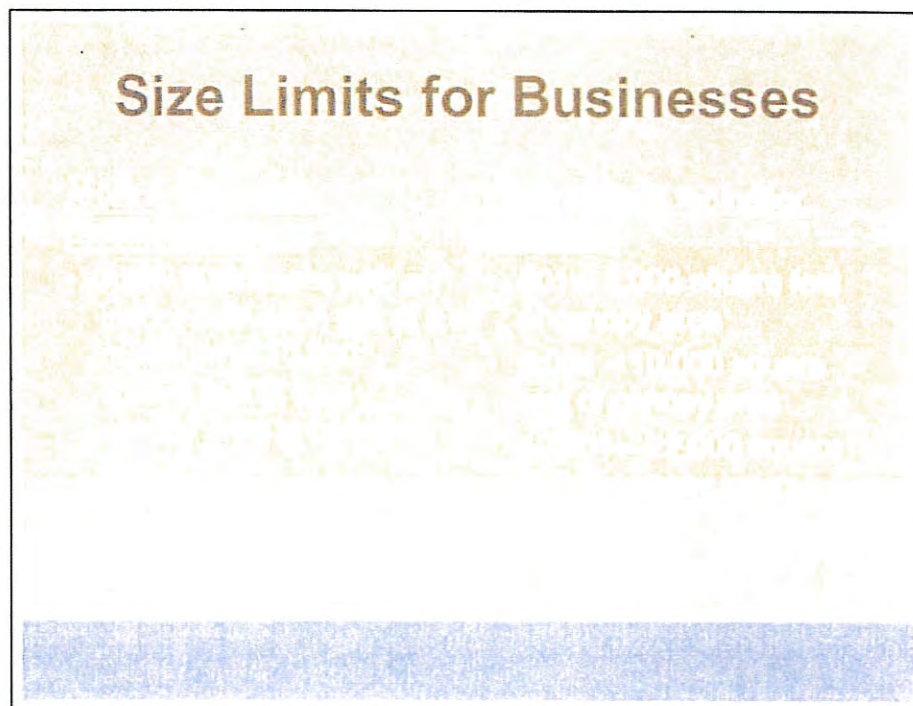
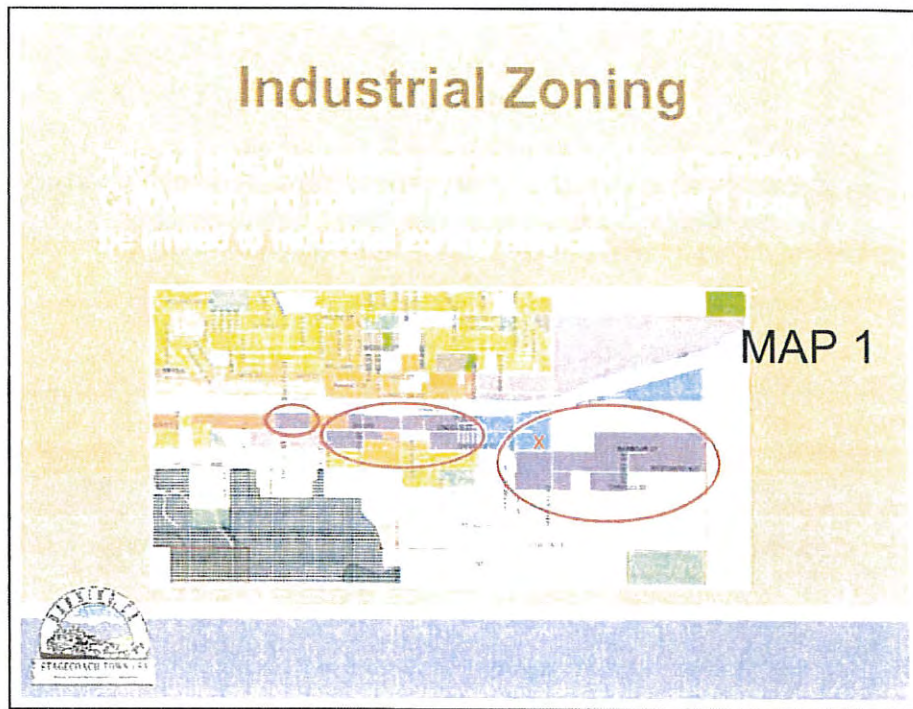
We are willing to be involved with whatever may be necessary to make this a reality. And are hopeful that the City Council will assist us to make it happen.

Thank you for the opportunity to present this request to your honorable panel for your continued support of our project.

Respectfully Submitted

Ed Quental (310) 261-1242 cell

Mark Quental (310) 261-1243 cell



CITY OF BANNING GENERAL PLAN WITH ZONING OVERLAY

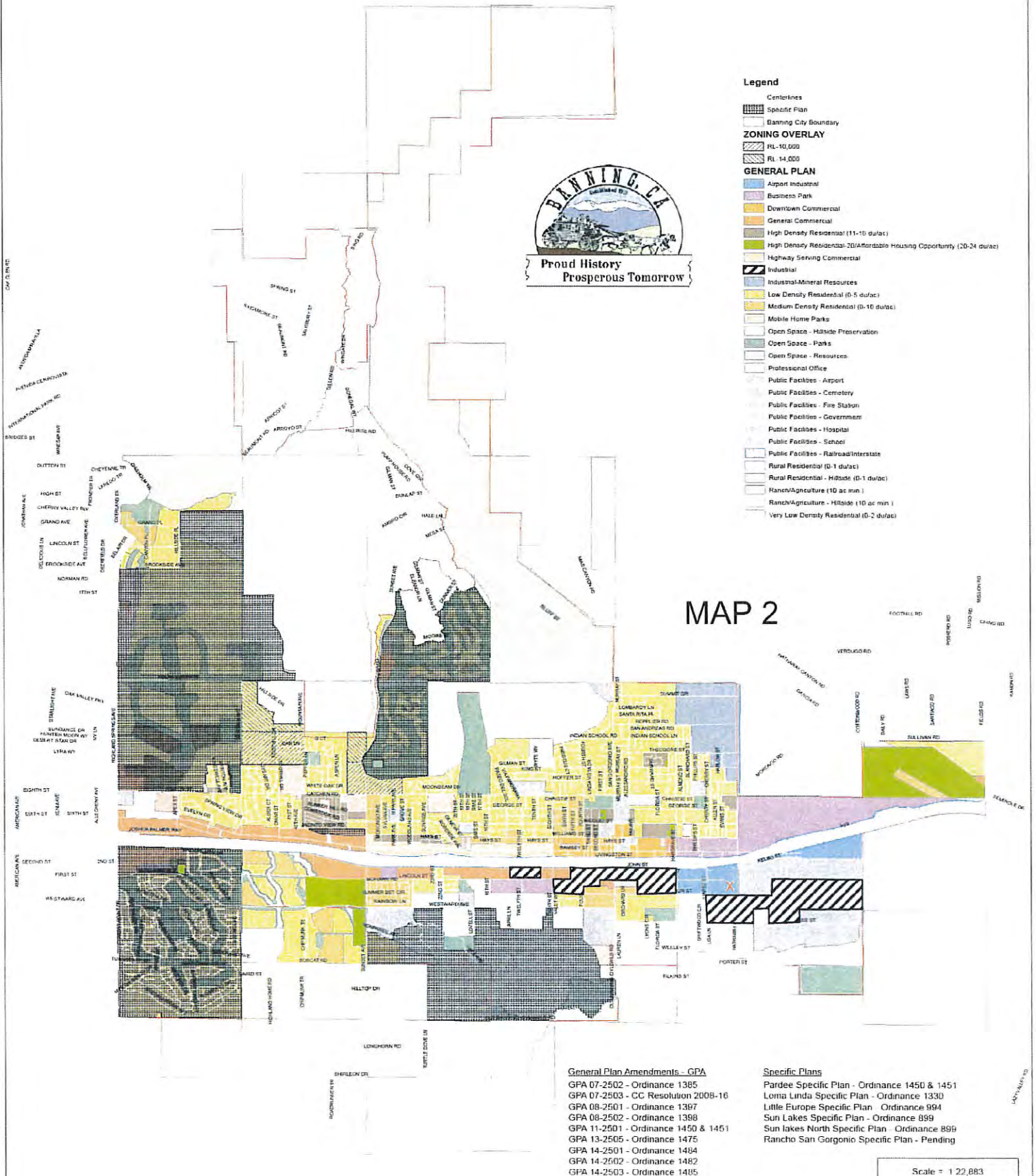


Exhibit “C”
to the June 12, 2018, Regular Meeting Minutes

10.5 Censure of Legislative Body Members

(a) It shall be a violation of this section for any sitting member of a Legislative Body to violate any general law or regulation, and any, rule, law, ordinance or resolution of the City of Banning. It shall also be a violation of this section for any sitting member of a Legislative Body to violate an administrative policy of the City which has been adopted following a vote of the Legislative Body or the City Council on the matter and which by its terms is expressly made applicable to the Legislative Body.

(b) Any violation of the foregoing paragraph by a Legislative Body member may be punished through the administration of a public censure of the member by the member's Legislative Body. Such censure may be in addition to any other punishment applicable to the violation. For purposes of this section, "censure" shall mean the adoption of a motion setting forth a statement of disapproval of a Legislative Body member's conduct.

(c) When evaluating a request for defense made by the censured member in litigation arising from the censured conduct, the record of the censure shall be considered by the Legislative Body. Such record shall not be determinative. Failure of the Legislative Body to censure the conduct of a member does not constitute waiver of the Body's right to refuse to defend the member in an action.

(d) A Legislative Body member may not be made the subject of a motion for censure without first being given notice of the violation and an opportunity to correct the violation, if it can reasonably be corrected. Upon a continued violation or failure to correct, the charged member shall be given notice and an opportunity to be heard as follows:

- (i) Only a sitting member of the Legislative Body whose member commits the violation may initiate proceedings for the censure of one of its members.
- (ii) Proceedings shall be commenced by the presentation of a written statement of charges to the subject Legislative Body member with a copy delivered concurrently to the Clerk/Secretary by the member initiating the charge. Initiation shall not require the prior approval of the Legislative Body. The statement of charges shall be given at least ten days prior to the meeting at which the censure motion is proposed to be brought. The notice shall contain, at a minimum, the designation of the specific rule, law regulation, etc.

which the member is claimed to have violated and a statement of the date, place and time at which the violation occurred. The statement shall further contain a description of the conduct of the member which is alleged to constitute the violation. The statement of charges shall be delivered to all other Legislative Body persons.

- (iii) Within seven (7) days after delivery of the statement of charges, the charged member should deliver a written response to the other members of the Legislative Body unless the charged member chooses to defer to response to the hearing.

(e) The motion for censure shall be agendized and considered at the first regular meeting occurring 10 days following the delivery of the statement of changes to the member and Clerk/Secretary. The hearing may not be continued except upon the absence from the meeting of a member of the Legislative Body other than the member bringing the charge or the member who is the subject of the charge.

- (i) The hearing shall be conducted in an open session by the Presiding Officer unless the Presiding Officer is a party to the action, in which case the Vice Chair or some other member shall conduct the proceedings.
- (ii) The hearing shall generally proceed by a reading of the charges by the charging member. The charging member may present witnesses; the charged member may answer in rebuttal; members of the public may speak in favor or opposed to the charge; and the remaining members may speak to the charges in that order.
- (iii) Passage of the motion for censure shall require a majority vote of the members of the Legislative Body. The voting members shall not go into closed session for deliberation.

(f) If the motion for censure does not pass the proceedings shall be at an end. A new motion for censure on the same grounds of violation may not thereafter be commenced against the same Legislative Body member for a period of 1 calendar year from date of the vote. However, new proceedings may be commenced on the same charges within the 1 year period on the vote of 4 members of the Legislative Body.

(g) If the motion for censure does pass, such motion shall become a part of the public record a copy of which shall be made available upon demand to any member of the public and notice of same shall be placed in the administrative file of the Legislative Body member.

Exhibit “D”

to the June 12, 2018, Regular Meeting Minutes

STATEMENT OF CHARGES AGAINST COUNCIL MEMBER ART WELCH

COUNT 1: VIOLATION OF ETHICS – DECEPTIVE LETTER TO GRAND JURY

On July 19, 2016 Councilman Welch sent a letter to the Riverside County Grand Jury in response to their 2016 report. The letter was authorized by unanimous direction given by council, without there being any dissent on record by any council member.

In the letter Welch implied that the City of Banning will no longer conduct business via undocumented handshake agreements. However, only 9 months later, Welch engaged in yet another handshake agreement, this time for brush removal to the benefit of a private business, Diamond Hills Chevrolet.

In the council meeting of May 22, 2018, Welch is on video stating that just because he signed the letter, this *"does not mean (he) agreed with it"*. This means Welch intentionally mislead the Grand Jury into believing that he as Mayor – as well as the City – fully agree with the Grand Jury's recommendation that handshake agreements shall no longer be used in Banning, when in fact he had every intention to continue the practice.

At a very minimum, Welch had an ethical obligation to formally express his dissent with the response, not only to the Grand Jury, but also to the public. Welch failed to do so not only when the response was formulated, but also at the time he signed the letter. This violated the ethical standards set forth in Sec. 9.10 of the "Manual of Procedural Guidelines" of the City of Banning, which reads : "A member of a Legislative Body shall maintain the highest ethical standards and shall adhere to all laws and the ordinances and regulations of the City in carrying out their duties".

COUNT 2: VIOLATION OF ETHICS – GIVING DIRECTION TO CITY MANAGER WITHOUT KNOWLEDGE OR CONSENT OF THE CITY COUNCIL

In their 2018 report, the Grand Jury found that Councilman Welch “directed” the City manager (Michael Rock) to provide brush clearing services for Diamond Hills Chevrolet. This is believed to have occurred in March of 2017. Welch gave the direction as a single councilmember, without knowledge or consent of the rest of the council.

In the council meeting of May 22, 2018 Welch is on video stating that “he never gave direction, but merely made a suggestion”.

However, Welch's denial deserves no consideration as it is irrelevant under the law. The Grand Jury's investigation into the matter lasted for over 9 months, and included the testimony of nine witnesses, including Rock and Welch. With their report, the Grand Jury has acted as a “finder of fact”. The factual finding by the Grand Jury was that Welch indeed gave direction to the City manager.

Pursuant to Sec. 11.9 of the “Manual of Procedural Guidelines”, the Banning City council **must** (not “may” or “should”) consider “legally mandated findings applicable to a matter”. Such findings include those of a Grand Jury. Therefore, this section mandates that the council frame their decision solely based on the factual findings of the Grand Jury. They must not consider their denial by Welch.

It was unethical for Welch to use his position as Mayor and throw his weight around by directing a Staff member, in this case the City manager himself, without first consulting with the rest of the City council.

Welch violated the ethical standards as set forth in Sec. 9.10 of the “Manual of Procedural Guidelines” of the City of Banning. His actions also went against the spirit and intent of City Ordinance 2.08.110, which specifically prohibits council from micromanaging staff.

In a council session of April 11, 2017, Welch is on video admitting wrongdoing when he said: *“Did we go around the idea of bringing it to council, to get a project like that approved? - Probably”*.

Exhibit “E”
to the June 12, 2018, Regular Meeting Minutes

2009-2010 GRAND JURY REPORT

Community Redevelopment Agency of the City of Banning

Background

Banning, California is located midway between Riverside and Palm Springs. Incorporated in 1913, the city has a population of fewer than 30,000 residents. The city is governed by a five-member city council that also sits as the board for the Community Redevelopment Agency of the City of Banning (the "Redevelopment Agency"). The redevelopment agency is charged with eliminating blight in designated areas of the city.

Economic activity in Banning is concentrated among the motels, gasoline stations and restaurants that service Interstate 10 motorists and truckers. In 1978 the city council created the Downtown Project Area in order to begin a redevelopment process for the city. A second project area (the Midway Project Area) was formed six years later. In February 2002, the two areas, along with some new territory, were merged to form the present boundaries of the redevelopment area.

Authority for formation and operation of a redevelopment agency is found in the California Community Redevelopment Law, contained in the California Health and Safety Code, beginning with Section 33000. Article XVI, Section 16 of the California Constitution, adopted in 1952 by the voters, provides for tax increment financing.

Banning's redevelopment agency is financed through tax increment revenue and tax allocation bonds. The tax increment revenue is calculated using this formula: when a redevelopment project area is formed, the assessed values of all of the properties within the area are frozen; the total assessed value becomes the base-year valuation; real estate taxes associated with any growth in the base-year valuation are considered tax increment revenue. Most of the revenue is allocated to the redevelopment agency.

The redevelopment agency is required to spend the tax increment revenue only on redevelopment purposes, including a 20 percent set-aside restricted to low-income housing.

The redevelopment agency supported a non-profit organization called the Banning Cultural Alliance (the "Alliance"). Formed in 2005, the Alliance obtained tax-exempt status under Section 501(c)(3) of the Internal Revenue Code. According to the Alliance website, its mission is to provide education about and support for arts and culture in Banning.

Findings

1. In 2007 the redevelopment agency floated a bond issue that netted approximately \$24 million to fund projects in the redevelopment area. The official statement listed three general categories of planned expenditures: revitalization of downtown, economic incentives and public improvements. Little specificity was included in the official statement. Investigation revealed that the redevelopment agency board had not formulated detailed, prioritized plans for the use of the proceeds.
2. Testimony revealed that the city's and the redevelopment agency's planning and project implementation have been hampered by key employee turnover. Since 2008, three city managers have left, and a fourth is scheduled to begin work in February 2010. Since 2004 five community development directors/consultants have come and gone, and the sixth is now in place. Since 2004, four redevelopment managers have left, and the fifth is now in place. Additional investigation revealed that allegations of micro-managing have been leveled against members of the city council/redevelopment agency board.
3. One of the programs of the redevelopment agency is called Façade Improvement. Property owners are given grants or forgivable loans to improve the exteriors of their buildings in the project area. It was found that the redevelopment agency board has committed funds for improving the appearance of vacant, unrented property while ongoing businesses are made to wait for assistance.
4. Onsite visits and sworn testimony revealed East Banning to be a blighted area in need of priority attention from the redevelopment agency. There is a paucity of sidewalks, streetlights and parks. Old furniture is strewn about the neighborhood; trash and weeds are plentiful. Aside from some low-income housing expenditures, the redevelopment agency has neglected this blighted area of the city.
5. Redevelopment agencies are required by law to prepare five-year plans. The 2004-2009 Banning plan notes the need for an additional staff person to assist the one agency employee devoted exclusively to redevelopment. Deadlines have been missed, and programs and contracts have not been monitored and administered adequately. Without the additional person or the hiring of outside consultants, the plan notes, "it is not probable that the agency will be able to implement the programs and projects in the time periods identified herein."

6. In July 2009, the redevelopment agency bought property in the western side of the city without acquiring its own independent certified appraisal. Witnesses testified that the price paid, \$1,200,000, was above market value. Since the purchase, the redevelopment agency board has budgeted an additional \$800,000 to make the property more desirable.
7. On August 4, 2005 the city council voted to give the Alliance \$10,000. In the course of the next four years, the city council and the same people acting as the redevelopment agency board voted to give the Alliance a total of \$806,503.08 in public funds for a variety of uses (see appendix for a breakdown on the funds). On August 21, 2006, the first and largest contract between the redevelopment agency and the Alliance was approved for \$343,000 over a two-year period. While this contract called for the Alliance to stage arts and cultural events, it also required the Alliance to perform specific redevelopment activities. The following redevelopment activities were never performed: development of a downtown Property-Based Improvement District (PBID) and a campaign to market Banning with advertising on billboards, radio, television and infomercials.
8. The first two contracts, covering the period between 2006 and 2009, followed the same format. The Alliance was given a check for the total at the beginning of the each contract year. The agreements contained no means to measure success or failure of the efforts by the Alliance, and they contained no criteria to determine whether the obligations were indeed fulfilled.
9. An examination of the relationship between the Alliance and the redevelopment agency revealed a willingness by the board to fund the group without any measure of accountability, without measures of success or failure and without demands for return of funds not spent on contractual obligations. No other outside organization in Banning has been treated this way by the board of the redevelopment agency.

Recommendations

City Council, City of Banning Community Redevelopment Agency, City of Banning

1. The redevelopment agency should develop a prioritized list of redevelopment projects to justify any future funding through the bonding process. Further, projects and their prioritization should be widely publicized and then reviewed by members of the community for their input prior to the issuance of future bonds.
2. The Banning City Council and the redevelopment agency should consider retaining an outside consultant to ascertain from employees their attitudes toward their work environment and their relationship with policymakers. Further, the leaders in Banning should take the initiative to establish ongoing workshops on the role of policymakers and employees and how to improve relations.
3. The redevelopment agency board should prioritize how façade improvement money is spent. First priority should be given to owners of buildings where businesses are operating; second priority should go to building owners who have a commitment to rent a vacant structure; and lowest priority should be instances where a building owner seeks redevelopment money for a vacant building.
4. The redevelopment agency should commit now to a major improvement program over the next 10 years to reduce the blight in East Banning.
5. The redevelopment agency board should consider the hiring of an additional staff person to help in monitoring current projects and administering programs.
6. All future development property purchases by the redevelopment agency must include an independent certified appraisal ordered by the redevelopment agency staff.
7. The redevelopment agency board should enforce the immediate return of \$162,000 of public money from the Banning Cultural Alliance in accordance with the terms of the contracts. The amount arises from the Alliance failing to meet its contractual requirement to use \$34,000 to develop a PBID; to use \$110,000 for a marketing program between 2006 and 2008; and \$18,000 to develop a PBID between 2008 and 2009. A reasonable rate of interest on the amount should also be included.

8. The redevelopment agency board should include in all of its contracts with personal services suppliers and outside organizations provisions for measurement of success or failure and of fulfillment or nonfulfillment of the obligations assumed. Penalties and/or termination provisions for nonperformance should be included.
9. The redevelopment agency board should immediately cease and desist awarding any redevelopment funds to the Cultural Alliance.

Appendix

Breakdown of city or redevelopment money paid to the Banning Cultural Alliance

Date	Amount	Description
8/4/05	\$10,000	This is a Community Development Block grant from the city council to provide access to cultural activities for underprivileged children and their families.
9/13/05	\$5,000	This is a city council donation to help the Alliance stage a fundraiser on behalf of the victims of Hurricane Katrina in the Gulf Coast.
3/30/06	\$10,000	This is for a two-month agreement between the redevelopment agency and the Alliance. The money is used to stage an "Art Hop" along North San Geronio Avenue.
6/1/06	\$19,800	This is for a three-month agreement for Phase II of the Arts District planning proposal, begun with the previous contract.
8/21/06	\$343,000	<p>This is the original two-year contract with the redevelopment agency. The Alliance is paid:</p> <ol style="list-style-type: none"> 1. \$48,000 to stage Art Hops in 2007 and 2008. 2. \$42,000 for a Western art show during the city's annual Stage Coach Days celebration in 2007 and 2008. 3. \$68,000 for a marketing and promotional campaign called Brush with Banning. 4. \$11,000 to facilitate a Youth Arts Council. 5. \$30,000 to develop a five-year downtown revitalization implementation plan. 6. \$34,000 to organize a downtown property-based improvement district. 7. \$110,000 to buy billboards, radio, television advertising, and infomercials promoting Banning.
1/27/07	\$100,000	This is a redevelopment agency façade improvement grant that was used for the Alliance headquarters building at 175 West Hays Street. Other businesses in Banning received similar amounts.
3/29/07	\$1,000	This is a Community Development Block Grant from the city council to the Alliance for its Youth Arts Council.
8/5/08	\$171,500	<p>This is a one-year contract between the redevelopment agency and the Alliance. The group is paid:</p> <ol style="list-style-type: none"> 1. \$50,400 to stage special events. 2. \$41,500 for marketing. 3. \$16,500 for operating the Center for the Arts at 128 North San Geronio Avenue. 4. \$30,100 to operate a youth program. 5. \$18,000 to organize a downtown property-based improvement district. 6. \$15,000 for "overhead" expenses.

Date	Amount	Description
2/5/09	\$14,678.08	This is a Community Development Block Grant from the city council to make the restrooms at the group's headquarters on Hays Street compliant with the federal Americans with Disabilities Act.
5/14/09	\$25	This is a fee for a city council member to attend the dedication ceremony for the group's sculpture garden at its Hays Street headquarters.
6/23/09	\$131,500	<p>This is the third contract between the redevelopment agency and the group. The Alliance has proposed that it should be paid:</p> <ol style="list-style-type: none"> 1. \$63,550 for downtown promotion events. About 60 percent of the amount is for the salary of a coordinator. 2. \$14,500 for the Center for the Arts operations. About half of the amount is for the salary of a manager. 3. \$32,550 for the operation of the Youth Council. About 80 percent of the amount is for the salary of a program director. 4. \$9,000 to organize the Banning Business Association, which will be an entity "active in all aspects of downtown planning and activities." The entire amount of money will be spent on the salary of an executive director. 5. \$11,900 for "overhead."
Total	\$806,503.08	

Exhibit “F”
to the June 12, 2018, Regular Meeting Minutes

2017-2018 GRAND JURY REPORT

City of Banning

Background

The city of Banning (City) is located in the San Geronimo Pass, between Mt. San Geronimo to the north and Mt. San Jacinto to the south in Riverside County, approximately 30 miles east of the city of Riverside. The City has been rapidly growing in size and population since the 1990s. According to the 2010 U.S. Census Bureau report, the City has a population of 29,603 residents with a median income of \$38,919. It is primarily a small working-class city with an annual operating budget of approximately \$16 million.

Banning was incorporated in 1913 as a General Law City. General Law cities operate under the general laws of the State of California and have less autonomy than those that adopt their own charter. General Law cities follow laws set forth in the State of California Government Code §34102.

Banning has a Council-Manager form of government with five elected Councilmembers. The City is transitioning from an at-large council election system to one where Councilmembers are elected from individual districts. The City Councilmembers serve four-year terms which are staggered, with three members chosen during one election cycle and two at another. Three of the five Councilmembers were elected from individual districts (Districts 1, 2 and 3) in 2016. The other two will be elected from the remaining districts (Districts 4 and 5) in 2018. Every year, the City Council appoints one of its members as Mayor. Elections are consolidated with general elections in November during even-numbered years. City Councilmembers serve as the legislative branch of city government and vote on laws and proposals relating to various community issues. Councilmembers make legislative decisions dealing with topics such as allocating funds to provide for public services, community development projects, issues of land use, and budget matters.

The City Manager is the Chief Administrative Officer, hired by the City Council and retained on an "at-will" negotiated contract. The City Manager is responsible for the day-to-day operations of Banning. This includes, but is not limited to, the preparation and monitoring of the City's budget. The City Manager supervises the City Departments and staff through department heads, and provides oversight of recruitment, dismissal and disciplining of employees. In addition, the City Manager serves as the main professional and technical advisor to the City Council on government operations.

Methodology

The Riverside County Grand Jury (Grand Jury) obtained information for this report through the review of documents, testimony of officials, and site visitations.

The Grand Jury reviewed the following documents/items:

- a. City of Banning, Council meeting video, April 17, 2017
- b. Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning
- c. Banning City Biennial Budget, Fiscal Years 2013-14 and 2014-15
- d. Banning City Biennial Budget, Fiscal Years 2016-17 and 2017-18
- e. 2015-2016 Riverside County Grand Jury Report (City of Banning-Banning Chamber of Commerce)
- f. Sales Tax Sharing and Operating Agreement between the City of Banning and an auto dealership, February 2017
- g. California Government Code §34102, General Law Cities
- h. State of California, Department of Transportation, Standard Encroachment Permit Application (Form TR-0100, REV. 03/2015), January 18, 2017
- i. Banning Informer article, "Your Tax Dollars at Work: City Workforce Used to Clear Vegetation for Private Business," April 5, 2017 www.thebanninginformer.com/?page_id=9923
- j. The Press-Enterprise article, "Questions raised over use of Banning crews for business benefit," Gail Wesson, April 29, 2017, updated May 2, 2017
- k. California Assembly Bill (AB) 1234, Article 2.4, Ethics Training §53235.1(b)
- l. Letter from the City of Banning Finance Department to the auto dealership to request payment, April 10, 2017
- m. Letter from the City of Banning Finance Department, May 2, 2017, to amend the payment request of the April 10, 2017 letter

- n. Banning, California – Code of Ordinances/Title 2 – Administration/Chapter 2.08 – City Manager/2.08.110 – City council to deal only with city manager

The Grand Jury conducted the following interviews:

- a. City of Banning, Director of Public Works
- b. City of Banning, Interim City Manager/Chief of Police
- c. City of Banning, Director of Administrative Services/Deputy City Manager
- d. City of Norco, City Manager
- e. Three Banning City Councilmembers, individually
- f. City of Cathedral City, City Manager
- g. City of Banning, former City Manager

The Grand Jury conducted a site visit to the Interstate 10 Freeway right-of-way (brush removal site).

Findings

1. A member of the City Council verbally directed the City Manager to assist a local auto dealership by trimming the brush along the Interstate 10 right-of-way adjacent to the business. The shrubbery obscured the view of the business property. The City Manager directed the Public Works Director to arrange for the trimming of the shrubbery by City employees. The Public Works Director applied for, and received, a no-fee public agency encroachment permit from the California Department of Transportation (Caltrans), and City employees completed the project in early April 2017. There was no written agreement between the City and the auto dealership for this project.

After this use of City resources became public knowledge through the local media, the City Council directed the Finance Department to prepare an invoice for City services and submit it to the auto dealership. On April 10, 2017, the City received a check in the amount of \$3,000 prior to an invoice being prepared. Later that same day, the City calculated the cost of the project at \$3,431.66. They then prepared a Reimbursement Request for \$431.66 to cover the balance due to the City and submitted the invoice to the auto dealership for payment.

In a subsequent City Council meeting, a Councilmember questioned whether the amount billed to the dealership reflected the full cost to the City, including use of the City equipment. As a result, the Council directed that an amended invoice be prepared to include the equipment costs. The City Administrative Services Director prepared a second invoice on May 2, 2017, in the amount of \$3,549.64 for equipment use. The auto dealership then issued a second check bringing the total amount received by the City to \$6,981.30, which completed the payment of the amount billed.

A 2015-2016 Riverside County Grand Jury report identified a similar finding of undocumented, informal agreements and recommended:

That Banning formalize its financial dealings and not utilize handshakes or past practices with other entities.

The City continues to engage in informal and undocumented “handshake” agreements with private parties. To date, no policy has been developed or implemented to prohibit the practice of using “handshake” agreements.

2. To benefit a private party, the undertaking of the shrubbery removal project required agreement to an indemnity clause in the Caltrans permit application which was done without legal review or approval of the City Council. This action placed the City at a greater risk of financial liability.

The Caltrans Encroachment Permit Application states:

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the Indemnification provisions stated above shall apply regardless of the existence or degree of

fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees. [sic]

3. The City has no policy addressing the use of public resources and/or equipment to provide services to private parties.
4. The City's Policies and Procedures manual is outdated. Some of the policies are 40 years old and date back to 1977. Additionally, there is no evidence policies and procedures are being reviewed on a regular basis to ensure that they are relevant and accurate.
5. In the past eight years (2010-2017), the City Council has hired seven individuals to serve as City Manager, Interim City Manager, or Contract City Manager, with some serving in that capacity on a repeat basis. Instability in the relationship of the City Council to the City Manager weakens the effectiveness of City management. This poor and *ineffective* relationship has allowed some City Councilmembers to routinely address City staff directly, thereby circumventing the authority and expertise of the City Manager.

Banning Code of Ordinances expressly states:

The city council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry; and neither the city council nor any member thereof shall give orders to any subordinate of the city manager.

6. In the 2016 election, two incumbent City Councilmembers were re-elected and a third individual was newly elected to the Council. Training on critical matters such as ethics, harassment, and the Brown Act, was not made available to the Councilmembers in a timely manner.

Per California AB 1234, Article 2.4, Ethics Training §53235.1(b)

- (b) *Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.*

7. Sales tax sharing agreements are commonly used to encourage businesses to locate and develop large sales tax-generating enterprises within a city. While these can be used to retain a business within a city, they are generally used to attract new businesses. Information obtained from interviews of several city managers revealed these agreements are generally for a short term duration of five to seven years and usually employ an equal sharing of sales tax revenues.

In Banning, a sales tax sharing agreement between the City and an auto dealership was established by the Redevelopment Agency in 2005. Extension clauses were activated and the agreement was renegotiated in 2012 for an additional five years. When the auto dealership was sold in 2016, a condition of the sale was that the City would accept terms of a new sales tax sharing agreement. This new agreement rebated to the auto dealer 85% of the sales tax due to the City up to a maximum of \$3.5 million. These payments will continue for a period not to exceed 15 years or until the auto dealership has received the maximum recoverable amount as defined in the agreement.

The City has been sharing sales tax revenue with this tax-generating business for 13 years. The agreement with the new owner would extend this substantial reduction in sales tax revenue to the City for up to an additional 15 years.

Recommendations

Banning City Council

1. The City immediately discontinue and prohibit the use of undocumented and informal “handshake” agreements. The City adopt strict policies for formalizing agreements and/or contracts with private parties. Stricter policies would preclude the appearance of the gifting or misuse of public funds.
2. The City Manager review all contracts and agreements to ensure any terms affecting liabilities that might be borne by the City are reviewed and evaluated by the City Attorney and approved by the City Council in order to minimize or eliminate any risks of financial liability to the City.
3. The City establish a comprehensive policy to address the use of public resources including City labor and/or equipment when providing services to private parties.

4. The City establish a policy to review and update all City Policies and Procedures on a regular basis. Policies and Procedures should be made available to the public on the City website.
5. The City carefully review and revise its hiring and recruitment processes and procedures, to ensure job objectives and responsibilities for the City Manager's position are clearly defined. The City needs to incorporate and outline expectations and performance measures into the recruitment process for the City Manager. City Councilmembers must comply with City Ordinance 2.08.110 and work with City administrative services exclusively through the City Manager.
6. The City must establish a policy for the training of the new Councilmembers in a timely manner in accordance with AB 1234. Many public and free resources are available for training, including ethics in government, Code of Conduct, proper chain-of-command, transparency in government, and Brown Act obligations. The City Manager should also implement refresher training programs for all City Councilmembers including negotiation skills, civil discourse, and team building.
7. The City should conduct a biennial review and assessment of the financial burden to the City of any tax-sharing agreements which are more than five years old, and report its findings at a regular open City Council meeting.

Continuing agreements should be monitored to ensure that future City leaders agree the City is receiving appropriate benefits in return for the forfeiture of a portion of available sales tax revenue.

Report Issued: 4/30/2018
Report Public: 5/2/2018
Response Due: 7/30/2018

Exhibit “G”

to the June 12, 2018, Regular Meeting Minutes

Legend

- Airport Industrial
- Business Park
- Downtown Commercial
- General Commercial
- High Density Residential-20/40
- High Density Residential (11-1)
- Highway Serving Commercial
- Industrial
- Industrial-Mineral Resources
- Low Density Residential (0-5 d)
- Medium Density Residential (0-1)
- Mobile Home Parks
- Open Space - Hillside Preserves
- Open Space - Parks
- Open Space - Resources
- Professional Office
- Public Facilities - Airport
- Public Facilities - Cemetery
- Public Facilities - Fire Station
- Public Facilities - Government
- Public Facilities - Hospital
- Public Facilities - Railroad
- Public Facilities - School
- Ranch/Agriculture - Hillside
- Ranch/Agriculture (10 ac min.)
- Rural Residential - Hillside
- Rural Residential (0-1 du/ac)
- Very Low Density Residential
- Parcels



This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Banning staff for the most up-to-date information.

Exhibit “H”
to the June 12, 2018, Regular Meeting Minutes



Supplemental Law Enforcement
Services Account

Presented by:
Interim Chief of Police
Robert Fisher



The SLESA provides money to
support front line law enforcement
services.





Senate Bill 823 amended government Code section 30061 to require that “the City Council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services.



Past expenditures





Staff training



Vehicle repair





Lease / purchase payments



Uniforms





Computer Hardware & radio equipment



Questions



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL
FROM: Rochelle Clayton, Interim City Manager
PREPARED BY: Suzanne Cook, Deputy Finance Director/Interim ASD
MEETING DATE: June 26, 2018
SUBJECT: Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of May 2018

RECOMMENDATION:

That City Council review and ratify the warrants for period ending **May 31, 2018**, per California Government Code Section 37208.

WARRANT SUMMARY:

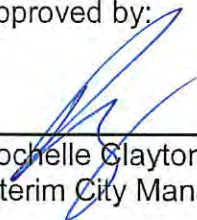
Description	Payment #	Amount	Total Amount
Checks:			
Checks Issued during Month	164355 - 164434	\$ 1,579,992.03	
Voided / Reissue Check		\$ 2,729.22	
Check Total			\$ 1,577,262.81
Wires Total	973 - 980		\$ 3,208,752.68
ACH payments:			
	9006226 - 9006247		
Payroll Direct Deposit 5/11/2018		\$ 355,706.38	
Payroll Direct Deposit 5/25/2018		\$ 319,429.62	
Other Payments		\$ 765,834.57	
ACH Total			\$ 1,440,970.57
Payroll Checks:			
	11397 11430		
Payroll - Regular 5/11/2018		\$ 2,320.71	
Payroll - Regular 5/25/2018		\$ 3,154.47	
Payroll Check Total			\$ 5,475.18
Total Warrants Issued for May 2018			\$ 6,232,461.24

ATTACHMENTS:

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



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 May 2018

Warrant Number	Vendor Name	Warrant Amount
973	ALTA PACIFIC BANK - ESCROW ACCOUNT	1,983.85
974	GRANDPOINT BANK - ESCROW ACCOUNT	8,882.85
975	ALTA PACIFIC BANK - ESCROW ACCOUNT	7,453.81
976	ALTA PACIFIC BANK - ESCROW ACCOUNT	9,468.50
977	ALTA PACIFIC BANK - ESCROW ACCOUNT	7,851.28
978	RIVERSIDE PUBLIC UTILITIES	1,428,115.89
979	U.S. BANK	1,734,271.88
980	ALTA PACIFIC BANK - ESCROW ACCOUNT	10,724.62
164355	A-Z BUS SALES, INC. (COLTON)	133.60
164356	ALESHIRE & WYNDER, LLP	4,149.34
164357	ARIAS, JOE	16.00
164358	ARROW STAFFING SERVICE	4,839.76
164359	ASPEN ENVIRONMENTAL GROUP	8,346.75
164360	AT&T GLOBAL CUSTOMER CARE CENTER	376.51
164361	AT&T MOBILITY	1,085.40
164362	B & H FOTO & ELECTRONICS CORP	384.76
164363	BANNING SAN GORGONIO PASS AREA	120.00
164364	BEAUMONT SAFE & LOCK	231.12
164365	BEAUMONT, CITY OF	40,876.31
164366	BLUE SHIELD OF CALIFORNIA	69,882.23
164367	BONEV, SIMEON	131.38
164368	CA. ST. DEPT OF TRANSPORTATION	1,391.26
164369	CHARLES ABBOTT ASSOCIATES, INC	8,021.75
164370	COOPERATIVE PERSONNEL SVCS.	522.50
164371	CORTES, JOSE & LAURA A	48.26
164372	COTTAGE, GREGORY	32.00
164373	COUTS HEATING & COOLING, INC	2,647.42
164374	COZAD & FOX, INC	2,750.70
164375	CREATIVE BUS SALES INC	178.18
164376	CYBERTEK	734.00
164377	DAVIS, JONATHAN	32.00
164378	DE LA FUENTE, SONJA	32.00
164379	DIAZ, RICHARD D	16.00
164380	DINGMASTERS	400.00
164381	DOUBLE TREE - DEL MAR	563.48
164382	DRESMANN PROMOTIONAL PRODUCTS	103.48
164383	DUNN, TERRY	32.00
164384	FERGUSON, PRAET & SHERMAN	175.50
164385	FRANKLIN, DEBBIE	50.41
164386	FRONTIER COMMUNICATIONS	948.75
164387	GAS COMPANY, THE	544.59
164388	GREEN MASSAGE SPA	108.50
164389	GREEN, NATASHA	82.89
164390	HAWTHORNE, JOSHUA	109.88
164391	HOMAN, LOUIS	32.00
164392	HOME DEPOT #8987	203.33
164393	HUANG, STEVEN & JULIA	102.60
164394	INFOSEND, INC	7,058.84
164395	LIEBERT CASSIDY WHITMORE	157.50
164396	LINDEWALL, ROBERT E	89.84
164397	LYNCH, MIKE	48.00
164398	MACIAS, RUBEN	32.00
164399	MCCLUNE, DEVIN	16.00

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Warrant Number	Vendor Name	Warrant Amount
164400	MCLAUGHLIN, CARNELLE	99.41
164401	MCRAE, JOYCE	329.37
164402	MEDINA, MOSES	16.00
164403	MILLER, JONI	135.00
164404	NAPA AUTO PARTS	53.86
164405	O'REILLY AUTO PARTS	89.00
164406	OFFICE DEPOT	38.04
164407	PRESS-ENTERPRISE, THE	1,368.46
164408	PRUDENTIAL OVERALL SUPPLY	15.00
164409	QUIEL BROS ELECTRIC SIGN SERVICE CO	537.00
164410	RECORD GAZETTE, THE	262.80
164411	RICHARDS WATSON GERSHON	52,656.44
164412	RIV. CO. COMMUNITY HEALTH AGENCY	1,586.00
164413	RIVERSIDE, COUNTY OF	912.50
164414	ROMO PLANNING GROUP, INC.	8,740.00
164415	ROW TRAFFIC SAFETY, INC	161.63
164416	SAMPSON, LAURIE	16.00
164417	SHOVE, TED	224.00
164418	SMITH, JESSICA	146.12
164419	STOEL RIVES, LLP	6,500.00
164420	SUMMIT RIDGE APARTMENTS	31.66
164421	TAMMANY, NISSA	12.00
164422	THE SOCO GROUP, INC.	3,824.20
164423	THESIER, DEREK	56.40
164424	TIME WARNER CABLE	240.55
164425	UNITED STATES POSTAL SERVICE	5,000.00
164426	URBAN FUTURES INCORPORATED	450.00
164427	VULCAN MATERIALS	1,672.87
164428	WARE, KENNITH	32.00
164429	WASTE MANAGEMENT OF THE	253,973.53
164430	WEDDELL, PETER & MICHELLE	64.18
164431	WELLS FARGO CARD SERVICES INC	3,128.59
164432	WELLS FARGO CARD SERVICES INC	2,644.44
164433	WILLDAN FINANCIAL SERVICES	5,053.32
164434	YOUNGBLOOD & ASSOCIATES	225.00
164435	ALL AMERICAN ASPHALT	489.45
164436	ALL STAR ELITE SPORTS	2,292.51
164437	ARAGON GEOTECHNICAL, INC	4,402.70
164438	ARROYO BACKGROUND INVESTIGATIONS	400.00
164439	ARTISTIC MAINTENANCE, INC.	9,090.41
164440	ASPEN ENVIRONMENTAL GROUP	23,008.26
164441	ASSEMBLY OF GOD CHURCH	2,787.00
164442	BABCOCK LABORATORIES, INC	404.00
164443	BANNING POLICE OFFICERS ASSOC	2,300.00
164444	BANNING UNIFIED SCHOOL DIST.	1,500.00
164445	BEAUMONT DO IT BEST HOME CENTER	101.23
164446	BEAUMONT SAFE & LOCK	43.17
164447	BENHAR, DIANA T	571.90
164448	BERRES, MARK	42.00
164449	BILLS, ALEXANDRA	13.99
164450	BIO-TOX LABORATORIES	1,756.00
164451	BOEHM, REGINA	2,580.00
164452	BT SUPPLIES WEST	1,380.62

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Warrant Number	Vendor Name	Warrant Amount
164453	CALIFORNIA LAW ENFORCE ASSN	612.50
164454	CALOLYMPIC GLOVE & SAFETY CO, INC	694.72
164455	CARPER, CATHY	91.62
164456	CENTER ELECTRIC	1,412.58
164457	CLAYTON, ROCHELLE	424.00
164458	COLONIAL INSURANCE	18,246.40
164459	CORE AND MAIN, LP	400.68
164460	COSTAR REALTY INFORMATION, INC	87.95
164461	COUNSELING TEAM INTERNATIONAL, THE	975.00
164462	CRANOR, TANDY & OLA	1,500.00
164463	DANIELS TIRE SERVICE	94.50
164464	DAVIS, JOSEPH	129.95
164465	DEX MEDIA	39.95
164466	DIAMOND ENVIRONMENTAL SERVICES	403.79
164467	DUNN, TERRY	64.00
164468	FEDEX	15.54
164469	FERRELLGAS	223.50
164470	FLETCHER, TERRI	253.04
164471	FRANKLIN, DEBBIE	1,153.29
164472	FRASOR, MATTHEW	1,320.96
164473	FRONTIER COMMUNICATIONS	1,545.08
164474	GAS COMPANY, THE	17.72
164475	GOVERNMENT STAFFING SERVICES, INC	4,760.00
164476	GRAHAM, DOROTHY	50.00
164477	HOO, JILL G	31.50
164478	I.B.E.W. LOCAL 47	7,638.28
164479	I.B.E.W. LOCAL 47 (PAC)	60.00
164480	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,039.75
164481	ICMA RETIREMENT TRUST 457	1,546.27
164482	INDOFF, INC	1,444.57
164483	IRON MOUNTAIN INFORMATION MGMT, LLC	3,334.60
164484	JACKSON LEWIS PC	228.00
164485	KELLY, PATRICK	12.00
164486	KESTER, ELIZABETH	963.33
164487	KOLLER, MARIE V.	46.20
164488	LINKLATER, MICHAEL	30.00
164489	LITHOPASS PRINTING, FORMS,	775.64
164490	MANNINO &, COL A VINCENT	713.77
164491	MASTEN, STAR	87.47
164492	MEYER-EVENSON, PATRICIA	120.88
164493	MICHALEC, MARY	133.36
164494	MILLER, NINA	144.32
164495	MITSUBISHI ELECTRIC & ELECTRONICS	297.84
164496	MOLEDOR, JEROME	180.00
164497	MOORE, ROBERT	1,500.00
164498	MORGAN, DEIDRA J	199.50
164499	MORONGO BAND OF MISSION INDIANS	9,240.00
164500	NATIONWIDE RETIREMENT SOLUTIONS	4,976.82
164501	NEW, ROBERT & NANCY	116.64
164502	NOBEL SYSTEMS, INC	1,800.00
164503	NOTTINGHAM, MICHAEL	12.00
164504	OFFICE DEPOT	163.06
164505	ONLINE INFORMATION SERVICES	123.65

City of Banning
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Warrant Number	Vendor Name	Warrant Amount
164506	PARS	379.05
164507	PARTS AUTHORITY METRO, LLC	139.89
164508	PAYPRO ADMINISTRATORS	146.00
164509	PRE-PAID LEGAL SERVICES, INC	286.02
164510	PRESS-ENTERPRISE, THE	472.50
164511	RED HAWK SERVICES	4,178.97
164512	RELIABLE WORKPLACE SOLUTIONS	82.82
164513	RETAIL LEASE TRAC	1,125.00
164514	RIV. CO. DEPT OF ENVIRONMENTAL	148.07
164515	RIV. CO. FLOOD CONTROL & WATER	16,043.07
164516	RIV. CO. HEALTH SVCS AGENCY	399.00
164517	RIV. CO. SHERIFF'S DEPT.	125.00
164518	ROMERO, RAMON	12.98
164519	RUEHLE, TARA SHAWN M	255.50
164520	SAMPSON, LAURIE	21.50
164521	SAN BERNARDINO PUBLIC EMPLOYEES	876.74
164522	SAYESKI, CHRISTOPHER	36.00
164523	SCCI, INC DBA	250.00
164524	SEGURA, JENNIFER	12.00
164525	SHAFFER, RONALD	0.00
164526	SHERATON CHICAGO HOTEL & TOWERS	0.00
164527	SHOWERS, TISHA L	38.91
164528	SHRED-IT USA, LLC	280.80
164529	SMITH, LOIS E	35.00
164530	SOTO, ANITA	1,500.00
164531	SOUTH COAST AIR QUALITY	128.61
164532	SOUTH COAST AIR QUALITY	128.61
164533	SOUTH COAST AIR QUALITY	128.61
164534	SOUTH COAST AIR QUALITY	128.61
164535	SOUTHERN CALIFORNIA EDISON	1,354.28
164536	STAPLES BUSINESS ADVANTAGE	105.96
164537	SUEZ BANNING	56,533.00
164538	SUN LIFE FINANCIAL	19,330.68
164539	TELEPACIFIC COMMUNICATIONS	2,872.18
164540	THE SOCO GROUP, INC.	47,843.59
164541	URBAN FUTURES INCORPORATED	1,750.00
164542	WOODARD & CURRAN, INC	29,085.78
164543	XIONG &, ANDREW	60.07
164544	YOUNGBLOOD & ASSOCIATES	225.00
164545	ZENNER PERFORMANCE METERS, INC	6,027.38
164546	ACE	233.81
164547	ACKERMAN, RAYMOND W & SONIA M	141.70
164548	ADVANCE WORKPLACE STRATEGIES INC	57.00
164549	ALBERT A. WEBB ASSOCIATES	170.00
164550	ANDRADE, DANIELA	34.23
164551	ANIXTER, INC	686.91
164552	AREIAS, CALEB	123.41
164553	ARROW STAFFING SERVICE	3,470.58
164554	ARROYO BACKGROUND INVESTIGATIONS	400.00
164555	ASSOCIATED BAG COMPANY	922.55
164556	AT&T CALNET 2	657.11
164557	AT&T CALNET 2	393.11
164558	AT&T CALNET 2	205.37

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Warrant List May 2018

Warrant Number	Vendor Name	Warrant Amount
164559	BEAUMONT SAFE & LOCK	64.00
164560	BECERRA, ELADIO	199.38
164561	BENNETT, MICHAEL	12.00
164562	BOA ARCHITECTURE	16,760.00
164563	BOSTON, LINDA	141.52
164564	CALIFORNIA, STATE OF	3,323.98
164565	CARPER, CATHY	180.12
164566	CDW GOVERNMENT, INC	240.71
164567	CHARLES ABBOTT ASSOCIATES, INC	1,332.50
164568	COOK, SHARON	162.22
164569	CORELOGIC INFORMATION SOLUTIONS INC	66.68
164570	COUNSELING TEAM INTERNATIONAL, THE	700.00
164571	COUTS HEATING & COOLING, INC	1,491.38
164572	DANIELS TIRE SERVICE	1,777.02
164573	DAVIS, JONATHAN	32.00
164574	DEVOUX, MICHELLE	114.00
164575	ELIZONDO, MARIO	16.00
164576	FACTORY MOTOR PARTS	25.33
164577	FEOLA, JOSEPH	12.00
164578	FIRE ETC	1,323.17
164579	FISHER, ROBERT	128.00
164580	FLEET SERVICES INC	594.85
164581	FORTEL TRAFFIC, INC.	4,980.09
164582	FOX OCCUPATIONAL MEDICAL CENTER	920.00
164583	FRESH, RICHARD B	28.70
164584	FRONTIER COMMUNICATIONS	275.17
164585	FUN EXPRESS	529.26
164586	GAS COMPANY, THE	135.39
164587	GOVERNMENT STAFFING SERVICES, INC	5,355.00
164588	GREAR, BEVERLEY A	94.97
164589	GUTIERREZ, RENE	183.71
164590	HARPER, KRIS	16.00
164591	HAWLEY, CAMERON	16.00
164592	HEMET MANUFACTURING COMPANY, INC	203,767.73
164593	HOME DEPOT #8987	1,048.24
164594	HORTA, MARGARET	127.85
164595	HOWARD, DOROTHY	6.72
164596	HUNT, DENISE FRESH	37.62
164597	HUSEBO, JACK & PAULA	183.24
164598	I-SHRED	400.00
164599	INFOSEND, INC	4,496.59
164600	INNOVATIVE FEDERAL STRATEGIES	3,500.00
164601	INTOXIMETERS, INC	364.67
164602	IRON MOUNTAIN INFORMATION MGMT, LLC	404.92
164603	KIRKLEY, JAMES	56.19
164604	LEAF	303.35
164605	LEAGUE OF CALIFORNIA CITIES	0.00
164606	LIEBERT CASSIDY WHITMORE	500.00
164607	LITHOPASS PRINTING, FORMS,	314.41
164608	LOADER, MICHAEL	12.00
164609	LYNN PEAVEY COMPANY	117.00
164610	LYONS, MARIAH & ALBERT	54.94
164611	MACDONALD, DOUGLAS	91.91

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Warrant Number	Vendor Name	Warrant Amount
164612	MADRIGAL CHAVES, SERGIO	16.00
164613	MARRS, MICHAEL	4.45
164614	MARTINEZ, MATTHEW	16.00
164615	MCRAE, LAWRENCE	63.98
164616	MICHAEL BAKER INTERNATIONAL, INC	27,817.34
164617	MORRISON, GAIL D	54.47
164618	MOTOROLA SOLUTIONS, INC.	34,591.51
164619	MUNICIPAL CODE CORPORATION	472.47
164620	NAPA AUTO PARTS	6.45
164621	O'REILLY AUTO PARTS	853.23
164622	OFFICE DEPOT	95.67
164623	OLEA &, STEPHANY	4.97
164624	PARKHOUSE TIRE, INC.	972.46
164625	PARTS AUTHORITY METRO, LLC	875.99
164626	PI MANUFACTURING CORP.	2,004.95
164627	PRUDENTIAL OVERALL SUPPLY	894.16
164628	RDO EQUIPMENT CO	89.59
164629	RECINOS, MINERVA	10.81
164630	REINHAUSEN MANUFACTURING INC.	2,567.11
164631	RELIABLE WORKPLACE SOLUTIONS	95.57
164632	RON'S BEE SERVICE	500.00
164633	SAFARILAND, LLC	234.19
164634	SALLEY, CURTIS	215.92
164635	SAN GORGONIO PASS DESIGN AND PRINT	237.05
164636	SE CAL CONFERENCE OF SDA	83.52
164637	SERVICE SCAPE	4,654.00
164638	SIEMENS INDUSTRY, INC	2,143.16
164639	SILVER & WRIGHT, LLP	972.90
164640	SITEONE LANDSCAPE SUPPLY	713.97
164641	SMART & FINAL	97.40
164642	SOUTHERN CALIFORNIA GAS CO	3,273.28
164643	SPIDAWEB LLC	1,262.50
164644	STAPLES BUSINESS ADVANTAGE	783.96
164645	STUART, DAMON	16.00
164646	TK SERVICES, INC	834.79
164647	TMG UTILITY ADVISORY SERVICES, INC	5,130.00
164648	ULINE	1,206.61
164649	UTILITY TREE SERVICE	7,700.00
164650	VASQUEZ, CANDIDO	2.93
164651	VEERA LLC C/O VIJAY AHIR	704.65
164652	VERIZON WIRELESS	799.91
164653	VERIZON WIRELESS	2,947.79
164654	VISION SECURITY SYSTEMS	587.90
164655	VISTA PAINT	486.72
164656	WAI &, ZAW	142.93
164657	WHENEVER COMMUNICATIONS, LLC	278.82
164658	WILLIAMS, VENKA	98.78
164659	ZUBIK, LILA	106.61
164660	ALBERT A. WEBB ASSOCIATES	56.03
164661	ALL STAR ELITE SPORTS	117.26
164662	ALL WEATHER, INC	2,200.00
164663	ALTEC INDUSTRIES, INC.	2,122.59
164664	AMERICAN CAPITAL ENT, INC	322.98

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Warrant Number	Vendor Name	Warrant Amount
164665	ANIXTER, INC	1,037.96
164666	ARROW STAFFING SERVICE	4,416.49
164667	BABCOCK LABORATORIES, INC	410.00
164668	BEAR COMMUNICATIONS, INC	18,396.11
164669	BEAUMONT SAFE & LOCK	169.32
164670	BILLHIMER, MARJORIE	134.87
164671	BIO-TOX LABORATORIES	1,299.50
164672	CANON FINANCIAL SERVICES, INC	1,184.35
164673	CAPITAL REALTY ANALYSTS, INC	11,000.00
164674	CELL BUSINESS EQUIPMENT (CBE)	72.19
164675	CELL BUSINESS EQUIPMENT (CBE)	4,948.40
164676	CHRIS TAYLOR'S PLUMBING	110.68
164677	COLE, JOE	2,000.00
164678	CORE AND MAIN, LP	873.26
164679	CORELOGIC INFORMATION SOLUTIONS INC	150.00
164680	CUMMINS CAL PACIFIC LLC	154.08
164681	CUSTOM TROPHIES & U-NEEK AWARDS	129.30
164682	DATUIN JR, CORNELIO	68.83
164683	DFM ASSOCIATES	54.38
164684	DIAMOND ENVIRONMENTAL SERVICES	403.79
164685	DOOLEY ENTERPRISES, INC	16,075.55
164686	ERE INVESTMENT C/O ERAN FATTAL	71.97
164687	FASTENAL	421.07
164688	FRONTIER COMMUNICATIONS	267.17
164689	GARDA CL WEST INC	623.65
164690	GAS COMPANY, THE	120.83
164691	GOVERNMENT STAFFING SERVICES, INC	4,760.00
164692	H & L CHARTER CO, INC	1,400.00
164693	HAAKER EQUIPMENT COMPANY	1,731.43
164694	HOME DEPOT #8987	798.39
164695	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,056.78
164696	ICMA RETIREMENT TRUST 457	1,139.45
164697	INLAND WATER WORKS SUPPLY CO.	1,314.55
164698	LAWRENCE, ROBERT	6.00
164699	LEAGUE OF CALIFORNIA CITIES	200.00
164700	LEAGUE OF CALIFORNIA CITIES	1,175.00
164701	LESLIE'S POOL SUPPLIES INC.	2,715.11
164702	LITHOPASS PRINTING, FORMS,	161.09
164703	LUDWIG, ANNETTE & SID	50.55
164704	LYNN PEAHEY COMPANY	28.00
164705	MCCALLUM, CHARLES & MARY	104.90
164706	N.C.E.M., INC	141.94
164707	NATIONWIDE RETIREMENT SOLUTIONS	4,976.82
164708	OFFICE DEPOT	71.12
164709	OLIN CORPORATION DBA	2,942.32
164710	ONE SOURCE DISTRIBUTORS	9,733.06
164711	PARS	610.36
164712	PARTS AUTHORITY METRO, LLC	1,365.51
164713	PENGUIN RANDOM HOUSE LLC	88.84
164714	PRUDENTIAL OVERALL SUPPLY	1,340.19
164715	PUBLIC AGENCY RETIREMENT SERVICES	300.00
164716	RACEWAY FORD INC	10,306.08
164717	RCS INVESTIGATIONS & CONSULTING LLC	10,970.00

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Warrant Number	Vendor Name	Warrant Amount
164718	RECORD GAZETTE, THE	240.90
164719	RELIABLE WORKPLACE SOLUTIONS	309.26
164720	RENE'S AQUATICS	2,203.20
164721	RUELAS, ELIAS	42.17
164722	SHOWERS, TISHA L	62.52
164723	SHRM CORPORATION	209.00
164724	SIRCHIE FINGER PRINT LABORATORIES	214.96
164725	SMART & FINAL	57.18
164726	SONSRAY MACHINERY LLC	107.41
164727	SOUTHERN CALIF ASSN OF GOVERNMENTS	3,359.00
164728	STAPLES BUSINESS ADVANTAGE	1,173.20
164729	SUPERION	120.00
164730	SUPERIOR PAVEMENT MARKINGS, INC	1,450.00
164731	TOWNSEND, JEFF & CITY OF BANNING	210.68
164732	TURBO DATA SYSTEMS INC	350.37
164733	UNDERGROUND SERVICE ALERT	72.70
164734	WEST COAST SAND & GRAVEL, INC.	807.50
164735	WESTRUX INTERNATIONAL INC	518.00
164736	YOUNGBLOOD & ASSOCIATES	225.00
164737	ZOELLER, SUSAN	82.24
164738	AIRWAVE COMMUNICATIONS ENTERPRISES	3,677.34
164739	AL'S KUBOTA TRACTOR	407.36
164740	AMERICAN FORENSIC NURSES	120.00
164741	AMERICAN SOCIETY FOR PUBLIC ADMIN	130.00
164742	ARCINIEGA &, SANTIAGO R	18.41
164743	ARROW STAFFING SERVICE	1,643.34
164744	ARROYO BACKGROUND INVESTIGATIONS	400.00
164745	ARTISTIC MAINTENANCE, INC.	137.39
164746	AT&T MOBILITY	1,082.73
164747	BABCOCK LABORATORIES, INC	1,710.00
164748	BANNING SAN GORGONIO PASS AREA	30.00
164749	BENNETT, MICHAEL	12.00
164750	BISCHOF, BERN JOSEF	147.46
164751	BLUE SHIELD OF CALIFORNIA	71,546.42
164752	CA. ST. DEPT. OF CONSUMER AFFAIRS	115.00
164753	CALIFORNIA, STATE OF	140.00
164754	CALOLYMPIC GLOVE & SAFETY CO, INC	241.28
164755	CAYABYAB &, JEROME & JANICE	119.53
164756	CDW GOVERNMENT, INC	980.00
164757	COOPER &, JADE	19.12
164758	DEUSENBERRY, DANIEL	12.00
164759	DIRECTV	19.00
164760	DOCKEN, NIKITA	20.19
164761	DOUBLE TREE - DEL MAR	563.48
164762	ECONO FENCE, INC	55,536.52
164763	FEDEX	34.29
164764	FELIX, ALBERTO	48.00
164765	FERGUSON, PRAET & SHERMAN	253.50
164766	FREITAS, DARLENE	106.44
164767	FRONTIER COMMUNICATIONS	3,694.35
164768	GARCIA, JOSE ROSARIO	113.62
164769	GAS COMPANY, THE	846.52
164770	GOVERNMENT STAFFING SERVICES, INC	8,925.00

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Warrant Number	Vendor Name	Warrant Amount
164771	GRAINGER	176.02
164772	HOME DEPOT #8987	14.22
164773	HOWLAND &, LENORE ANNE	15.03
164774	HR GREEN PACIFIC, INC	504.00
164775	ICMA	200.00
164776	INLAND WATER WORKS SUPPLY CO.	33.94
164777	KAISER FOUNDATION HEALTH	42,807.19
164778	KEMIRA WATER SOLUTIONS INC	376.98
164779	LITHOPASS PRINTING, FORMS,	737.16
164780	M BREY ELECTRIC, INC	241.08
164781	MC CALL'S METER SALES	980.18
164782	MOTA'S FLOOR COVERING, INC	20.00
164783	OFFICE DEPOT	103.85
164784	PASILLAS, YVETTE	62.16
164785	PRESS-ENTERPRISE, THE	371.70
164786	PRUDENTIAL OVERALL SUPPLY	322.33
164787	RAYMONDE WILSON TRUST	229.50
164788	RIGHT SOLUTION, LLC	30.16
164789	RINGSIDE BOXING CLUB	1.13
164790	RIV. CO. COMMUNITY HEALTH AGENCY	1,085.00
164791	RIV. CO. SHERIFF'S DEPT.	63.00
164792	RIV. CO. SHERIFF'S DEPT.	63.00
164793	RIVERSIDE, COUNTY OF	513.60
164794	SAN GORGONIO PASS DESIGN AND PRINT	209.94
164795	SANCHEZ, EMIDIA	307.99
164796	SBSD-EVOC TRAINING CENTER	555.00
164797	SHRED-IT USA, LLC	108.00
164798	SILVER & WRIGHT, LLP	2,327.30
164799	SOUTH COAST AIR QUALITY	128.61
164800	SOUTH COAST AIR QUALITY	128.61
164801	SOUTH COAST AIR QUALITY	128.61
164802	TERMINIX COMMERCIAL	919.56
164803	THE SOCO GROUP, INC.	23,292.85
164804	THURMOND, DEBORAH	30.00
164805	TIME WARNER CABLE	141.17
164806	URREA, RIO & SOLANA	27.60
164807	VILLEGAS, JOSE	13.52
164808	VISTA PAINT	433.90
164809	WELLS FARGO CARD SERVICES INC	2,101.16
164810	WELLS FARGO CARD SERVICES INC	3,782.86
164811	WETZEL, KYLE & CELINE	6.72
164812	XENIA PACIFIC, INC	783.89
9006226	WELLS FARGO BANK	26,564.60
9006227	CA. ST. PUBLIC EMPLOYEES	81,525.96
9006228	CA. ST. PUBLIC EMPLOYEES	51.93
9006229	CALPERS 457 PLAN - 450260	35,890.99
9006230	CA. ST. PUBLIC EMPLOYEES	79,127.34
9006231	WELLS FARGO BANK	500.00
9006232	TASC	4,756.54
9006233	WELLS FARGO BANK	355,706.38
9006234	CA. ST. EMPLOYMENT DEV. DEPT.	19,388.15
9006235	INTERNAL REVENUE SERVICE	132,053.69
9006236	CALIFORNIA, STATE OF	9,900.00

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9006237	CALPERS 457 PLAN - 450260	33,758.37
9006238	CA. ST. PUBLIC EMPLOYEES	79,355.86
9006239	WELLS FARGO BANK	500.00
9006240	WELLS FARGO BANK	319,429.62
9006241	CA. ST. EMPLOYMENT DEV. DEPT.	17,587.10
9006242	INTERNAL REVENUE SERVICE	123,601.16
9006243	TASC	4,621.16
9006244	CA. ST. PUBLIC EMPLOYEES	2,250.00
9006245	WELLS FARGO BANK	500.00
9006246	CALPERS 457 PLAN - 450260	33,800.41
9006247	CA. ST. PUBLIC EMPLOYEES	80,101.31
Grand Total		6,227,226.06

Less Voided / Reissued Checks from Prior Period	(88.00)
Less Voided Checks Prior Period	(152.00)
Add Payroll Checks	5,475.18
Total Remittance for Month	<u>6,232,461.24</u>

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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
973	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-3HECT		663-0000-101.19-11	HEMET MFG (GENESIS)RETAIN BANNING WATER CANYON MAIN	1,983.85
974	5/17/2018	GRANDPOINT BANK - ESCROW ACCOUNT	2010-04-03 HET		663-0000-279.00-00	HEMET MFG (GENESIS)RETAIN BANNING WATER CANYON MAIN	0.00
975	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-2REI		855-0000-101.19-10	ENVIRONMENTAL CONSTRUCTN RETAINAGE	8,882.85
976	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-3HEI		855-0000-238.00-00	ENVIRONMENTAL CONSTRUCTN RETAINAGE	0.00
977	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-3HEI		663-0000-101.19-11	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	7,453.81
978	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-3HEI		663-0000-279.00-00	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	0.00
979	5/17/2018	RIVERSIDE PUBLIC UTILITIES	2018		663-0000-101.19-11	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	9,468.50
980	5/17/2018	U.S. BANK	10010105		663-0000-279.00-00	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	0.00
164355	5/17/2018	ALTA PACIFIC BANK - ESCROW ACCOUNT	18-597-102-3HEI		663-0000-101.19-11	INTEREST REVENUE REV REC'D DURING APR '18	7,851.28
164356	5/17/2018	A-Z BUS SALES, INC. (COLTON)	01965-2371	028542	670-7000-356.38-10	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	0.00
164357	5/17/2018	ALESHIRE & WYNDER, LLP	46278		670-7000-356.38-17	ENERGY REVENUE REV REC'D DURING APR '18	(1,497.18)
164358	5/17/2018	ARIAS, JOE	46280		670-7000-473.27-09	ENERGY REVENUE REV REC'D DURING APR '18	(548.67)
164359	5/17/2018	ARROW STAFFING SERVICE	06281		670-7000-473.27-50	TRANS REVENUE REV REC'D DURING APR '18	(26,240.15)
164360	5/17/2018	ASPEN ENVIRONMENTAL GROUP	06282		670-7000-473.27-60	TRANS REVENUE REV REC'D DURING APR '18	(64,821.70)
164361	5/17/2018	AT&T GLOBAL CUSTOMER CARE CENTER	06283		670-7000-473.27-70	S & D EXPENSE POWER EXPENSES PD APR '18	51,024.00
164362	5/17/2018	AT&T MOBILITY	06284		670-7000-473.27-80	CAPACITY EXPENSE POWER EXPENSES PD APR '18	1,005,129.02
164363	5/17/2018	B & H FOTO & ELECTRONICS CORP	06285		670-7000-473.27-90	ENERGY EXPENSE POWER EXPENSES PD APR '18	171,414.46
164364	5/17/2018	BANNING SAN GORGONIO PASS AREA	06286		670-7000-473.27-00	TRANS EXPENSE POWER EXPENSES PD APR '18	283,533.06
164365	5/17/2018	BEAUMONT SAFE & LOCK	06287		670-7000-473.27-10	LEGAL EXPENSE APR '18	5,251.41
164366	5/17/2018	BEAUMONT, CITY OF	06288		670-7000-473.27-20	ENERGY EFFICIENCY POWER EXPENSES PD APR '18	4,871.64
164367	5/17/2018	BLUE SHIELD OF CALIFORNIA	06289		670-7000-473.27-30	PRINCIPAL PAYMENT ACCT # 262685000	1,045,000.00
164368	5/17/2018		06290		670-7000-473.27-40	INTEREST DUE ACCT # 262685000	689,271.88
164369	5/17/2018		06291		670-7000-473.27-50	HEMET MFG(GENESIS CONSTR) RETAINAGE ACCT#01-0090	10,724.62
164370	5/17/2018		06292		670-7000-473.27-60	SENSOR, CAM POSITION	0.00
164371	5/17/2018		06293		670-7000-473.27-70	LEGAL SERVICES THRU 3/31	133.60
164372	5/17/2018		06294		670-7000-473.27-80	LEGAL SERVICE THRU 3/31	42.00
164373	5/17/2018		06295		670-7000-473.27-90	LEGAL SERVICE THRU 3/31	2,020.84
164374	5/17/2018		06296		670-7000-473.27-00	LEGAL SERVICE THRU 3/31	253.50
164375	5/17/2018		06297		670-7000-473.27-10	LEGAL SERVICE THRU 3/31	1,833.00
164376	5/17/2018		06298		670-7000-473.27-20	DIVERSION @ DOLLAR GENRL	16.00
164377	5/17/2018		06299		670-7000-473.27-30	WEBSTER, A W/E 3/24/2018 UTILITY BILLING CASHIER	496.08
164378	5/17/2018		06300		670-7000-473.27-40	WEBSTER, A W/E 3/31/2018 UTILITY BILLING CASHIER	826.80
164379	5/17/2018		06301		670-7000-473.27-50	PENA, A W/E 3/31/2018 POLICE DEPT	459.75
164380	5/17/2018		06302		670-7000-473.27-60	WEBSTER, A W/E 4/07/18 UTILITY BILLING CASHIER	834.50
164381	5/17/2018		06303		670-7000-473.27-70	PENA, A W/E 4/07/2018 POLICE DEPARTMENT	579.29
164382	5/17/2018		06304		670-7000-473.27-80	PENA, A W/E 4/14/2018 POLICE DEPARTMENT	1,643.34
164383	5/17/2018		06305		670-7000-473.27-90	3-1-18 TO 3-31-18 PEER REVIEW	8,346.75
164384	5/17/2018		06306		670-7000-473.27-00	3-1-18 TO 3-31-18 PEER REVIEW	(8,346.75)
164385	5/17/2018		06307		670-7000-473.27-10	3-1-18 TO 3-31-18 PEER REVIEW	8,346.75
164386	5/17/2018		06308		670-7000-473.27-20	ACCT # 8000-896-0272 APR 19 2018 - MAY 18,2018	376.51
164387	5/17/2018		06309		670-7000-473.27-30	AF 992351038 FAN#02391479 MAR 12,2018 - APR 11,2018	1,085.40
164388	5/17/2018		06310		670-7000-473.27-40	SALES TAX	(29.82)
164389	5/17/2018		06311		670-7000-473.27-50	EQUIPMENT CLEAN SUPPLIES	55.77
164390	5/17/2018		06312		670-7000-473.27-60	CONVERTERS	358.81
164391	5/17/2018		06313		670-7000-473.27-70	ART WELCH - SUNRISE BREAKFAST 2/21/18 - 4/18/	15.00
164392	5/17/2018		06314		670-7000-473.27-80	DANIELA ANDRADE - SUNRISE BREAKFAST 2/21/18 - 4/18/	45.00
164393	5/17/2018		06315		670-7000-473.27-90	DEBBIE FRANKLIN - SUNRISE BREAKFAST 2/21/18 - 4/18/	45.00
164394	5/17/2018		06316		670-7000-473.27-00	DR. JOHN MCQUOWN- SUNRISE BREAKFAST 2/21/18 - 4/18/	15.00
164395	5/17/2018		06317		670-7000-473.27-10	15 KEYS	24.24
164396	5/17/2018		06318		670-7000-473.27-20	DUPPLICATE KEYS & TRANSPON	186.41
164397	5/17/2018		06319		670-7000-473.27-30	KEYS	20.47
164398	5/17/2018		06320		670-7000-473.27-40	ACO SERVICES FEBRUARY 2018	11,638.09
164399	5/17/2018		06321		670-7000-473.27-50	ACO SERVICES JANUARY 2018	16,744.55
164400	5/17/2018		06322		670-7000-473.27-60	ACO SERVICES MARCH 2018	12,493.67
164401	5/17/2018		06323		670-7000-473.27-70	HEALTH INSURANCE PREMIUMS MAY 2018	69,882.23

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164367	5/17/2018	BONEV, SIMEON	000095781		001-4000-218.22-22	UB CR REFUND-FINALS 00005272	131.38
164368	5/17/2018	CA, ST. DEPT OF TRANSPORTATION	51180277		100-4500-431.26-02	SIGNALS & LIGHTING JAN 2017 - MAR 2018	1,391.26
164369	5/17/2018	CHARLES ABBOTT ASSOCIATES, INC	58079	028250	001-3000-442.33-53	CONSULTING SER. -MARCH 18	8,021.75
164370	5/17/2018	COOPERATIVE PERSONNEL SVCS.	50904399	028621	001-1300-412.41-17	DISPATCHER WRITTEN EXAM	522.50
164371	5/17/2018	CORTES, JOSE & LAURA A	000091281		001-0000-218.22-22	UB CR REFUND-FINALS 000006608	48.26
164372	5/17/2018	COTTAGE, GREGORY	MEAL 4/12/18		001-3600-461.25-06	DOWNED TREE	32.00
164373	5/17/2018	COUTS HEATING & COOLING, INC	SHVC08264	028625	001-3200-412.30-21	A/C REPAIR AT SENIOR CENT	652.42
164374	5/17/2018	COZAD & FOX, INC	16275	028625	001-3200-412.30-21	A/C REPAIR AT POLICE DEP.	1,995.00
164375	5/17/2018	CREATIVE BUS SALES INC	1429837	028771	451-3600-461.90-69	PROJECT 2017-03	2,750.70
164376	5/17/2018	CYBERTEK	5197	028771	702-3800-480.38-52	#243 WIPIER ARM	178.18
164377	5/17/2018	DAVIS, JONATHAN	MEAL 4/10/18	028960	703-3700-480.30-17	SSL CERTIFICATES	734.00
164378	5/17/2018	DE LA FUENTE, SONJA	MEAL 4/19/18		001-2050-446.25-06	CITY COUNCIL MEETING 4/10/2018	16.00
164379	5/17/2018	DIAZ, RICHARD D	MEAL 3/13/18		001-1200-412.25-06	SCHOOL BOARD SPECIAL LCAP STUDY SESSION	16.00
164380	5/17/2018	DINGMASTERS	MEAL 4/11/18		001-1400-412.25-06	CITY COUNCIL MEETING	16.00
164381	5/17/2018	DOUBLE TREE - DEL MAR	MEAL 4/17/18	028966	670-7000-473.25-06	DIVERSION @ DOLLAR GENERAL	16.00
164382	5/17/2018	DRESMANN PROMOTIONAL PRODUCTS	19671		702-3800-480.38-52	#605 SALVAGE YARD USED DO	563.48
164383	5/17/2018	DUNN, TERRY	92707285		001-2200-421.23-06	ROBERT FISHER 5/27-5/31	103.48
164384	5/17/2018	FERGUSON, PRAET & SHERMAN	12588		001-5400-446.41-00	DISASTER EXPO SHIRTS	16.00
164385	5/17/2018	FRANKLIN, DEBBIE	MEAL 4/17/18		702-3800-480.25-06	UNIT 221-WHEEL CHAIR RPR	16.00
164386	5/17/2018	FRONTIER COMMUNICATIONS	MEAL 4/18/18		702-3800-480.25-06	CITY YARD - CNG	16.00
164387	5/17/2018	GAS COMPANY, THE	21912		700-5000-480.33-11	PROFESSIONAL SRVC - 3/20	175.50
164388	5/17/2018	GREEN MESSAGE SPA	MILEAGE 4/12		001-1000-411.23-05	LEAGUE OF CA CITIES 4/12 I E DIV MTG ONTARIO CONV	50.41
164389	5/17/2018	GREEN, NATASHA	9518498256APR18		001-2200-421.26-05	951-849-8256 APR 16,2018 - MAY 15,2018	948.75
164390	5/17/2018	HAWTHORNE, JOSHUA	03297684002AP18		001-4000-461.26-06	789 N SAN GORGONIO AVE MAR 16,2018 - APR 16,2018	69.72
164391	5/17/2018	HOMAN, LOUIS	05197210001AP18		001-4050-461.26-06	201 W GEORGE ST MAR 16,2018 - APR 16,2018	17.88
164392	5/17/2018	HOME DEPOT #8987	0502682005AP18		001-2400-422.26-06	172 N MURRAY ST MAR 16,2018 - APR 16,2018	121.56
164393	5/17/2018	HUANG, STEVEN & JULIA	09142474007AP18		001-4050-461.26-06	84 W WILSON ST MAR 16,2018 - APR 16,2018	158.72
164394	5/17/2018	INFOSEND, INC	15684815176AP18		001-4050-461.26-06	99 E RAMSEY ST MAR 16,2018 - APR 16,2018	148.46
			16188348439AP18		001-4010-461.26-06	749 N SAN GORGONIO AVE MAR 16,2018 - APR 16,2018	28.25
			000083663		001-0000-218.22-22	UB CR REFUND-FINALS 000023834	108.50
			005420951		001-0000-204.16-00	RETURN REFUND PERS 457 LOAN # 002	82.89
			000085641		001-0000-218.22-22	UB CR REFUND-FINALS 000016736	109.88
			MEAL 3/09/18		703-3700-480.25-06	BANNING HEIGHTS ANNUAL MEETING	16.00
			MEAL 4/11/18		703-3700-480.25-06	I-10 TOWN HALL MEETING	16.00
			0100197	028552	001-3200-412.30-02	LIGHT BULBS, NUTS & PAINT	32.66
			1100187	028552	001-3200-412.30-02	ANCHORS, PULL, DEADBOLT	79.62
			6100169	028552	001-3200-412.30-02	DRILL BITS & LOCKSET	69.95
			7100161	028552	001-3200-412.30-02	ZINC PLATED SCREWS	21.10
			000069231	028650	001-0000-218.22-22	UB CR REFUND-FINALS 000023948	102.60
			135534		761-3100-480.23-02	UB BILL SRVC 3/26-3/30	252.63
					761-3100-480.23-04	UB BILL SRVC 3/26-3/30	2,145.97
			135535	028650	761-3100-480.33-11	UB BILL SRVC 3/26-3/30	505.55
					761-3100-480.23-02	UB BILL SRVC 4/02-4/06	92.20
			135536	028650	761-3100-480.33-11	UB BILL SRVC 4/02-4/06	769.98
					761-3100-480.23-02	UB BILL SRVC 4/02-4/06	181.29
			135536	028650	761-3100-480.33-11	UB BILL SRVC 04/09-4/13	94.85
					761-3100-480.23-04	UB BILL SRVC 04/09-4/13	837.66
					761-3100-480.33-11	UB BILL SRVC 04/09-4/13	203.42
			135536	028650	761-3100-480.33-11	UB BILL SRVC 04/16-4/20	173.68
					761-3100-480.23-02	UB BILL SRVC 4/16-4/20	1,459.48
					761-3100-480.33-11	UB BILL SRVC 4/16-4/20	342.13
			1457970		700-5040-480.33-11	PROFESSIONAL SRVC - 3/31	157.50
164395	5/17/2018	LIEBERT CASSIDY WHITMORE	000076731		001-0000-218.22-22	UB CR REFUND-FINALS 000053692	89.84
164396	5/17/2018	LINDEWALL, ROBERT E	MEAL 4/17/18		660-6300-471.25-06	C-5 PUMP FAIL	16.00
164397	5/17/2018	LYNCH, MIKE	MEAL 4/18/18		660-6300-471.25-06	2094 W WESTWARD METER LK	16.00

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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
164397	4/12/18	LYNCH, MIKE	MEAL 4/20/18		660-6300-471.25-06	C-5 START FAIL (SCADA ALARM)	16.00
164398	4/12/18	MACIAS, RUBEN	MEAL 4/12/18		100-4900-431.25-06	DOWN TREE, PICKED UP & REMOVED	32.00
164399	5/1/2018	MCCLUNE, DEVIN	MEAL 4/17/18		670-7000-473.25-06	DIVERSION @ DOLLAR GENERAL	16.00
164400	5/1/2018	MCLAUGHLIN, CARNELLE	OCT 17 MAR 18		670-7000-356.38-01	MEDICAL LIFELINE REBATE OCT 2017 - MAR 2018	96.16
164401	5/1/2018	MCRAE, JOYCE	000027611		675-7020-356.38-15	PUBLIC BENEFIT CHARGE REBATE OCT 2017 - MAR 2018	3.25
164402	5/1/2018	MEDINA, MOSES	MEAL 4/19/18		001-0000-218.22-22	UB CR REFUND-FINALS 000019788	329.37
164403	5/1/2018	MILLER, JONI	300008320		702-3800-480.25-06	CITY YARD - CNG	16.00
164404	5/1/2018	NAPA AUTO PARTS	050143	028883	001-1300-412.23-03	PHR MEMBERSHIP REIMBRSMT #201 HELICOIL	135.00
164405	5/1/2018	O'REILLY AUTO PARTS	2678.117529	028887	702-3800-480.38-52	VALVE & A/C CORE	53.86
164406	5/1/2018	OFFICE DEPOT	127891725001	028526	702-3800-480.38-52	OFFICE SUPPLIES	89.00
			127891725001	028526	201-4060-486.36-05	ORGANIZER SR CTR	5.39
164407	5/1/2018	PRESS-ENTERPRISE, THE	0011077895	028572	001-1300-412.23-01	WTR SVCS WKR JOB AD	32.65
			0011079406	028572	001-1300-412.23-01	CODE COMPL OFC JOB AD	481.00
			0011083304	028572	660-6300-471.23-01	GEOHYDROLOGIC & ENG SER.	484.26
164408	5/1/2018	PRUDENTIAL OVERALL SUPPLY	22595656	028553	660-6300-471.23-01	UNIFORMS-WASTEWATER	403.20
164409	5/1/2018	QUIEL BROS ELECTRIC SIGN SERVICE CO	REFUND 18 9004		660-6300-471.23-01	REFUND SIGN PERMIT RESOLUTION 2018-30	15.00
164410	5/1/2018	RECORD GAZETTE, THE	00154626		660-6300-471.23-01	IRWM PLAN NOTICE	537.00
164411	5/1/2018	RICHARDS WATSON GERSHON	216350		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	262.80
			216351		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	10,129.88
			216352		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,159.23
			216353		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	11,937.28
			216354		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,017.50
			216355		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	126.00
			216356		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,540.00
			216357		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,371.00
			216358		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,430.00
			216359		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,210.00
			216360		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	40.00
			216361		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	27.50
			216362		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,842.50
			216363		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	4,482.50
			216364		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	234.00
			216365		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	738.00
			216366		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	270.00
			216367		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,021.14
			216368		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	6,664.85
			216369		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	7,415.06
			216370		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,586.00
			216371		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	912.50
			216372		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	7,560.00
			216373		700-5300-480.33-04	FEBRUARY 2018 LEGAL SVCS	1,180.00
164412	5/1/2018	RIV. CO. COMMUNITY HEALTH AGENCY	100316913	028041	001-2200-441.33-11	2242 E CHARLES ST WASTEWATER TREATMENT FACI	161.63
164413	5/1/2018	RIVERSIDE, COUNTY OF	WARRANT 2018	028041	001-2200-441.33-11	PARKING CITATION ASSMNT MARCH 2018	22.00
164414	5/1/2018	ROMO PLANNING GROUP, INC.	2018.03	028545	001-2200-441.33-11	3-5-18 THRU 3-29-18	16.00
164415	5/1/2018	ROW TRAFFIC SAFETY, INC	15919		100-4900-431.36-00	3-4-18 THRU 3/31/18	26.00
164416	5/1/2018	SAMPSON, LAURIE	MEAL 4/10/18		001-1200-412.23-06	STREET SIGN MOUNTS	16.00
164417	5/1/2018	SHOVE, TED	TRAVEL 5/2018		001-1210-412.23-05	CITY COUNCIL MEETING	224.00
164418	5/1/2018	SMITH, JESSICA	100071865		001-0000-218.22-22	ISCS CONF MAY 20-23 MEAL LAS VEGAS, NV	146.12
164419	5/1/2018	STOEL RIVES, LLP	1003054	028740	660-6300-471.96-35	UB CR REFUND-FINALS 000046268	6,500.00
164420	5/1/2018	SUMMIT RIDGE APARTMENTS	000006675		001-0400-218.22-22	FLUME RESTORATION PROJECT	31.66
164421	5/1/2018	TAMMANY, NISSA	MEAL 5/10/18		001-2200-421.23-06	UB CR REFUND-FINALS 000053138	12.00
164422	5/1/2018	THE SOCO GROUP, INC.	051728410		702-3800-480.36-14	PSP TRAINING MEAL 5/10/18	82.56
						CA LUBE FEE	17.20
						CA OIL RECYCLING FEE	8.95
						HAZARD HANDLING FEE	273.82
						SALES TAXES	1,254.94
						VAL ALL FLEET 900 15W40	2,186.73
164423	5/1/2018	THESIER, DEREK	005420951		001-4000-204.16-00	VALVOLINE SAE 5W30	56.40
164424	5/1/2018	TIME WARNER CABLE	LETTERHALL 5/2018		001-2050-486.26-09	RETURN REFUND PERS 457 LOAN # 003	90.42
						99 E RAMSEY ST APR 25,2018 - MAY 24,2018	

City of Banning

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164424	4/22/18	TIME WARNER CABLE	COMINGCTB5/2018		001-2000-446-26-09	789 S SAN GORGONIO AVE MAY 1, 2018 - MAY 31, 2018	11.87
			F-589 5/2018		001-2400-422-26-09	172 N MURRAY ST MAY 1, 2018 - MAY 31, 2018	37.45
			PD 5/2018		001-2200-421-26-09	125 E RAMSEY ST MAY 1, 2018 - MAY 31, 2018	88.94
164425	5/1/2018	UNITED STATES POSTAL SERVICE	SR CTR 5/2018		001-2000-446-26-09	769 N SAN GORGONIO AVE MAY 1, 2018 - MAY 31, 2018	11.87
164426	5/6/2018	URBAN FUTURES INCORPORATED	POSTAGE MAY18		001-4500-412-23-04	POSTAGE FOR METER	5,000.00
164427	5/6/2018	VULCAN MATERIALS	0118-001		005-1210-412-33-11	RDA WIND DOWN SRVCE (ROPS 18-19) DEC 2017	450.00
164428	5/4/2018	WARE, KENNITH	7178-4780	028869	610-6300-471-45-17	COLD MIX	1,672.87
			WEAL 4/11/18		610-5800-434-25-06	TRAINING NEW DRIVER JUAN	16.00
164429	5/1/2018	WASTE MANAGEMENT OF THE	WEAL 4/15/18		610-5800-434-25-06	TAKING SCHEDULE TO DRIVER MOVING CNG BUSES	16.00
164430	5/1/2018	WEDDELL, PETER & MICHELLE	MARCH 2018		690-9600-453-23-10	TAKING SCHEDULE TO DRIVER MOVING CNG BUSES	253,973.53
164431	5/3/2018	WELLS FARGO CARD SERVICES INC	000049911		001-0000-218-22-22	REFUSE FOR MARCH 2018	64.18
			JUNE2018 APR18		001-0000-201-10-00	SALES TAX LIFE GUARDING MANUALS	(13.54)
					001-1300-412-23-01	JOBS AVAILABLE INC SUBSCRIPTION RENEWAL	440.00
					001-4010-461-23-06	AMERICAN RED CROSS LIFE GUARDING MANUALS	195.56
					670-7000-473-23-05	HYATT PLACE SACRAMENTO WUC BRANDON ROBINSON	494.19
164432	5/1/2018	WELLS FARGO CARD SERVICES INC	000018 APR18		670-7000-473-23-06	HYATT PLACE SACRAMENTO WUC CAMERON HAWLEY	494.19
					702-3800-480-23-06	HYATT PLACE SACRAMENTO WUC KRIS HARPER	494.19
						EVENTBRITE - MILLER, TOM CA MUN RATES GROUP CONF	300.00
						CANADIAN STANDARD ASSOC CHRIS GUERRERO EXAM CERT	295.00
						COLLEGE OF DESERT, PACE CHRIS GUERRERO	429.00
						SALES TAX AMAZON.COM	(35.26)
					001-1000-201-10-00	EVENTBRITE - ANDRADE, D RIV CNTY SCHOOL BOARD ASS	96.02
					001-1000-411-23-05	EVENTBRITE - FRANKLIN RIV CNTY SCHOOL BOARD ASN	96.02
						EVENTBRITE - WELCH, A RIV CNTY SCHOOL BOARD ASN	96.02
						RUSSO'S ITALIAN KITCHEN 4/10/18 CITY COUNCIL MTG	50.58
						EVENTBRITE - CLAYTON, R RIV CNTY SCHOOL BOARD ASN	96.02
						CAREERS IN GOVERNMENT CITY MANAGER AD	275.00
					001-1300-412-23-01	GRASSROOTSLAB CALIFORNIACTYNEWS.ORG	260.00
						I C M A - CITY MANAGER AD STANDARD AD	445.50
						LEAGUE OF CA CITIES WESTERN CITY AD CITY MNGR	250.00
						I C M A - JONI MILLER MEMBRSHIP REF BKOPS46376F8	200.00
					001-1300-412-41-16	EQUIFAX APPLICANT BACKGROUND CHK	35.95
						SUPER SUBS+ /ORAL BOARD CODE COMPLIANCE OFFICER	28.31
						SUPER SUBS+ /ORAL BOARD WATER SERVICE WORKER	19.90
164433	5/1/2018	WILLDAN FINANCIAL SERVICES	010-47321		200-0000-223-00-00	AMAZON.COM DISASTER SURVIVAL EXPO	490.18
			010-47345		375-4900-431-33-11	DOLLAR TREE DISASTER SURVIVAL EXPO'18	240.20
			010-47561		375-4900-431-33-19	2004-1 FAIR OAKS DISCLSR IMPROVEMENT DISTRICT	950.00
			010-47324		375-4900-431-33-20	FAIR OAKS RANCH AD#2004-1 APRIL 2018 - JUNE 2018	761.32
					669-6300-471-33-11	2004-1 FAIR OAKS ADMIN REMINDER LETTERS (4)	42.00
					678-7000-473-33-11	WATER 2015 DISCLOSURE	1,100.00
					689-8000-454-33-11	ELECTRIC 2015 DISCLOSURE	1,100.00
164434	5/1/2018	YOUNGBLOOD & ASSOCIATES	3140A	028544	001-1300-412-33-32	WASTEWATER 2005 DISCLOSURE	1,100.00
164435	5/1/2018	ALL AMERICAN ASPHALT	0000365931		001-0600-218-22-22	PO APPL POLYGRAPH FEE	225.00
						UB CR REFUND-FINALS 000055170	399.94
						UB CR REFUND-FINALS 000055422	89.51
164436	5/1/2018	ALL STAR ELITE SPORTS	1483	028940	001-4000-461-25-02	STAFF SHIRTS	2,292.51
164437	5/1/2018	ARAGON GEOTECHNICAL, INC	7002	028849	663-6300-471-05-10	CONCRETE TESTING	4,402.70
164438	5/16/2018	ARROYO BACKGROUND INVESTIGATIONS	1598	028559	001-1300-412-33-11	POLICE CADET BACKGROUND	400.00
164439	5/16/2018	ARTISTIC MAINTENANCE, INC.	0022929109	028752	111-4900-432-30-01	LDM LANDSCAPE MAIN.	330.41
			0161703104	028752	111-4900-432-23-29	LDM LANDSCAPE MAIN.	5,120.00
			0161709104	028706	001-2200-421-23-29	CITY LANDSCAPE MAIN.	590.00
					001-3200-412-23-29	CITY LANDSCAPE MAIN.	700.00
					001-4000-461-23-29	CITY LANDSCAPE MAIN.	213.90
					001-4010-461-23-29	CITY LANDSCAPE MAIN.	208.32
					001-4050-461-23-29	CITY LANDSCAPE MAIN.	213.94
					100-4900-431-23-29	CITY LANDSCAPE MAIN.	1,500.00

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164439	5/12/2018	ARTISTIC MAINTENANCE, INC.	0161703-09	028706	610-5800-434.23-29	CITY LANDSCAPE MAIN.	213.84
164440	5/10/2018	ASPEN ENVIRONMENTAL GROUP	3394.002-06	028753	663-6300-471.95-10	ENVIRONMENTAL 2016-02W	23,008.26
164441	5/10/2018	ASSEMBLY OF GOD CHURCH	000020797	028636	001-0000-218.22-22	UB CR REFUND 000015246	2,787.00
164442	5/10/2018	BABCOCK LABORATORIES, INC	BDS1317-0030	028636	660-6300-471.23-32	COULFORMS P/A BY MMO/MUG	165.00
			BDS1543-0030	028636	680-8000-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BDS1632-0030	028636	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BDS1916-0040	028636	660-6300-471.23-32	COULFORMS P/A BY MMO/MUG	165.00
164443	5/10/2018	BANNING POLICE OFFICERS ASSOC	APRIL 2018	028527	001-0000-204.50-00	POLICE OFFICER ASSOC DUES APRIL 2018	2,300.00
164444	5/10/2018	BANNING UNIFIED SCHOOL DIST.	5PDRSCHR 2018	028527	575-7020-473.41-46	INLAND EMPIRE SOLAR BOAT COMP-SPONSOR 2018 BUSD	1,500.00
164445	5/10/2018	BEAUMONT IT BEST HOME CENTER	455215	028570	001-3200-412.30-01	400W METAL HALIDE BULB	68.94
			455407	028570	001-3200-412.30-02	FAUCET CONNECTOR & WRENCH	32.29
164446	5/10/2018	BEAUMONT SAFE & LOCK	70069	028570	001-2200-471.36-00	KEYS FOR ADMIN DESK	12.39
			70089	028570	001-2200-471.36-00	1 DUP KEY FOR ADMIN	10.78
			70128	028570	001-2200-421.26-00	(2) ORIG KEYS FOR ADMIN	20.00
164447	5/10/2018	BENHAR, DIANA T	APRIL 2018	028937	001-4000-461.23-15	INSTRUCTOR - ZUMBA CLASS APRIL 2018	571.90
164448	5/10/2018	BERRES, MARK	0000 2018	028937	001-4000-461.23-15	INSTRUCTOR - YOGA CLASS APRIL 2018	42.00
164449	5/10/2018	BILLS, ALEXANDRA	000081249	028937	001-0000-218.22-22	UB CR REFUND-FINALS 000023380	13.99
164450	5/10/2018	BIO-TOX LABORATORIES	49580	028937	001-2200-421.33-31	BID ALCOHOL ANALYSIS	1,029.00
			55581	028937	001-2200-421.33-31	BID ALCOHOL ANALYSIS	439.50
			55764	028937	001-2200-421.33-31	BID ALCOHOL ANALYSIS	287.50
164451	5/10/2018	BOEHM, REGINA	1001000-472018	028800	001-3200-412.36-03	TUITION REIMBURSEMENT PER TEAMSTERS MOU	2,580.00
164452	5/10/2018	BT SUPPLIES WEST	B12218	028947	001-0000-204.80-13	JANITORIAL SUPPLIES	1,380.62
164453	5/10/2018	CALIFORNIA LAW ENFORCE ASSN	MAY 2018	028947	660-6300-471.30-15	POLICE LTD PREMIUMS MAY 2018	612.50
164454	5/10/2018	CALOLYMPIC GLOVE & SAFETY CO, INC	469318	028651	670-7000-356.38-01	SHOWER VALVE	694.72
164455	5/10/2018	CARPER, CATHY	AUG 17 JAN 18	028651	675-7020-356.38-15	MEDICAL LIFELINE REBATE AUG 2017 - JAN 2018	88.66
164456	5/10/2018	CENTER ELECTRIC	6741	028651	660-6300-471.45-06	PUBLIC BENEFIT CHARGE REBATE AUG 2017 - JAN 2018	2.96
164457	5/10/2018	CLAYTON, ROCHELLE	0743	028651	660-6300-471.45-06	MOUNTAIN BOOSTER ALARMS	760.62
			PARKING 4/19/18	028651	001-1200-412.23-05	BRINTON RESERVOIR	651.96
164458	5/10/2018	COLONIAL INSURANCE	RENEW 04/29/18	028730	001-1900-412.23-03	WRCOG MEETING PARKING RIVERSIDE CA 4/19/18	15.00
			RENEW 04/30/18	028730	001-1900-412.23-03	SHRM 2018 DUES REIMBRSMT ID # 01892908	209.00
			2229074-0401568	028730	001-0000-204.30-00	ICMA 2018 DUES MEMBER # 945340	200.00
				028730	001-0000-204.30-00	TERM LIFE PREMIUMS APRIL 2018	1,692.35
				028730	001-0000-204.30-02	CANCER PREMIUMS APRIL 2018	1,951.21
164459	5/10/2018	CORE AND MAIN, LP	1678913	028730	660-0000-131.00-00	UNIVERSAL LIFE PREMIUMS APRIL 2018	2,536.38
164460	5/10/2018	COSTAR REALTY INFORMATION, INC	1078959	028730	001-1210-412.33-11	ACCIDENT PREMIUMS APRIL 2018	3,154.17
164461	5/10/2018	COUNSELING TEAM INTERNATIONAL, THE	100564787-1	028730	001-1300-412.33-32	SUPPLEMENTAL DISABILITY APRIL 2018	6,040.13
			53493	028730	700-5040-480.23-07	CRITICAL ILLNESS PREMIUMS APRIL 2018	1,690.09
			53510	028730	675-7020-473.42-35	HOSPITAL CONFINEMENT PREM APRIL 2018	1,182.07
164462	5/10/2018	CRAMOR, TANDY & OLA	47331-17914*18	028548	660-0000-131.00-00	SEAL GASKET/BOLTS&NUTS PO NUM 028788	378.86
164463	5/10/2018	DANIELS TIRE SERVICE	250109125	028548	001-1210-412.33-11	3/4X3/4 FIPXPHOS BARB PO NUM 028788	21.82
164464	5/10/2018	DAVIS, JOSEPH	510109125	028548	700-5040-480.23-07	5/7/18-5/31/18	87.95
164465	5/10/2018	DEX MEDIA	OCT 17 MAR 18	028551	675-7020-473.42-36	PD APPLICANT PSYCHOLOGCL ASSESSMENT	275.00
164466	5/10/2018	DIAMOND ENVIRONMENTAL SERVICES	61643672491	028551	702-3800-480.23-49	MARCH 2018 EMPLOYEE SUPRT	700.00
164467	5/10/2018	DUNN, TERRY	00014080041	028952	675-7020-473.42-35	CALIFORNIA STATE TIRE FEE	94.50
			0014080041	028952	001-2200-421.23-01	ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 - MAR 2018	129.95
			0014080041	028952	001-5000-446.41-60	PD WEB ADVERTISING	39.95
			0014080041	028952	702-3800-480.25-06	DISASTER EXPO RESTROOMS	403.79
			0014080041	028952	702-3800-480.25-06	CABAZON 042 OUT OF FUEL	16.00
			0014080041	028952	660-6300-471.23-04	W/C REPAIR 221 @ WALMART	32.00
			0014080041	028952	660-6300-471.23-04	BUSES 222/240 TIRES/BRAKE	223.50
			0014080041	028952	675-7020-473.42-36	SHIPPED PACKAGE	168.62
			0014080041	028952	675-7020-473.42-36	PROPANE	84.42
			0014080041	028952	675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE APR 2017 - SEP 2017	155.00
			0014080041	028952	675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 - MAR 2018	
			0014080041	028952	675-7020-473.42-36	AMAZON GIFT CARD/RITE AID PURCHASED 4/27/18-PHOTO	

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164471		FRANKLIN, DEBBIE	2018 05/ASTERRP		001-5400-436-41-60	AMAZON GIFT CARD/WALGREEN PURCHASED 4/27/18 BIG 5 GIFT CARDS/TROOP103 PURCHASED 4/27/18 COSTCO - REFRESHMENTS VOLUNTEERS DOLLAR TREE STORES GIFT CARDS/BAGS STARBUCKS / SPEAKERS PURCHASED 4/25/18 STARBUCKS GIFT CARD/WALGR PURCHASED 4/27/18 SUPER SUBS+ VOLUNTEER LUNCH WALMART GIFT CARD/SCHOOL PURCHASED 4/26/18 TOT REFUND - HAMPTON INN PERIOD 1/08/17 - 10/08/17 209-056-0495 APR 28, 2018 -MAY 27, 2018 209-188-4027 APR 16, 2018 - MAY 15, 2018 213-181-7186 APR 19, 2018 - MAY 18, 2018 951-849-3260 APR 28, 2018 -MAY 27, 2018 408 S HATHAWAY ST MAR 22, 2018 -APR 20, 2018 COBOS, SHIRLEY W/E 4/29 CUST # 344 REBATE FOR A/C TUNE-UP INSTRUCTOR -TAI CHI CLASS APRIL 2018 GEN / UTILITY UNION DUES APRIL 2018 PAC DUES FOR APRIL 2018 PAYROLL SUMMARY PAYROLL SUMMARY BLUE QUANTUM BIN BLUE QUANTUM BIN STORAGE PER JULY 2017 ORGNL INV DATE 6/30/2017 STORAGE PER AUG 2017 ORGNL INV DATE 7/31/2017 STORAGE PER SEP 2017 ORGNL INV DATE 8/31/2017 STORAGE PER OCT 2017 ORGNL INV DATE 9/30/2017 STORAGE PER NOV 2017 ORGNL INV DATE 10/31/2017 STORAGE PER DEC 2017 ORGNL INV DATE 11/30/2017 STORAGE PER JAN 2018 ORGNL INV DATE 12/31/2017 STORAGE PER FEB 2018 STORAGE PER MAR 2018 STORAGE PER APR 2018 PROFESSIONAL SERVICES (ERMA) PSP TRAINING MEAL 5/15/18 TUITION REIMBURSEMENT 4/18 PROJECT MANAGEMENT C176 INSTRUCTOR - DRAMA CLASS APRIL 2018 REIMBURSEMENT-NOTARY PD APPLICANT PRINTING RUN FLIERS & POSTERS CAMP ER CARDS DAY CAMP FLIERS PRINTING SK RUN UB CR REFUND 00005276 ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 -MAR 2018 MEDICAL LIFELINE REBATE MAY 2017- OCT 2017 PUBLIC BENEFIT CHARGE REBATE MAY 2017 - OCT 2017 ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 -MAR 2018 ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 -MAR 2018 PD ELEVATOR MAIN. & REP. C-2 EXAM FEE REIMBURSMENT RECEIPT # 406298 RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE INSTRUCTOR - TOT TIME APRIL 2018 PROJECT 2016-02W MONITORI PAYROLL SUMMARY PV(SOLAR)EXCESS ELECTRIC OUTPUT-1321 KWH FINAL BILL	250.00 25.00 80.33 56.33 150.00 25.00 161.63 250.00 1,320.96 933.26 75.72 299.88 246.22 17.72 4,760.00 50.00 31.50 7,638.28 60.00 2,039.75 1,546.27 722.28 722.29 295.00 325.00 327.95 331.20 334.45 337.70 340.95 344.20 347.45 350.70 228.00 12.00 963.33 46.20 30.00 43.10 87.55 21.55 456.43 167.01 713.77 87.47 117.03 3.85 133.36 144.32 297.84 180.00 1,500.00 199.50 9,240.00 4,976.82 116.64
164472	5/10/2018	FRASOR, MATTHEW	TOT TAX RETFND		001-0001-306-12-03		
164473	5/10/2018	FRONTIER COMMUNICATIONS	2090304049B/MAY 18		001-4500-412-26-05		
			2091884027/APRIL 18		001-4500-412-26-05		
			2131817186/APRIL 18		003-3700-490-30-17		
			9518493260/MAY 18		001-4500-412-26-05		
			133924549007/APR 18		600-5100-435-26-06		
			128247		001-1500-412-23-27		
			A/C TUNE-UP 18		675-7020-473-42-35		
			APRIL 2018		001-4000-461-23-15		
			APRIL 2018		001-0000-204-53-00		
			APRIL 2018		001-0000-204-80-01		
			20180511		001-0000-204-80-10		
			20180511		001-0000-204-16-00		
			3030819	028899	001-3600-461-90-15		
					100-4900-431-90-15		
			028899	028695	001-4500-412-33-11		
			PHR 1628	028695	001-4500-412-33-11		
			PEA1763	028695	001-4500-412-33-11		
			PAY3316	028695	001-4500-412-33-11		
			PRK3383	028695	001-4500-412-33-11		
			P6004576	028695	001-4500-412-33-11		
			PRK38096	028695	001-4500-412-33-11		
			PFL9140	028695	001-4500-412-33-11		
			P021715	028695	001-4500-412-33-11		
			P701841	028695	001-4500-412-33-11		
			7112101	028695	700-5040-480-33-11		
			60615716/18		001-2200-421-23-06		
			TUITION 4/2018		001-1300-412-25-09		
			APRIL 2018		001-4000-461-23-15		
			476059	028535	001-1300-412-33-11		
			47704	028535	001-4000-461-23-02		
			48102	028535	001-4000-461-23-01		
			48103	028535	001-4000-461-23-01		
			48104	028535	001-4000-461-23-01		
			48170	028535	001-4000-461-23-01		
			000021537		001-0000-218-22-22		
			OCT 17 - MAR 18		675-7020-473-42-36		
			19APR 17 - OCT 17		675-7020-473-42-36		
			OCT 17 - MAR 18		675-7020-473-42-36		
			OCT 17 - MAR 18		675-7020-473-42-36		
			436096	028200	001-3200-412-10-02		
			1011000-4/2018		001-1300-412-25-09		
			53999-50060718		675-7020-473-42-35		
			APRIL 2018	028798	001-4000-461-23-15		
			2018-003		603-6300-471-95-10		
			20180511		001-0000-204-16-00		
			08979-20180518		670-7010-473-27-60		
164484	5/10/2018	JACKSON LEWIS PC					
164485	5/10/2018	KELLY, PATRICK					
164486	5/10/2018	KESTER, ELIZABETH					
164487	5/10/2018	KOLLER, MARIE V.					
164488	5/10/2018	LINKLATER, MICHAEL					
164489	5/10/2018	LITHOPASS PRINTING, FORMS,					
164490	5/10/2018	MANNINO &, COL A VINCENT					
164491	5/10/2018	MASTEN, STAR					
164492	5/10/2018	MEYER-EVENSEN, PATRICIA					
164493	5/10/2018	MICHALEC, MARY					
164494	5/10/2018	MILLER, NINA					
164495	5/10/2018	MITSUBISHI ELECTRIC & ELECTRONICS					
164496	5/10/2018	MOLEDOOR, JEROME					
164497	5/10/2018	MOORE, ROBERT					
164498	5/10/2018	MORGAN, DEIDRA J					
164499	5/10/2018	MORONGO BAND OF MISSION INDIANS					
164500	5/10/2018	NATIONWIDE RETIREMENT SOLUTIONS					
164501	5/10/2018	NEW, ROBERT & NANCY					

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164502	5/10/2018	NOBEL SYSTEMS, INC	134505	028840	660-6300-471.33-11	GIS DATA UPDATES/CCTV	900.00
164503	5/10/2018	NOTTINGHAM, MICHAEL	MEAL 6/02/17		680-8000-454.33-11	GIS DATA UPDATES/CCTV	900.00
164504	5/10/2018	OFFICE DEPOT	1319240180001	028526	001-2200-421.23-06	EVOC TRAINING 06/05/17	12.00
164505	5/10/2018	ONLINE INFORMATION SERVICES	88489674	028974	001-1210-412.36-00	LABELS, PADS, MARKERS	163.06
164506	5/10/2018	PARS	20180611		761-3100-480.30-17	JAN-MAR ONLINE UTILITY SR	123.65
164507	5/10/2018	PARTS AUTHORITY METRO, LLC	662-281834	028583	001-0000-204.25-00	PAYROLL SUMMARY	379.05
			091-0177548	028583	702-3800-480.38-52	#635 NK TUBE ASST B1	11.01
			091-0290099	028583	702-3800-480.38-52	REFUND - YELLOW	(7.20)
			091-049102	028583	702-3800-480.38-52	#201 BRAKE SHOES & DRUM	84.87
			091-0491178	028583	702-3800-480.38-52	CRC CHEMICALS	6.39
			06734		001-1300-412.33-11	#835 LUBRICANTS	44.82
164508	5/10/2018	PAYPRO ADMINISTRATORS	APRIL 2018	028572	001-0000-204.80-07	APRIL COBRA ADMINISTRATN	146.00
164509	5/10/2018	PRE-PAID LEGAL SERVICES, INC	0011102395		660-6300-471.23-01	PREPAID LEGAL PREMIUMS APRIL 2018	286.02
164510	5/10/2018	PRESS-ENTERPRISE, THE			680-8000-454.23-01	AD FOR ELECTRIC SERVICES	236.25
164511	5/10/2018	RED HAWK SERVICES	18-0210	028698	660-6300-471.39-22	WATER TOWER GATE INSTALL	4,178.97
164512	5/10/2018	RELIABLE WORKPLACE SOLUTIONS	APR151628	028568	001-1900-412.36-00	TONER FOR PAYROLL PRINTER ORGL INV DATE 8/1/2017	82.82
164513	5/10/2018	RETAIL LEASE TRAC	172196		001-1210-412.33-11	RETAIL TENANTS DIRECTORY SUBSCRIPTION	1,125.00
164514	5/10/2018	RIV. CO. DEPT OF ENVIRONMENTAL	6455-3/2018		100-4900-431.23-24	FAIR OAKS & HATHAWAY MOSQUITO CONTROL 3/18	45.75
						HILLSIDE DRIVE & MOUNTAIN MOSQUITO CONTROL 3/18	45.75
164515	5/10/2018	RIV. CO. FLOOD CONTROL & WATER	170000016487		660-6300-471.23-37	SUN LAKES HABITAT RIVIERA MOSQUITO CONTROL 3/18	56.57
164516	5/10/2018	RIV. CO. HEALTH SVCS AGENCY	180117179		001-4010-461.41-04	FY 17/18 NPDES COST SHRG WHITEWATER NPDES PERMIT	16,043.07
164517	5/10/2018	RIV. CO. SHERIFF'S DEPT.	88-10007878		001-2200-421.23-06	REPLUER AQUATIC CENTER PERMIT EXPIRES 5/31/2018	399.00
164518	5/10/2018	ROMERO, RAMON	000096391		001-0000-218.22-22	FIELD TRAINING OFFICER UP JUN 5 - JUN 7, 2018	125.00
164519	5/10/2018	RUEHLE, TARA SHAWN M	APRIL 2018		001-4000-461.23-15	UB CR REFUND-FINALS 000007212	12.98
164520	5/10/2018	SAMPSON, LAURIE	5-2018		001-5400-446.41-60	INSTRUCTOR - BALLET APRIL 2018	255.50
						DISASTER EXPO SUPPLIES PURCHASED 4/16/18 - LOWES	15.05
164521	5/10/2018	SAN BERNARDINO PUBLIC EMPLOYEES	APRIL 2018		001-0000-204.51-00	DISASTER EXPO SUPPLIES PURCHASED 4/16/18-STAPLES	6.45
164522	5/10/2018	SAVESKI, CHRISTOPHER	MEALS 9/22-24	028656	001-2200-421.23-06	SBPEA DUES FOR APRIL 2018	876.74
164523	5/10/2018	SCCI, INC DBA	155227		660-6300-471.33-11	DRUG ABUSE RECOGNITION TRAINING MEALS	36.00
164524	5/10/2018	SEGURA, JENNIFER	MEAL 9/12/17		001-2200-421.23-06	SAFETY MTG 4/12/18	250.00
164525	5/10/2018	SHAFFER, RONALD	166162558		001-2200-421.23-06	PSP TRAINING MEAL 9/12	12.00
164526	5/10/2018	SHERATON CHICAGO HOTEL & TOWERS	03111518		001-2200-421.23-05	MIKE NOLAN - USE OF FORCE SAN BERNARDINO MAY 25	0.00
164527	5/10/2018	SHOWERS, TISHA L	WILEAGE 4/18/18	028681	001-1910-412.25-05	ROBERT METEAU 6/17-20 SHRM ANNUAL CONF CHICAGO	38.91
164528	5/10/2018	SHRED-IT USA, LLC	4124540936		001-2200-421.23-07	MILEAGE TO & FROM CAPPO MEETING RIVERSIDE, CA	118.80
			81724541047	028681	001-4500-412.33-11	PO SHRED SERVICE	162.00
164529	5/10/2018	SMITH, LOIS E	APRIL 2018		001-4500-461.23-15	CITY HALL SHREDDING 3/15/18, 3/29/18, 4/12/18	35.00
164530	5/10/2018	SOTO, ANITA	APRIL 2018		675-7020-473.42-35	INSTRUCTOR - GUITAR CLASS APRIL 2018	1,500.00
164531	5/10/2018	SOUTH COAST AIR QUALITY	3260081		660-6300-471.31-04	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	128.61
164532	5/10/2018	SOUTH COAST AIR QUALITY	4271961		680-8000-454.41-04	AQMD JULY 2017-JUNE 2018 4781 W RAMSEY ST, HOT SPOT	128.61
164533	5/10/2018	SOUTH COAST AIR QUALITY	1360176		680-8000-454.41-04	AQMD JULY 2017-JUNE 2018 3750 W WESTWARD AVE	128.61
164534	5/10/2018	SOUTH COAST AIR QUALITY	4360128		001-3200-412.41-04	AQMD JULY 2017-JUNE 2018 2242 E CHARLES ST	128.61
164535	5/10/2018	SOUTHERN CALIFORNIA EDISON	2015215098MAR18		660-6300-471.26-04	AQMD JULY 2017-JUNE 2018 176 E LINCOLN ST	211.93
			2015215155APR18		660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 MAR 13, 2018 - APR 13, 2018	628.59
			2015215155MAY18		660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 FEB 12, 2018 - MAR 14, 2018	257.50
			3375562036	028948	001-1900-412.36-00	WELL 12 - 7073 PLANT D-5 MAR 14, 2018 - APR 13, 2018	256.26
164536	5/10/2018	STAPLES BUSINESS ADVANTAGE	201834783	028670	680-8000-454.23-38	OFFICE SUPPLIES FOR ASD	105.96
164537	5/10/2018	SUEZ BANNING	MAY 2018		001-0000-204.14-00	LTD-STDY INSURANCE MAY 2018	56,533.00
164538	5/10/2018	SUN LIFE FINANCIAL	MAY 2018		001-0000-204.14-00	LIFE INSURANCE MAY 2018	5,768.92
					1001-0000-204.32-00	DENTAL INSURANCE MAY 2018	4,087.74
164539	5/10/2018	TELEPACIFIC COMMUNICATIONS	10240662440		001-2200-421.26-05	PD PHONE SERVICE APR 16, 2018 - MAY 15, 2018	653.19
164540	5/10/2018	THE SOCO GROUP, INC.	1047414114		001-4500-412.26-05	CENTRAL SERVICES PHONE SR APR 16, 2018 - MAY 15, 2018	2,218.99
					702-3800-430.36-11	REGULAR UNLEADED FUEL	20,203.58
						SALES TAX	813.56

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164540	5/1/2018	THE SOCO GROUP, INC.	0470714100 0621525-04		702-3800-480.36-11 702-3800-480.36-11	ULS DIESEL FUEL SALES TAX DELIVERY DATE 4/23/2018 REGULAR UNLEADED FUEL DELIVERY DATE 4/23/2018 ULS DIESEL FUEL DELIVERY DATE 4/23/2018 CONTINUING DISCLOSURE TABS REF BONDS SER 2016 IRWM PROGRAM DEVELOPMENT UB CR REFUND-FINALS 000021692 CADET POLYGRAPH FEE FIRE HYDRANT METERS #232 THERMO KING ALTERNAT UB CR REFUND 000017466 RANDOM TESTING FEES LIONS PARK ENV. SERVICES RIV CNTY SCHL BOARD ASSOC ANNUAL SPRING CONF RIVRSO COVER BLADE METER RING PO NUM 028757 WIRE PO NUM 028757 MEALS CPO CLASS MILEAGE TO CPO CLASS INDIO, CA 5/24-5/25 AVILA, SOL W/E 4/21/18 PENNA, ALEXISS W/E 4/21 AVILA, SOL W/E 04/28/18 PENNA, ALEXISS W/E 4/28/18 CADET BACKGROUND FEES DISPOSABLE TOWELS BAN # 9391063769 APR 1,2018 - APR 30,2018 BAN # 9391060200 APR 1,2018 - APR 30,2018 BAN # 9391064350 APR 1,2018 - APR 30,2018 EXTRACT KEY ENERGY ASSISTANCE PROGRAM REBATE JUN 2017- NOV 2017 PSP TRAINING MEAL 5/24 PROJECT 2017-01 DESIGN PROJECT 2017-01 DESIGN ENERGY ASSISTANCE PROGRAM REBATE AUG 2017- JAN 2018 JAN-FEB-MAR CLETS ACCESS 2018 APRIL 2018 LIVE SCANS CUST # 142831 ENERGY ASSISTANCE PROGRAM REBATE AUG 2017- JAN 2018 DELL TONER BLK (5) SAMSUNG US8 DRIVE CONSULTING SER. APRIL 18 ENERGY ASSISTANCE PROGRAM REBATE SEP 2017- FEB 2018 ENG. METROSCAN ACCESS APRIL 2018 EMPLOYEE SPRT SUB AC REPAIR #243 WHEEL REPLACEMENT INVENTORY TIRES INVENTORY TIRES CA STATE TIRE FEE SCHOOL BOARD MEETING BANNING/BEAUMONT STUDENT OF THE YEAR 2018 CARL'S JR GIFT CARDS DONUTS FOR VOLUNTEERS REMOVE METER SLEEVES @ 726 W NICOLET ST #505 SPARK PLUG & AIR FIL PSP TRAINING MEAL 5/24 WORKTABLE STAINLESS STEEL POST MANAGEMENT TRNING COURSE-CLASS 113 #816 COUPLER SHRINK TUBING	2,197.39 916.87 20,801.41 2,910.78 1,750.00 29,085.78 60.07 225.00 6,027.38 233.81 141.70 57.00 170.00 34.23 276.38 410.53 24.00 99.41 1,643.34 1,165.20 662.04 400.00 922.55 657.11 393.11 205.37 64.00 199.38 12.00 13,610.00 3,150.00 141.52 1,876.98 1,447.00 180.12 148.04 92.67 1,332.50 162.22 66.68 700.00 1,491.38 283.31 60.50 1,361.21 72.00 16.00 16.00 114.00 16.00 25.33 12.00 1,323.17 1,280.00 39.97 64.14
164541	5/1/2018	URBAN FUTURES INCORPORATED	00-2018-04		005-1210-412.33-11		
164542	5/1/2018	WOODARD & CURRAN, INC	25587	028485	660-6300-471.33-11		
164543	5/1/2018	XIONG & ANDREW	000094587		001-0000-218.23-22		
164544	5/1/2018	YOUNGBLOOD & ASSOCIATES	31530A	028644	001-1300-412.33-32		
164545	5/1/2018	ZENNER PERFORMANCE METERS, INC	04040016-04	028787	600-6300-471.45-11		
164546	5/17/2018	ACE	106379	028772	702-3800-480.36-52		
164547	5/17/2018	ACKERMAN, RAYMOND W & SONIA M	000005819	028620	001-1300-412.33-22		
164548	5/17/2018	ADVANCE WORKPLACE STRATEGIES INC	978056	028227	451-3600-461.90-69		
164549	5/17/2018	ALBERT A. WEBB ASSOCIATES	181789		001-1000-411.23-05		
164550	5/17/2018	ANDRADE, DANIELA	MILEAGE 4/30/18		670-0000-131.00-00		
164551	5/17/2018	ANIXTER, INC	1862982-00		670-0000-131.00-00		
164552	5/17/2018	AREIAS, CALEB	4870927-00		670-0000-131.00-00		
164553	5/17/2018	ARROW STAFFING SERVICE	114461 5/2018		001-4000-461.23-05		
164554	5/17/2018	ARROYO BACKGROUND INVESTIGATIONS	104400	028559	001-2200-421.23-27		
164555	5/17/2018	ASSOCIATED BAG COMPANY	101037	028922	001-2200-421.23-27		
164556	5/17/2018	AT&T CALNET 2	0967087		001-2200-421.23-27		
164557	5/17/2018	AT&T CALNET 2	000011273541		001-1300-412.33-11		
164558	5/17/2018	AT&T CALNET 2	000014272992		670-7000-473.42-16		
164559	5/17/2018	BEAUMONT SAFE & LOCK	000011274099	028570	001-2200-421.26-05		
164560	5/17/2018	BECCERRA, ELADIO	02081		370-2200-421.26-05		
164561	5/17/2018	BENNETT, MICHAEL	JUN 17 - NOV 17		001-4000-461.36-00		
164562	5/17/2018	BOA ARCHITECTURE	MEAL 5/24/18	028553	675-7020-473.42-36		
164563	5/17/2018	BOSTON, LINDA	17-4750-3		001-2200-421.23-06		
164564	5/17/2018	CALIFORNIA, STATE OF	298893	028564	110-5516-461.96-82		
164565	5/17/2018	CARPER, CATHY	400843		610-5800-434.90-15		
164566	5/17/2018	CDW GOVERNMENT, INC	AUG 17 - JAN 18		675-7020-473.42-36		
164567	5/17/2018	CHARLES ABBOTT ASSOCIATES, INC	00010513	028524	370-2200-421.26-05		
164568	5/17/2018	COOK, SHARON	00013078	028524	001-2200-421.36-00		
164569	5/17/2018	CORELOGIC INFORMATION SOLUTIONS INC	58136	028250	001-3000-442.33-53		
164570	5/17/2018	COUNSELING TEAM INTERNATIONAL, THE	SEP 17 - FEB 18		675-7020-473.42-36		
164571	5/17/2018	COUTS HEATING & COOLING, INC	81884565	028597	001-3000-442.30-17		
164572	5/17/2018	DANIELS TIRE SERVICE	53647	028625	700-5040-480.23-07		
			500V108157	028548	670-7000-473.30-02		
			240110410	028548	702-3800-480.30-05		
			240110620		702-3800-480.23-49		
			230110505	028548	702-3800-480.38-52		
164573	5/17/2018	DAVIS, JONATHAN	MEAL 4/26/18		702-3800-480.23-49		
164574	5/17/2018	DEVOUX, MICHELLE	MEAL 5/03/18		001-2000-446.25-06		
164575	5/17/2018	ELIZONDO, MARIO	2018DISASTERPO	028896	001-2050-416.25-06		
164576	5/17/2018	FACTORY MOTOR PARTS	MEAL 5/02/18		001-5400-446.41-60		
164577	5/17/2018	FEOLA, JOSEPH	106-246607	028885	670-7000-473.25-06		
164578	5/17/2018	FIRE ETC	MEAL 5/24/18		702-3800-480.38-52		
164579	5/17/2018	FISHER, ROBERT	114472	028871	001-2200-421.23-06		
164580	5/17/2018	FLEET SERVICES INC	MEAL 5/27/5/31		001-2400-422.36-19		
			05P10499		702-3800-480.38-52		
			05P10464		702-3800-480.38-52		

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164580	4/22/18	FLEET SERVICES INC	05P11013	028871	702-3800-480.38-52	#221 DRYER AIR & GOVERNOR	450.63
164581	5/17/2018	FORTE TRAFFIC, INC.	05P11118	028871	702-3800-480.38-52	#221 MINI REGULATOR	40.11
164582	7/16/2018	FOX OCCUPATIONAL MEDICAL CENTER	9583	028935	100-4900-431.30-09	WILSON ST. SIGN PARTS	4,980.09
			27683 93563		001-1300-412.23-32	APRIL 2018 PRE-EMPLOYMENT DRUG SCREENINGS & EXAMS	870.00
164583	7/17/2018	FRESH, RICHARD B	000091561		700-5020-480.41-14	HEP B INJECTIONS FOR PD	50.00
164584	9/17/2018	FRONTIER COMMUNICATIONS	9517095052MAY18		001-0000-218.22-22	UB CR REFUND 000019192	28.70
			95184096777MAY18		001-4500-412.26-05	951-769-5052 MAY 4, 2018 - JUN 3, 2018	61.19
			9519220262MAY18		001-2200-421.26-05	951-849-6777 MAY 1, 2018 - MAY 31, 2018	102.74
164585	9/17/2018	FUN EXPRESS	000001843-01	028523	001-4500-412.26-05	951-922-0262 MAY 4, 2018 - JUN 3, 2018	111.24
					001-0000-201.10-00	SALES TAX	(41.02)
					001-4000-461.36-09	ADV CAMP SUPPLIES	114.04
					001-4020-461.36-09	ADV CAMP SUPPLIES	456.24
164586	9/17/2018	GAS COMPANY, THE	07702633751AP18		001-2200-421.26-05	125 E RAMSEY ST MAR 16, 2018 - APR 16, 2018	135.39
164587	9/17/2018	GOVERNMENT STAFFING SERVICES, INC	128189		001-1900-412.23-27	COBOS, SHIRLEY W/E 3/29	5,355.00
164588	9/18/2018	GREAR, BEVERLEY A	000094405		001-0000-218.22-22	UB CR REFUND 000020114	94.97
164589	7/17/2018	GUTIERREZ, RENE	000095415		001-0000-218.22-22	UB CR REFUND-FINALS 000023160	183.71
164590	7/17/2018	HARPER, KRIS	MEAL 5/06/18		670-7000-473.35-06	CAR HIT POLE ON WILSON & SUNSET BETWEEN MCGOVERN	16.00
164591	7/17/2018	HAWLEY, CAMERON	MEAL 5/06/18		670-7000-473.35-06	CAR HIT POLE ON WILSON & SUNSET BETWEEN MCGOVERN	16.00
164592	9/17/2018	HMET MANUFACTURING COMPANY, INC	18-597 102-5	028830	663-0000-232.00-00	PROJECT 2016-02W RETAINAGE	(10,724.62)
164593	7/17/2018	HOME DEPOT #8987	1012472	028552	663-6300-471.95-10	PROJECT 2016-02W	214,492.35
			6051508	028552	670-7000-473.30-02	DRYWALL, SPONGE, INSUL	98.53
			6024496	028552	670-7000-473.30-02	PAINT SPACKLE BRUSH	229.40
			6160672	028552	670-7000-473.30-02	NAILS, BELL END, ADAPT	44.44
			824071	028552	670-7000-473.30-02	VINYL WALL BASE REFUND	(20.44)
164594	7/17/2018	HORTA, MARGARET	SEP 17 - FEB 18		675-7020-473.42-30	12-CUP COMMERCIAL COFFEE	696.31
164595	7/17/2018	HUNT, DOROTHY	000000281		001-0000-218.22-22	ENERGY ASSISTANCE PROGRAM REBATE SEP 2017- FEB 2018	127.85
164596	7/17/2018	HUNT, DENISE FRESH	000006539		001-0000-218.22-22	UB CR REFUND-FINALS 000011612	6.72
164597	7/17/2018	HUSEBO, JACK & PAULA	000010831		001-0000-218.22-22	UB CR REFUND-FINALS 000019192	37.62
164598	9/17/2018	I-SHRED	90899-1	028913	690-5600-453.41-46	UB CR REFUND-FINALS 000017466	183.74
164599	9/17/2018	INFOSEND, INC	135752	028850	761-3100-480.23-02	ROLLING BIN TIP	425.46
					761-3100-480.23-04	UB BILL SRVC 4/23-4/27	1,117.98
					761-3100-480.23-11	UB BILL SRVC 4/23-4/27	270.90
					761-3100-480.23-02	UB BILL SRVC 4/28-5/04	265.09
					761-3100-480.23-04	UB BILL SRVC 4/28-5/04	2,212.69
					761-3100-480.23-11	UB BILL SRVC 4/28-5/04	504.47
164600	9/17/2018	INNOVATIVE FEDERAL STRATEGIES	062038	028729	001-1000-411.33-11	FEDERAL LOBBYING SERVICES	3,500.00
164601	7/17/2018	INTOXIMETERS, INC	584509	028943	001-2200-421.30-06	DRY GLASS / FORMS	364.67
164602	9/17/2018	IRON MOUNTAIN INFORMATION MGMT, LLC	201596163	028694	703-3700-480.33-11	OFFSITE MEDIA STORAGE	404.92
164603	7/17/2018	KIRKLEY, JAMES	AUG 17 - JAN 18		670-7000-356.38-01	MEDICAL LIFELINE REBATE AUG 2017 - JAN 2018	54.38
164604	9/17/2018	LEAF	8347967	028739	675-7020-356.38-15	PUBLIC BENEFIT CHARGE REBATE AUG 2017- JAN 2018	1.81
164605	9/17/2018	LEAGUE OF CALIFORNIA CITIES	57350		001-4050-461.32-06	LANIER PRINTER	303.35
			LOC 5/13/18		001-1300-412.23-01	CITY MANAGER AD MAY 2018 WESTERN CITY MAGAZINE	0.00
164606	7/17/2018	LIEBERT CASSIDY WHITMORE	FLSA ACADEMY		001-1200-412.23-05	LOCC RIVERSIDE GEN MTG ANDRADE - PALM SPRINGS	0.00
164607	9/17/2018	LITHOPASS PRINTING, FORMS,	45274		001-1300-412.23-05	LOCC RIVERSIDE GEN MTG MOYER - PALM SPRINGS 5/14	500.00
			47858		670-7000-473.36-00	LOCC RIVERSIDE GEN MTG WELCH - PALM SPRINGS 5/14	43.10
			48124		001-4000-461.23-02	LOCC RIVERSIDE GEN MTG CLAYTON, R & COOK, S	228.21
164608	7/17/2018	LOADER, MICHAEL	MEAL 9/24/18		001-2200-421.23-06	2 DAY FLSA SEMINAR MAY 30-31, 2018	12.00
164609	9/17/2018	LYNN PEAVEY COMPANY	34472		001-2200-421.36-62	BEN COFFEY BUSSINESS CARD PO 028535	54.94
164610	9/17/2018	LYONS, MARIAH & ALBERT	000009481	028963	001-0000-218.22-22	TOM MILLER BUSSINESS CARD	117.00
164611	9/17/2018	MACDONALD, DOUGLAS	SEP 17 - FEB 18		675-7020-473.42-36	WE RUN FLIERS	91.91
164612	9/17/2018	MADRIGAL CHAVES, SERGIO	MEAL 4/7/18		660-6300-471.25-05	10 TRAINING RESIDUE KITS	16.00
						UB CR REFUND-FINALS 000012982	
						ENERGY ASSISTANCE PROGRAM REBATE SEP 2017- FEB 2018	
						LEAK INVESTIGATION 176 E LINCOLN ST	

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164613	5/17/2018	MARRS, MICHAEL	000094503		001-0000-218.22-22	UB CR REFUND-FINALS 000005730	4.45
164614	5/17/2018	MARTINEZ, MATTHEW	00000506/AS		670-7000-473.25-06	CAR HIT POLE ON WILSON & SUNSET BETWEEN MCGOVERN	16.00
164615	5/17/2018	MCRAE, LAWRENCE	000002463	028880	001-0000-218.22-22	UB CR REFUND-FINALS 000020630	63.98
164616	5/17/2018	MICHAEL BAKER INTERNATIONAL, INC	1012574		663-6300-471.95-10	CONTRACT ADMIN. SERVICES	27,817.34
164617	5/17/2018	MORRISON, GAIL D	000000927	028962	001-0000-218.22-22	UB CR REFUND-FINALS 000010638	54.47
164618	5/17/2018	MOTOROLA SOLUTIONS, INC.	41250403		001-2200-421.90-48	COMPUTERS & RADIO EQUIP	8,255.92
					001-2200-421.90-53	COMPUTERS & RADIO EQUIP	26,335.59
164619	5/17/2018	MUNICIPAL CODE CORPORATION	000207917	028531	001-1400-412.33-72	MUNICODE UPDATES	472.47
164620	5/17/2018	NAPA AUTO PARTS	049790	028883	702-3800-480.38-52	#242 RADIATOR CAPS	6.45
164621	5/17/2018	O'REILLY AUTO PARTS	3278-118433	028887	702-3800-480.38-52	#221 GAS A JUST	199.62
			2678-118710	028887	702-3800-480.38-52	#08 OUTLET SEAL	1.25
			2678-119024	028887	702-3800-480.38-52	SHOP CAR WASH SUPPLIES	55.95
			2678-119028	028887	702-3800-480.38-52	#221 NITRILE GLOVES	11.73
			2678-119163	028887	702-3800-480.38-52	#801 SPARK PLUG & COP BOO	95.69
			2678-119259	028887	702-3800-480.38-52	#231 RADIATOR	228.56
			2678-119864	028887	702-3800-480.38-52	#28 BUTANE	10.75
			2678-119980	028887	702-3800-480.38-52	#801 SPARK PLUG	86.11
			2078-120112	028887	702-3800-480.38-52	#230 MULTI SW	111.69
			2678-121290	028887	702-3800-480.38-52	#3800 SPARK PLUG	4.29
			2678-121302	028887	702-3800-480.38-52	SHOP- PURPLE POWER	29.08
			2678-121317	028887	702-3800-480.38-52	#230 PIGTAIL	18.51
164622	5/17/2018	OFFICE DEPOT	130752642001	028526	001-4050-461.36-00	OFFICE SUPPLIES	(32.65)
			130754160001	028526	001-4050-461.36-00	OFFICE SUPPLIES	49.02
					001-4050-461.36-00	OFFICE SUPPLIES	32.64
			130820151001	028526	001-4000-461.36-00	ORGANIZER,6-POCKET	32.65
			1344502616002	028526	001-4000-461.36-00	WASTECAN, MESH	14.01
164623	5/17/2018	OLEA & STEPHANY	0000094513	028549	001-0000-218.22-22	UB CR REFUND 000052894	4.97
164624	5/17/2018	PARKHOUSE TIRE, INC.	2030165144		702-3800-480.38-49	#333 TIRES	3.50
			2030165355	028549	702-3800-480.38-52	#333 TIRES	715.48
			062-2965274	028583	702-3800-480.38-49	#231 TIRES	3.50
164625	5/17/2018	PARTS AUTHORITY METRO, LLC	062-3000387	028583	702-3800-480.38-52	#231 GAS-A-JUST	249.98
			062-3000099	028583	702-3800-480.38-52	#231 AIRFLOW SENSOR	147.96
			091-059848	028583	702-3800-480.38-52	#234 PQ EXT WEAR PA1	61.61
			091-100162	028583	702-3800-480.38-52	#16 EXPANSION VALVE	48.71
			091-100177	028583	702-3800-480.38-52	#234 WEAR PAD & CALIPER B	16.47
			091-100247	028583	702-3800-480.38-52	#809 VCOREC & WELD QUICK	295.35
			091-100535	028583	702-3800-480.38-52	#234 BRKFL HD	238.56
164626	5/17/2018	PI MANUFACTURING CORP.	507848	028534	702-3800-480.38-52	#231 WEAR PAD & COOL BOTT	14.20
164627	5/17/2018	PRUDENTIAL OVERALL SUPPLY	22585637	028553	660-6300-471.30-02	CAMERAS,REORDER,REPEATER	53.13
			22506654	028553	670-7000-473.25-02	EL UNIFORMS	2,004.95
			22505702	028553	670-7000-473.25-02	UNIFORMS-WATER	381.29
			22509348	028553	670-7000-473.25-02	EL UNIFORMS	40.00
			22509349	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	139.29
			22509342	028553	670-7000-473.25-02	EL UNIFORMS	40.00
			22501004	028553	670-7000-473.25-02	EL UNIFORMS	15.00
164628	5/17/2018	RDO EQUIPMENT CO	078015	028783	702-3800-480.38-05	#609 REAR VIEW MIRROR	139.29
			000048551	028930	702-1800-480.38-52	#609 REAR VIEW MIRROR	29.86
164629	5/17/2018	RECINOS, MINERVA	903094066		001-0000-218.22-22	UB CR REFUND-FINALS 000018016	59.73
164630	5/17/2018	REINHAUSEN MANUFACTURING INC.	000048551		670-7000-473.45-05	VIM BOARDS	10.81
			0005582		001-4000-461.23-02	VIM BOARDS PO NUM 028930	2,360.56
164631	5/17/2018	RELIABLE WORKPLACE SOLUTIONS	4070	028594	001-3600-461.30-01	B/W & COLOR COPIES W543L500122	206.55
164632	5/17/2018	RON'S BEE SERVICE	010-122464	028765	001-2200-421.36-62	MISCELLANEOUS SERVICES	95.57
164633	5/17/2018	SAFARILAND, LLC	010-124009	028765	001-2200-421.36-62	DEPT. SUPPLIES	500.00
						SPECIAL DEPT. SUPPLIES	171.63
							62.56

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164634	5/12/2018	SALLEY, CURTIS	APR 17 SEP 17		675-7020-473-42-36	ENERGY ASSISTANCE PROGRAM REBATE APR 2017- SEP 2017	215.92
164635	5/11/2018	SAN GORGONIO PASS DESIGN AND PRINT	10404	028536	001-2200-421-23-02	REAM CLASSIC PAPER	185.35
164636	5/11/2018	SE CAL CONFERENCE OF SDA	10421	028536	001-2200-421-23-02	BUSINESS CARDS	51.72
164637	5/11/2018	SERVICE SCAPE	000096705		001-2200-421-23-02	UB CR REFUND-FINALS 000016550	83.52
164638	5/11/2018	SIEMENS INDUSTRY, INC	000040418	028955	001-3600-461-30-01	MTHLY LANDSCAPE	4,654.00
164639	5/11/2018	SILVER & WRIGHT, LLP	5010111028	028207	100-4500-431-30-09	MONTHLY TRAFFIC MAIN.	630.00
164640	5/11/2018	SITEONE LANDSCAPE SUPPLY	5020020480	028207	100-4500-431-30-09	MONTHLY TRAFFIC REPAIRS	1,513.16
164641	5/11/2018	SMART & FINAL	24526		700-5300-480-31-04	MARCH 2018 LEGAL SERVICES	972.90
164642	5/11/2018	SOUTHERN CALIFORNIA GAS CO	2535436	028870	001-3600-461-38-50	LAWN EQUIPMENT	713.97
164643	5/11/2018	SPIDAWEB LLC	000048	028528	201-4000-446-36-65	SR CTR SUPPLIES	97.40
164644	5/11/2018	STAPLES BUSINESS ADVANTAGE	002473104816A13		702-3800-480-36-61	NATURAL GAS VEHICLE FUEL 04/01/2018 - 05/01/2018	3,273.28
			1796		707-7000-473-85-49	SPIDACALC, SPIDA STUDIO ANALYSIS PACKAGE	1,262.50
			5376094479	028948	001-1200-412-36-00	BREAKROOM SUPPLIES	4.70
					001-1400-412-36-00	BREAKROOM SUPPLIES	63.06
					001-4500-412-36-00	BREAKROOM SUPPLIES	89.35
				028948	670-7000-473-36-00	CARPET CLEANER	28.11
				028948	001-2200-421-36-00	DEPT. SUPPLIES	494.03
				028948	001-2200-421-36-00	DEPT. OFFICE SUPPLIES	72.29
				028948	001-1000-411-36-00	AGENDA ENVELOPES	32.42
164645	5/11/2018	STUART, DAMON	670-7000-473-25-06		702-3800-480-38-52	CAR HIT POLE ON WILSON & SUNSET BETWEEN MCGOVERN	16.00
164646	5/11/2018	TK SERVICES, INC	001-AL 5/05/18	028604	702-3800-480-38-52	#224 BELT ALT	280.41
			P11936-20	028604	702-3800-480-38-52	#224 CHECK ELECTRICAL SYS	339.88
			W20514-20	028604	001-1200-412-33-11	#222 A/C LEAK REPAIR	214.50
164647	5/11/2018	TMG UTILITY ADVISORY SERVICES, INC	201804016	028808	600-6300-471-33-11	CONSULTING SRVCS	1,025.48
					670-7000-473-33-11	CONSULTING SRVCS	540.19
					600-9600-453-33-11	CONSULTING SRVCS	3,024.14
164648	5/11/2018	ULINE	46662102	028766	001-0000-218-22-22	PROPERTY SUPPLIES	540.19
164649	5/11/2018	UTILITY TREE SERVICE	000081855	028387	001-2200-421-36-62	TRE TRIM SVCS WE4/28/18	1,206.61
			64145418	028387	670-7000-473-23-17	TRE TRIM SVCS WE5/5/18	3,300.00
164650	5/11/2018	VASQUEZ, CANDIDO	000090831		001-0000-218-22-22	UB CR REFUND-FINALS 000001780	4,400.00
164651	5/11/2018	VEERA LLC C/O VIJAY AHIR	9000020622		670-7000-473-26-05	UB CR REFUND-FINALS 000003736	704.65
164652	5/11/2018	VERIZON WIRELESS	9000125375		670-7000-473-26-05	ACT # 972157141-00001 MAR 24, 2018 - APR 23, 2018	14.04
			9800136559		670-7000-473-26-05	ACT # 271004536-00001 MAR 27, 2018 - APR 26, 2018	17.86
			98001452709		001-2200-421-26-05	ACT # 371004536-00001 MAR 27, 2018 - APR 26, 2018	17.88
			98001527110		001-2200-421-26-05	PD ACCT # 570653806-00001 MAR 27, 2018 - APR 26, 2018	220.79
164653	5/11/2018	VERIZON WIRELESS	90001079629		670-7000-473-26-05	CODE ENFORCEMENT IPADS MAR 27, 2018 - APR 26, 2018	76.02
			90001177840		001-2740-442-26-05	ACT # 771004535-00001 MAR 27, 2018 - APR 26, 2018	399.19
			9000439782		001-1200-412-26-05	ACT # 871004535-00001 MAR 27, 2018 - APR 26, 2018	54.13
					001-1300-412-26-05	CITY MANAGER CELL PHONE APR 2, 2018 - MAY 1, 2018	73.76
					001-1900-412-26-05	HUMAN RESOURCES CELL APR 2, 2018 - MAY 1, 2018	66.35
					001-2200-421-26-05	FINANCE CELL PHONE APR 2, 2018 - MAY 1, 2018	25.21
					001-2200-421-26-05	POLICE DEPT CELL PHONES APR 2, 2018 - MAY 1, 2018	545.11
					001-2210-421-26-05	DISPATCH CELL PHONES APR 2, 2018 - MAY 1, 2018	11.28
					001-2400-422-26-05	FIRE ADMIN CELL PHONES APR 2, 2018 - MAY 1, 2018	38.01
					001-2740-442-26-05	CODE ENFORCEMENT APR 2, 2018 - MAY 1, 2018	28.30
					001-2800-431-26-05	PLANNING DEPT CELL PHONES APR 2, 2018 - MAY 1, 2018	45.66
					001-3000-442-26-05	ENGINEERING CELL PHONES APR 2, 2018 - MAY 1, 2018	70.30
					001-4000-461-26-05	BUILDING MAINTENANCE APR 2, 2018 - MAY 1, 2018	32.06
					100-4500-431-26-05	COMMUNITY SERVICES CELLS APR 2, 2018 - MAY 1, 2018	181.24
					203-2200-446-36-00	STREET DEPT CELL PHONES APR 2, 2018 - MAY 1, 2018	225.86
					610-5800-434-26-05	POLICE VOLUNTEER CELL APR 2, 2018 - MAY 1, 2018	11.28
					610-5850-434-26-05	TRANSIT DEPT CELL PHONES APR 2, 2018 - MAY 1, 2018	181.70
					600-6300-471-26-05	DIAL-A-RIDE CELLS APR 2, 2018 - MAY 1, 2018	56.94
					670-7000-473-26-05	WATER DEPT CELLS APR 2, 2018 - MAY 1, 2018	258.56
						ELECTRIC DEPT CELL PHONES APR 2, 2018 - MAY 1, 2018	738.16

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164653	5/21/2018	VERIZON WIRELESS	9500439782		630-8000-454.26-05 702-3800-480.26-05 703-3700-480.26-05 761-3110-480.30-05 001-3200-412.30-02 001-3200-412.30-02 001-3600-461.38-54 001-0000-218.22-22 703-3700-480.30-19 675-7020-473.42-35	WASTEWATER DEPT CELLS APR 2,2018 - MAY 1,2018 FLEET CELL PHONES APR 2,2018 - MAY 1,2018 INFORMATION SERVICES APR 2,2018 - MAY 1,2018 METER SERVICES CELLS APR 2,2018 - MAY 1,2018 REPAIR TO GATE TRANSFORMER BARBER GATE SERVICE PAINT UB CR REFUND-FINALS 000046268 SATELLITE PHONES ENERGY ASSISTANCE PROGRAM REBATE SEP 2017- FEB 2018 UB CR REFUND-FINALS 000021774 TRAFFIC SURVEY STAFF SHIRTS AWOS MAINTENANCE #336 PNEUMATIC CYLINDER #334 REST TUBE REPAIR COLLECTION FEES MAY 2018 HOTSTICK WIPES WEBSTER, A W/E 04/14/18 WEBSTER, A W/E 04/21/18 WEBSTER, A W/E 04/28/18 WEBSTER, A W/E 5/05/2018 AVILA, S W/E 5/05/18 PENA, A W/E 5/05/18 TOTAL DISSOLVED SOLIDS GENERAL PHYSICAL ANALYSIS COLIFORMS P/A BY MMO/MUG COLIFORMS, 123 TRICHLOROP GENERAL PHYSICAL ANALYSIS TOTAL DISSOLVED SOLIDS RADIO EQUIPMENT MOBILE KEYS FOR POOL FSR TRUCK DUPLICATE KEYS FSR TRUCK DUPLICATE KEYS GRADE 2 DEADBOLT ENERGY ASSISTANCE PROGRAM REBATE OCT 2017 -MAR 2018 BLOOD ALCOHOL ANALYSIS BLOOD ALCOHOL ANALYSIS BLOOD ALCOHOL ANALYSIS COPIER LEASE COPIER LEASE COPIER LEASE COPIER LEASE COPIER LEASE COPIER LEASE APPRAISAL/JOSHUA PALMER REAL ESTATE APPRAISAL TONER FOR SP3600DN COPIER MAINTENANCE COPIER MAINTENANCE COPIER MAINTENANCE COPIER MAINTENANCE COPIER MAINTENANCE URINAL KIT FOR PD RESIDENTIAL CENTRAL A/C SPLIT SYSTEM - REBATE	45.97 42.39 129.59 140.06 148.50 439.40 486.72 142.93 278.82 98.78 106.61 56.03 117.26 2,200.00 1,103.78 1,018.81 322.98 1,037.96 661.44 444.41 609.77 826.80 1,874.07 20.00 36.00 165.00 115.00 54.00 20.00 18,396.11 57.32 93.20 2.69 16.11 134.87 899.50 87.00 313.00 83.60 478.96 102.75 83.61 150.95 179.98 104.50 7,000.00 4,000.00 72.19 524.93 2,290.70 524.94 213.03 531.81 862.99 110.68 2,000.00
164654	5/21/2018	VISION SECURITY SYSTEMS	15214	028838	630-8000-454.26-05		
164655	5/21/2018	VISTA PAINT	15263	028838	630-8000-454.26-05		
164656	5/21/2018	WAI & ZAW	2018-133311-00	028571	630-8000-454.26-05		
164657	5/17/2018	WHENEVER COMMUNICATIONS, LLC	000096757		630-8000-454.26-05		
164658	5/17/2018	WILLIAMS, VENKA	703-3700-480.30-19		630-8000-454.26-05		
164659	5/17/2018	ZUBIK, LILA	5/17- FEB 18	028831	630-8000-454.26-05		
164660	5/21/2018	ALBERT A. WEBB ASSOCIATES	000096687		630-8000-454.26-05		
164661	5/21/2018	ALL STAR ELITE SPORTS	151997	028390	630-8000-454.26-05		
164662	5/21/2018	ALL WEATHER, INC	15013	028968	630-8000-454.26-05		
164663	5/21/2018	ALTEC INDUSTRIES, INC.	50249784	028541	630-8000-454.26-05		
164664	5/21/2018	AMERICAN CAPITAL ENT, INC	50249787	028541	630-8000-454.26-05		
164665	5/21/2018	ANIXTER, INC	MAY 2018		630-8000-454.26-05		
164666	5/21/2018	ARROW STAFFING SERVICE	4862997.00	028757	630-8000-454.26-05		
164667	5/21/2018	BABCOCK LABORATORIES, INC	103400		630-8000-454.26-05		
164668	5/21/2018	BEAR COMMUNICATIONS, INC	103405		630-8000-454.26-05		
164669	5/21/2018	BEAUMONT SAFE & LOCK	103531		630-8000-454.26-05		
164670	5/21/2018	BILLHIMER, MARJORIE	103599		630-8000-454.26-05		
164671	5/21/2018	BIO-TOX LABORATORIES	103600		630-8000-454.26-05		
164672	5/21/2018	CANON FINANCIAL SERVICES, INC	40822348.0030	028636	630-8000-454.26-05		
164673	5/21/2018	CAPITAL REALTY ANALYSTS, INC	40822348.0030	028636	630-8000-454.26-05		
164674	5/21/2018	CELL BUSINESS EQUIPMENT (CBE)	40822348.0030	028636	630-8000-454.26-05		
164675	5/21/2018	CELL BUSINESS EQUIPMENT (CBE)	40822348.0030	028636	630-8000-454.26-05		
164676	5/21/2018	CHRIS TAYLOR'S PLUMBING	40822348.0030	028636	630-8000-454.26-05		
164677	5/21/2018	COLE, JOE	40822348.0030	028636	630-8000-454.26-05		

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164678	5/23/2018	CORE AND MAIN, LP	1717138		660-0000-131.00-00	CLAMPS PO NUM 028788	873.26
164679	5/23/2018	CORELOGIC INFORMATION SOLUTIONS INC	8183056	028597	001-2700-442.23-13	APRIL 2018 METROSCAN	100.00
					001-2740-442.23-33	APRIL 2018 METROSCAN	50.00
					702-3800-480.38-52	#224 WATER PUMP KIT	154.08
164680	5/23/2018	CUMMINS CAL PACIFIC LLC	0085.80006	028647	001-4000-461.46-09	SK HEALTH FAIR	129.30
164681	5/23/2018	CUSTOM TROPHIES & U-NEEK AWARDS	018338	028877	001-1900-412.25-05	2018 LSL GOVERNMENTAL ACCOUNTING & AUDITING SMR	68.83
164682	5/24/2018	DATUIN JR, CORNELIO	MILITARY 5/2018		001-1400-412.36-00	2018 ELECTIONS CODE	54.38
164683	5/24/2018	DFM ASSOCIATES	43211	028982	001-4000-461.46-01	PORT A POTS	403.79
164684	5/24/2018	DIAMOND ENVIRONMENTAL SERVICES	4001403045	028944	001-0000-218.22-22	AMMUNITION	16,075.55
164685	5/23/2018	DOOLEY ENTERPRISES, INC	53276	028965	001-4500-412.26-05	UB CR REFUND 000001148	71.97
164686	5/23/2018	ERE INVESTMENT C/O ERAN FATTAL	000093791		100-4500-431.36-00	HARDHATS & MAXIFLEX UL	421.07
164687	5/23/2018	FASTENAL	CAHANI2613	028747	001-2700-421.26-05	951-849-4533 MAY 4, 2018 - JUN 3, 2018	47.38
164688	5/23/2018	FRONTIER COMMUNICATIONS	951849533MAY18		001-4500-412.26-05	951-849-7124 MAY 10, 2018 - JUN 9, 2018	111.24
			9518497124MAY18		001-2400-422.26-06	951-849-9205 MAY 13, 2018 - JUN 12, 2018	108.55
			9518499205MAY18	028837	761-3100-480.23-43	APRIL 2018 TRANSPORT	570.00
164689	5/23/2018	GARDA CL WEST INC	1038345	028837	761-3100-480.23-43	EXCESS ITEMS	53.65
164690	5/23/2018	GAS COMPANY, THE	20296288		001-2400-422.26-06	172 N MURRAY ST APR 16, 2018 - MAY 15, 2018	26.05
			U5602582006MAY18		001-3200-412.30-02	3900 W WILSON ST APR 9, 2018 - MAY 8, 2018	94.78
			13667491001MAY18		001-1900-412.25-27	COBOS, SHIRLEY W/E 5/13	4,760.00
164691	5/23/2018	GOVERNMENT STAFFING SERVICES, INC	126311	028985	201-4060-446.42-06	CASINO TRIP SR CTR	1,400.00
164692	5/23/2018	H & L CHARTER CO, INC	16700	028634	702-3800-480.38-52	CREDIT RETURNED SWIVEL	(273.13)
164693	5/23/2018	HAAKER EQUIPMENT COMPANY	334605	028776	680-8000-454.30-00	FLITER CYLINDER HOSE	2,004.56
			C40208		001-3200-412.30-02	WINDOW COOLER PADS	340.49
			2400267	028552	001-3200-412.30-02	BATH FAUCET & VALVE	71.05
164694	5/23/2018	HOME DEPOT #8987	4973300	028552	001-3200-412.30-02	FLUORESCENT LIGHTS	117.36
			6972050	028552	001-3200-412.30-02	FLUORESCENT BULB FOR PO	81.63
			7100272	028552	001-3200-412.30-02	COOLER BELT & PLUS 36IN.	115.66
			8973551	028552	001-3200-412.30-02	KNOCKOUT SEALS & BALLAST	72.20
			11968755391		001-0000-204.80-10	PAYROLL SUMMARY	2,056.78
			24080525		001-0000-204.80-10	PAYROLL SUMMARY	1,139.45
164695	5/23/2018	IBEW LOCAL 47 RETIREE MEDICAL TRUST	20160525		660-0000-131.00-00	POLYMER 20K BOX W/RING PO NUM 028785	1,314.55
164696	5/23/2018	ICMA RETIREMENT TRUST 457	51008572.001		660-6300-356.38-12	REFUND DYE TEST	6.00
164697	5/23/2018	INLAND WATER WORKS SUPPLY CO.	157200.002		001-1200-412.23-05	LOCC RIVERSIDE GEN MTG ANDRADE - PALM SPRINGS	40.00
164698	5/23/2018	LAWRENCE, ROBERT	157200.002		001-1200-412.23-05	LOCC RIVERSIDE GEN MTG MOYER - PALM SPRINGS 5/14	40.00
164699	5/23/2018	LEAGUE OF CALIFORNIA CITIES	160715/14718		001-1200-412.23-05	LOCC RIVERSIDE GEN MTG WELCH - PALM SPRINGS 5/14	80.00
					001-1200-412.23-05	LOCC RIVERSIDE GEN MTG CLAYTON, R & COOK, S	1,175.00
164700	5/23/2018	LEAGUE OF CALIFORNIA CITIES	573700		001-4010-461.46-08	CITY MANAGER AD MAY 2018 WESTERN CITY MAGAZINE	2,715.11
164701	5/23/2018	LESLIE'S POOL SUPPLIES INC.	30316-001-5606	028543	001-4000-461.46-01	POOL SUPPLIES	161.09
164702	5/23/2018	LITHOPASS PRINTING, FORMS,	48941	028535	001-0000-218.22-22	WE RUN FLIERS	50.55
164703	5/23/2018	LUDWIG, ANNETTE & SID	080076255		001-0000-201.10-00	UB CR REFUND 000005194	(2.17)
164704	5/23/2018	LYNN PEAVEY COMPANY	340745		670-7000-473.45-16	SALES TAX	30.17
					670-7000-473.45-16	MANILA EVIDENCE ENVELOPES	104.90
164705	5/23/2018	MCCALLUM, CHARLES & MARY	900831-50090*18	028963	001-0000-218.22-22	PV[SOLAR]EXCESS ELECTRIC OUTPUT 1188KWH FINAL BILL	141.94
164706	5/23/2018	N.C.E.M., INC	000095209		001-0000-204.16-00	UB CR REFUND 000003890	4,976.82
164707	5/23/2018	NATIONWIDE RETIREMENT SOLUTIONS	20180525		001-4000-461.46-00	PAYROLL SUMMARY	71.12
164708	5/24/2018	OFFICE DEPOT	134456215001	028526	660-6300-471.36-08	OFFICE SUPPLIE	2,942.32
164709	5/24/2018	OLIN CORPORATION DBA	2500392	028886	670-7000-473.45-16	SODIUM HYPOCHLORITE 12.5%	665.90
164710	5/24/2018	ONE SOURCE DISTRIBUTORS	55802847.001	028759	670-7000-473.45-16	AUGERS	3,528.81
			55811466.001	028971	670-7000-473.45-16	CRIMP KIT, HACKZALL ETC	5,538.35
			25811466.002	028971	001-0000-204.25-00	BUCKEY LIFTS, CABLE	610.36
			20180525		702-3800-480.38-52	PAYROLL SUMMARY	141.00
164711	5/23/2018	PARS	902-118259	028583	702-3800-480.38-52	#231 BRAKE ROTOR	18.49
164712	5/23/2018	PARTS AUTHORITY METRO, LLC	062-4294420	028583	702-3800-480.38-52	#231 STBLZR BAR	61.27
			062-3491115	028583	702-3800-480.38-52	#839 BLOWER MOTOR	46.81
			062-349076	028583	702-3800-480.38-52	#833 AIR FILTER	(111.91)
			091-017998	028583	702-3800-480.38-52	CREDIT AIRFLOW SENSOR	

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164712		PARTS AUTHORITY METRO, LLC	091-018431	028583	100-4900-431.36-00	CREDIT PRONTO	(12.89)
			091-100413	028583	702-3800-480.38-52	#505 GAS-A-JUST & WEAR PA	239.93
			091-100414	028583	702-3800-480.38-52	#505 SEAL	16.79
			091-100766	028583	702-3800-480.38-52	#505 STOP LEAK	19.40
			091-100768	028583	702-3800-480.38-52	INVENTORY MOTOR TREATMENT	201.45
			091-100894	028583	702-3800-480.38-52	#231 WEAR PAD	64.04
			091-100921	028583	702-3800-480.38-52	#231 SEAL	12.54
			091-101009	028583	702-3800-480.38-52	#231 ZEREX	78.68
			091-101166	028583	702-3800-480.38-52	#838 AIR, FUEL, OIL FILTE	24.33
			091-101319	028583	702-3800-480.38-52	#838 WEAR PAD	83.79
			091-101450	028583	702-3800-480.38-52	#838 MINAT. LAMPS	2.91
			091-101534	028583	702-3800-480.38-52	#801 COMPRESSOR	194.14
			091-101777	028583	702-3800-480.38-52	#801 BELT	24.89
			091-101848	028583	702-3800-480.38-52	#801 POS SENSOR	20.35
			091-101954	028583	702-3800-480.38-52	#801 MANIFOLD LINE	90.42
			091-102036	028583	702-3800-480.38-52	#438 AIR & OIL FILTER	7.33
			091-102057	028583	702-3800-480.38-52	#438 FUEL FILTER	14.15
			091-102168	028583	702-3800-480.38-52	#839 MOTOR RESISTOR	18.34
			091-102388	028583	702-3800-480.38-52	#305 WHEEL CYLINDER	14.42
			091-102503	028583	702-3800-480.38-52	#305 SEAL	4.72
			091-102578	028583	702-3800-480.38-52	#833 OIL FILTER	24.70
			091-102598	028583	100-4900-431.26-00	PRONTO	12.89
			091-102592	028583	100-4900-431.36-00	PRONTO	52.53
			207331219-3	028553	001-5400-446.41-60	GROUND TRANSPORTATION LUCY JONES-DISASTER EXPO	88.84
			22520971	028553	610-5800-434.23-16	TRANSIT UNIFORMS INV DATE 11/21/2017	20.75
				028553	610-5800-434.25-02	TRANSIT UNIFORMS INV DATE 11/21/2017	53.56
				028553	610-5850-434.25-02	TRANSIT UNIFORMS INV DATE 11/21/2017	4.93
				028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
				028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	23.50
				028553	100-4900-431.25-02	STREET UNIFORMS	15.20
				028553	001-3600-461.25-02	PARKS UNIFORMS	6.65
				028553	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	5.36
				028553	761-3110-480.25-02	FSR UNIFORMS	26.23
				028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
				028553	610-5800-434.25-02	UNIFORM SERVICE	103.48
				028553	610-5850-434.25-02	UNIFORM SERVICE	4.93
	028553	761-3110-480.25-02	FSR UNIFORMS	26.23			
	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75			
	028553	610-5800-434.23-16	UNIFORM SERVICE	54.87			
	028553	610-5850-434.23-16	UNIFORM SERVICE	4.93			
	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75			
	028553	610-5800-434.25-02	UNIFORM SERVICE	54.87			
	028553	610-5850-434.25-02	UNIFORM SERVICE	4.93			
	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75			
	028553	610-5800-434.25-02	UNIFORM SERVICE	47.79			
	028553	610-5850-434.25-02	UNIFORM SERVICE	4.93			
	028553	761-3110-480.25-02	FSR UNIFORMS	31.63			
	028553	761-3110-480.25-02	FSR UNIFORMS	30.23			
	028553	761-3110-480.25-02	FSR UNIFORMS	33.63			
	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75			
	028553	610-5800-434.25-02	UNIFORM SERVICE	39.19			
	028553	610-5850-434.25-02	UNIFORM SERVICE	28.01			
	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36			
	028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90			
	028553	100-4900-431.24-02	STREET UNIFORMS	10.65			
	028553	001-3600-461.25-02	PARKS & STREETS UNIFORMS	12.30			

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164714	5/12/18	PRUDENTIAL OVERALL SUPPLY	22509369	028553	100-4900-431.25-02	PARKS & STREETS UNIFORMS	3.60
			22509370	028553	001-3200-412.25-02	BUILDING MAIN UNIFORMS	5.68
			22509371	028553	761-3110-480.25-02	FSR UNIFORMS	33.63
			22602998	028553	600-6300-471.25-02	UNIFORMS-WATER	40.00
			22603000	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
			22603001	028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
			22603038	028553	610-5800-434.25-02	UNIFORM SERVICE	39.20
			22603039	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			22603040	028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			22603041	028553	100-4900-431.25-02	STREET UNIFORMS	20.65
			22603043	028553	601-3200-412.25-02	BUILDING MAIN UNIFORMS	5.68
			22606399	028553	660-6300-471.25-02	FSR UNIFORMS	33.63
			22606300	028553	680-8000-454.25-02	UNIFORMS-WATER	40.00
164715	5/24/2018	PUBLIC AGENCY RETIREMENT SERVICES RACEWAY FORD INC	22606401	028553	610-5800-434.23-16	UNIFORMS-WASTEWATER	15.00
			22606401	028553	610-5800-434.25-02	UNIFORM SERVICE	20.75
			22606418	028553	610-5800-434.25-02	UNIFORM SERVICE	36.15
			22606419	028553	610-5850-434.25-02	UNIFORM SERVICE	1.86
			22609625	028553	610-5850-434.25-02	UNIFORM SERVICE	3.06
			22609628	028553	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			40153	028553	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			3656036C00	028553	702-3800-480.25-02	STREET UNIFORMS	10.65
			3672042	028553	001-3200-412.25-02	BUILDING MAIN UNIFORMS	5.68
			3674867	028553	601-3200-412.25-02	UNIFORM SERVICE	20.75
			3C84307	028553	610-5800-434.23-16	UNIFORM SERVICE	42.58
			757740	028553	610-5800-434.25-02	UNIFORM SERVICE	3.06
			3906	028553	610-5850-434.25-02	FLEET UNIFORMS & TOWELS	10.36
164717	5/24/2018	RCS INVESTIGATIONS & CONSULTING LLC	3656036C00	027942	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			3672042	028773	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			3674867	028773	702-3800-480.25-02	STREET UNIFORMS	10.65
			3C84307	028773	001-3200-412.25-02	BUILDING MAIN UNIFORMS	5.68
			757740	028773	601-3200-412.25-02	UNIFORM SERVICE	20.75
			3902	028813	610-5800-434.23-16	UNIFORM SERVICE	42.58
			3906	028813	610-5850-434.25-02	UNIFORM SERVICE	3.06
			3907	028813	702-3800-480.23-16	FLEET UNIFORMS & TOWELS	10.36
			00154984	028525	702-3800-480.25-02	FLEET UNIFORMS & TOWELS	17.90
			A165580	028519	702-3800-480.25-02	STREET UNIFORMS	10.65
			A165581	028519	001-3200-412.25-02	BUILDING MAIN UNIFORMS	5.68
			A165583	028519	601-3200-412.25-02	UNIFORM SERVICE	20.75
			5/6/2018	028923	610-5800-434.23-16	UNIFORM SERVICE	42.58
164718	5/24/2018	RECORD GAZETTE, THE RELIABLE WORKPLACE SOLUTIONS	NOV 17 - APR 18	028923	001-3200-412.25-02	PARS PLAN ID # PH-ARSO5A SVC PERIOD 20180331	300.00
			MEAL 5/10/18	028923	001-3200-412.25-02	CORE CREDIT	(600.00)
			WHELFAGE 5/10/18	028923	001-3200-412.25-02	#812 REGULATOR ASY	282.40
			3375537423	028923	001-3200-412.25-02	#240 PULLEY & FAN ASY	706.44
			3375537423	028923	001-3200-412.25-02	#835 RETAINER	14.92
			3375537423	028923	001-3200-412.25-02	#241 ENGINE MISFIRES REPA	9,902.32
			3375537423	028923	001-3200-412.25-02	INVESTIGATION SERVICE	2,380.00
			3375537423	028923	001-3200-412.25-02	INVESTIGATION SERVICE	5,150.00
			3375537423	028923	001-3200-412.25-02	PROFESSIONAL SERVICES	3,440.00
			3375537423	028923	001-3200-412.25-02	PHN-NOA GPA 17-2504	240.90
			3375537423	028923	001-3200-412.25-02	ADMIN & CODE ENFO/ COPIES	31.22
			3375537423	028923	001-3200-412.25-02	RECORDS COPIES	251.64
			3375537423	028923	001-3200-412.25-02	DB COPIES	26.40
164720	5/24/2018	RENE'S AQUATICS RUELAS, ELIAS SHOWERS, TISHA L	5/6/2018	028923	001-3200-412.25-02	LIFEGUARD TRAINING	2,203.20
			NOV 17 - APR 18	028923	001-3200-412.25-02	ENERGY ASSISTANCE PROGRAM REBATE NOV 2017- APR 2018	42.17
			MEAL 5/10/18	028923	001-3200-412.25-02	FRED PRYOR TRAINING	12.00
			WHELFAGE 5/10/18	028923	001-3200-412.25-02	FRED PRYOR TRAINING ONTARIO, CA	50.52
			3375537423	028923	001-3200-412.25-02	ROBERT METAU MEMBERSHIP ID#01489096 6/2018-5/2019	209.00
			3375537423	028923	001-3200-412.25-02	SPECIAL DEPT. SUPPLIES	214.96
			3375537423	028923	001-3200-412.25-02	BENEFITS FAIR REFRESHMENT	57.18
			3375537423	028923	001-3200-412.25-02	#824 PIN	107.41
			3375537423	028923	001-3200-412.25-02	DUES ASSESSMENT 2018-19	3,359.00
			3375537423	028923	001-3200-412.25-02	FILE CABINET	413.16
			3375537423	028923	001-3200-412.25-02	RETURN OFFICE SUPPLIES	(9.70)
			3375537423	028923	001-3200-412.25-02	LATERAL FILE PURCHASING	709.51
			3375537423	028923	001-3200-412.25-02	OFFICE SUPPLIES FOR ASD	48.74
			3375537423	028923	001-3200-412.25-02	OFFICE SUPPLIES FOR ASD	11.49

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164729	5/23/2018	SUPERIOR	208177		001-2800-441.23-06	WORKING W/PARCELS IN LAND/PARCEL MINGMNT	120.00
164730	5/23/2018	SUPERIOR PAVEMENT MARKINGS, INC	9653	028842	670-7000-473.90-15	CITY YARD STRIPING	1,450.00
164731	5/23/2018	TOWNSEND, JEFF & CITY OF BANNING	901399-52686-118		670-7000-473.27-60	PVSOLAR) EXCESS ELECTRIC OUTPUT 2386KWH FINAL BILL	210.68
164732	5/24/2018	TURBO DATA SYSTEMS INC	278095	028581	001-2200-421.23-05	CITATION PROCESSING SERV.	350.37
164733	5/24/2018	UNDERGROUND SERVICE ALERT	4701500038		100-4900-431.30-13	38 NEW TICKETS	24.23
					660-6300-471.45-08	38 NEW TICKETS	24.23
					670-7000-473.45-02	38 NEW TICKETS	24.24
164734	5/23/2018	WEST COAST SAND & GRAVEL, INC.	12031	028882	660-6300-471.45-17	RECYCLED CLASS 2 BASE	395.02
164735	5/23/2018	WESTRUX INTERNATIONAL INC	9603	028882	660-6300-471.45-17	RECYCLED CLASS 2 BASE	412.48
164736	5/23/2018	YOUNGBLOOD & ASSOCIATES	83047870	028719	702-3800-480.30-05	#242 RADIATOR DOOR REPAIR	518.00
164737	5/24/2018	ZOLLER, SUSAN	14324	028644	001-1300-412.33-32	POLYGRAPH EXAM FEE	225.00
164738	5/23/2018	AIRWAVE COMMUNICATIONS ENTERPRISES	FLVZ 17 / APR 13		675-7000-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2017- APR 2018	82.24
			5241	028397	001-2200-421.30-08	COMMUNICATIONS SYSTEM	1,225.78
			5241	028397	001-2200-421.30-08	COMMUNICATIONS SYSTEMS	1,225.78
			5203	028540	660-6300-471.30-06	TAMPER TUNE UP/PARTS	407.36
164739	5/23/2018	AL'S KUBOTA TRACTOR	116619		001-2200-421.33-11	CHP BLOOD DRAWS APRIL 2018	130.00
164740	5/23/2018	AMERICAN FORENSIC NURSES	70813		001-3000-432.23-03	ARTURO VELA - MEMBERSHIP RENEWAL	18.41
164741	5/23/2018	AMERICAN SOCIETY FOR PUBLIC ADMIN	125194-2018		001-3000-432.23-03	UB CR REFUND-FINALS 000010652	1,643.34
164742	5/23/2018	ARCINIEGA & SANTIAGO R	000055267	028559	001-0000-218.22-22	CADET BACKGROUND FEE	400.00
164743	5/23/2018	ARROW STAFFING SERVICE	103605	028752	001-2200-421.23-27	AVILA, SOL W/E 5/12/2018 PENA, ALEXISS W/E 5/12/18	137.39
164744	5/23/2018	ARROYO BACKGROUND INVESTIGATIONS	3626		001-1300-412.33-11	LMD VANDALISM REPAIR	1,082.73
164745	5/23/2018	ARTISTIC MAINTENANCE, INC.	0023135-IN		111-4900-432.30-01	COUFORMS,123 TRICHLORO	15.00
164746	5/23/2018	AT&T MOBILITY	9924519380000418	028636	001-2200-421.26-05	ANDRADE, DANIELA SUNRISE BREAKFAST 5/16	170.00
164747	5/23/2018	BABCOCK LABORATORIES, INC	0830181-0030		660-6300-471.23-32	WELCH, ART SUNRISE BREAKFAST 5/16	15.00
164748	5/23/2018	BANNING SAN GORGONIO PASS AREA	002		001-3000-411.23-05	EVOC TRAINING MEAL 4/03	12.00
164749	5/23/2018	BENNETT, MICHAEL	MEAL 4/03/18		001-2200-421.23-06	UB CR REFUND-FINALS 000011660	106.31
164750	5/23/2018	BISCHOF, BERN JOSEF	000095717		001-0000-218.22-22	UB CR REFUND-FINALS 000011770	41.15
164751	5/23/2018	BLUE SHIELD OF CALIFORNIA	10467 2018		001-0000-204.31-00	HEALTH INSURANCE PREMIUMS JUNE 2018	71,546.42
164752	5/23/2018	CA, ST. DEPT. OF CONSUMER AFFAIRS	75696-2018		001-3000-442.23-03	ARTURO VELA - RENEWAL CERT ID # 75696	115.00
164753	5/23/2018	CALIFORNIA, STATE OF	304525	028550	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	35.00
			304591	028550	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	105.00
164754	5/23/2018	CALOLYMPIC GLOVE & SAFETY CO, INC	369451	028939	630-8000-454.45-16	ATLAS GLOVE-FULL PALM	241.28
164755	5/23/2018	CAYABAY & JEROME & JANICE	000096227		001-0000-218.22-22	UB CR REFUND-FINALS 000054100	119.53
164756	5/23/2018	CDW GOVERNMENT, INC	MR29832		703-3700-480.30-17	RENEW BARRACUDA	980.00
164757	5/23/2018	COOPER & JADE	000096485	028524	001-0000-218.22-22	UB CR REFUND-FINALS 000013022	19.12
164758	5/23/2018	DEUSENBERRY, DANIEL	000096485		001-2200-421.23-06	EVOC TRAINING MEAL 4/03	12.00
164759	5/23/2018	DIRECTV	34173694184		001-2200-421.26-09	PD MOBILE COMMAND SATLLITE MAY 9, 2018 - JUN 8, 2018	19.00
164760	5/23/2018	DOCKEN, NIKITA	000093485		001-0000-218.22-22	UB CR REFUND-FINALS 000001284	20.19
164761	5/23/2018	DOUBLE TREE - DEL MAR	93272429	028867	001-2200-421.23-05	ROBERT FISHER 6/17-6/21	563.48
164762	5/23/2018	ECONO FENCE, INC	4039		001-0000-232.00-00	PROJECT 2017-14 RETAINAGE	(2,657.25)
			4039		001-3600-461.90-06	PROJECT 2017-14	53,145.00
			4039		001-0000-232.00-00	PROJECT 2017-14 RETAINAGE	(265.73)
			4039		001-3600-461.90-06	PROJECT 2017-14	5,314.50
164763	5/23/2018	FEDEX	00-186-90907	028538	001-2200-421.23-04	PACKET DELIVERY FEE	34.29
164764	5/23/2018	FELIX, ALBERTO	MEAL 4/03/18		001-2200-421.23-06	EVOC TRAINING MEAL 4/03	12.00
164765	5/23/2018	FERGUSON, PRAET & SHERMAN	MEALS 6/05-7		001-2700-421.23-06	FTO UPDATE 6/05-6/07	36.00
164766	5/23/2018	FREITAS, DARLENE	21902		700-5040-480.13-11	DEFENSE COSTS APRIL 2018	253.50
164767	5/23/2018	FRONTIER COMMUNICATIONS	000096383		001-0000-218.22-22	UB CR REFUND-FINALS 000003284	106.44
			209138559TEMP0418		001-2200-421.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	45.95
					001-2400-422.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	57.05
					001-4500-412.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	1,040.04
					660-6300-471.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	490.16
					670-7000-473.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	220.98
					702-3800-480.26-05	209-188-5918 APR 28, 2018 - MAY 27, 2018	56.38

City of Banning
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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
164767	5/21/2018	FRONTIER COMMUNICATIONS	2130197904BIMAY18		001-2200-421.26-05	213-019-7968 MAY 7, 2018 - JUN 6, 2018	305.57
			21318181718BIMAY18		703-3700-480.30-17	213-181-7186 FIOS MAY 19, 2018 - JUN 16, 2018	299.88
			9518491575MAY18		001-2200-421.26-05	951-849-1575 MAY 13, 2018 - JUN 12, 2018	117.66
			9518497296MAY18		001-4500-412.26-05	951-849-7296 MAY 16, 2018 - JUN 15, 2018	108.55
			9518498256MAY18		001-2200-421.26-05	951-849-8256 MAY 16, 2018 - JUN 15, 2018	948.13
164768	5/21/2018	GARCIA, JOSE ROSARIO	000095799		001-0000-218.22-22	UB CR REFUND-FINALS 000006724	113.62
164769	5/21/2018	GAS COMPANY, THE	03592684002MAY18		001-4050-461.26-06	789 N SAN GORGONIO AVE APR 16, 2018 - MAY 15, 2018	42.25
			05192710001JUN18		001-4050-461.26-06	201 W GEORGE ST APR 16, 2018 - MAY 15, 2018	17.70
			07702683751JUN18		001-2200-421.26-06	125 E RAMSEY ST APR 16, 2018 - MAY 15, 2018	155.87
			091412471007JUN18		001-4050-461.26-06	84 W WILSON ST APR 16, 2018 - MAY 15, 2018	109.19
			16108144439MAY18		001-4070-461.26-06	749 N SAN GORGONIO AVE APR 16, 2018 - MAY 15, 2018	226.08
			19409162408APR18		001-3600-471.26-06	176 E LINCOLN ST MAR 23, 2018 - APR 23, 2018	36.93
					100-4900-431.26-06	176 E LINCOLN ST MAR 23, 2018 - APR 23, 2018	36.92
					600-6300-471.26-06	176 E LINCOLN ST MAR 23, 2018 - APR 23, 2018	73.86
					670-7000-473.26-06	176 E LINCOLN ST MAR 23, 2018 - APR 23, 2018	73.86
					702-3800-480.26-06	176 E LINCOLN ST MAR 23, 2018 - APR 23, 2018	73.86
164770	5/21/2018	GOVERNMENT STAFFING SERVICES, INC	128227		001-1900-412.23-27	COBOS, SHIRLEY W/E 4/15	4,165.00
			128354		001-1500-412.23-27	COBOS, SHIRLEY W/E 5/27	4,760.00
164771	5/21/2018	GRAINGER	9762067917	028641	600-6300-471.45-16	SCREWDRIVER,WRENCH,JOINT	176.02
164772	5/21/2018	HOME DEPOT #8987	259068	028552	855-9500-490.90-30	PRESSURE WASHER RENTAL	14.22
164773	5/21/2018	HOWLAND & LENORE ANNE	000076915		001-0000-218.22-22	UB CR REFUND-FINALS 000009114	15.03
164774	5/21/2018	HR GREEN PACIFIC, INC	118090	028919	001-3000-442.33-53	ENVIRONMENTAL ENGINEERING	504.00
164775	5/21/2018	ICMA	536597-2018		001-1300-412.23-03	ROBERT METAU # 536597 2018 ANNUAL RENEWAL	200.00
164776	5/21/2018	INLAND WATER WORKS SUPPLY CO.	510097955-002		600-0000-131.00-00	10" ASB RING GASKET PO NUM 028785	33.94
164777	5/21/2018	KAISER FOUNDATION HEALTH	JUNE 2018		001-0000-204.31-00	KAISER PREMIUMS -JUN 2018 GROUP 101565-0002	33,909.18
						KAISER PREMIUMS -JUN 2018 GROUP 101565-0006	8,898.01
164778	5/21/2018	KEMIRA WATER SOLUTIONS INC	501758-4916		001-0000-201.10-00	SALES TAX	(29.22)
164779	5/21/2018	LITHOPASS PRINTING, FORMS,	48506	028763	680-8000-454.36-08	FERRIC SULFATE SOLUTION	406.20
			48510	028535	610-5800-434.23-02	OPER DEFECT RPT	204.94
			48511	028535	001-1900-412.23-02	#10 WINDOW ENVELOPES	367.43
			48513	028535	001-1900-412.23-02	#9 REGULAR ENVELOPES	164.79
			48524	028692	001-2200-421.30-02	REPLACE POWER LIGHTS	241.08
164780	5/21/2018	M BRY ELECTRIC, INC	30524	028950	600-6300-471.45-08	RETRO TOP PLATE ASSEMBLY	980.18
164781	5/21/2018	MC CALL'S METER SALES	610242220CFUND		001-0001-306.12-07	CREDIT BALANCE REFUND CLOSED OUT ACCOUNT	20.00
164782	5/21/2018	MOTA'S FLOOR COVERING, INC			001-4000-461.36-00	STAPLER,SCISSORS, STAPLES	54.34
164783	5/21/2018	OFFICE DEPOT	137674645001	028526	001-4000-461.36-00	OFFICE SUPPLIES	49.51
			139401637001	028526	001-0000-218.22-22	UB CR REFUND-FINALS 000052914	62.16
164784	5/21/2018	PASILLAS, YVETTE	000096129		001-3000-442.23-01	18-016 GEN. CONSTRUCTION	371.70
164785	5/21/2018	PRESS-ENTERPRISE, THE	0011112203	028572	600-6300-471.25-02	UNIFORMS-WATER ORGNL INV DATE 12/26/2017	50.00
164786	5/21/2018	PRUDENTIAL OVERALL SUPPLY	225489067	028553	600-6300-454.25-02	UNIFORMS-WASTEWATER ORGNL INV DATE 12/26/2017	15.00
			225489068	028553	600-6300-471.25-02	UNIFORMS-WATER	50.00
			22563546	028553	680-8000-454.25-02	UNIFORMS-WASTEWATER	15.00
			22563547	028553	600-6300-471.25-02	UNIFORMS-WATER	46.50
			22571274	028553	600-6300-471.25-02	UNIFORMS-WASTEWATER	12.30
			22571275	028553	680-8000-454.25-02	UNIFORMS-WATER	12.30
			22604040	028553	001-3600-461.25-02	PARKS & STREET UNIFORMS	3.60
				028553	100-4900-431.25-02	PARKS & STREET UNIFORMS	12.30
				028553	001-3600-461.25-02	PARKS & STREET UNIFORMS	3.60
				028553	100-4900-431.25-02	PARKS & STREET UNIFORMS	12.30
				028553	610-5800-434.23-16	UNIFORM SERVICE	20.75
				028553	610-5800-434.25-02	UNIFORM SERVICE	43.42
				028553	610-5850-434.25-02	UNIFORM SERVICE	3.06
				028553	001-3600-461.25-02	STREET & PARKS UNIFORMS	12.30
				028553	100-4900-431.25-02	STREET & PARKS UNIFORMS	3.60
164787	5/21/2018	RAYMONDE WILSON TRUST	22613470		001-0000-218.22-22	UB CR REFUND-FINALS 000001624	229.50
			000074575				

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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
164788	5/21/2018	RIGHT SOLUTION, LLC	000006661		001-0000-218.22-22	UB CR REFUND-FINALS 000039774	30.16
164789	5/21/2018	RINGSIDE BOXING CLUB	000092265		001-0000-218.22-22	UB CR REFUND-FINALS 000004076	1.13
164790	5/21/2018	RIV. CO. COMMUNITY HEALTH AGENCY	000119496		001-2200-421.41-04	125 E RAMSEY ST ACCT # AR0078669	1,085.00
164791	5/21/2018	RIV. CO. SHERIFF'S DEPT.	0000003527		001-2200-421.23-06	DEREK THESIER TUITION CRISIS INTERVENTION 6/26	63.00
164792	5/21/2018	RIV. CO. SHERIFF'S DEPT.	0000003528		001-2200-421.23-06	BRIAN CALLAHAN TUITION CRISIS INTERVENTION 6/26	63.00
164793	5/21/2018	RIVERSIDE, COUNTY OF	0000000000		001-2200-421.23-02	APRIL 2018 PARKING CITATION ASSESSMENT	513.60
164794	5/21/2018	SAN GORGONIO PASS DESIGN AND PRINT	10409	028536	001-2200-421.23-02	500 COMPLAINT FORMS	136.67
164795	5/21/2018	SANCHEZ, EMIDIA	000092403	028536	001-2200-421.23-02	BUSINESS CARDS	73.27
164796	5/21/2018	SBSD-EVOC TRAINING CENTER	000092403		001-0000-218.22-22	UB CR REFUND-FINALS 000010446	307.99
164797	5/21/2018	SHRED-IT USA, LLC	000092403		001-2200-421.23-06	EVOC UPDATE DRIVER TRNG 04/03/2018	555.00
164798	5/21/2018	SILVER & WRIGHT, LLP	000092403	028681	001-2200-421.23-11	CITY HALL PU 4/26 & 5/10	108.00
164799	5/21/2018	SOUTH COAST AIR QUALITY	000092403		700-5300-480.33-04	APRIL 2018 LEGAL SERVICES	2,327.30
164800	5/21/2018	SOUTH COAST AIR QUALITY	000092403		001-3200-412.41-04	99 E RAMSEY ST FACH167602 JULY 2017 - JUNE 2018	128.61
164801	5/21/2018	SOUTH COAST AIR QUALITY	000092403		001-3200-412.41-04	789 N SAN GORGONIO AVE FAC ID # 167603 7/17-6/18	128.61
164802	5/21/2018	TERMINIX COMMERCIAL	000092403	028958	001-2400-422.23-24	125 E RAMSEY ST FAC ID # 157320 7/17-6/18	442.32
164803	5/21/2018	THE SOCO GROUP, INC.	000092403	028958	001-3200-412.23-24	PEST CONTROL- FIRE STATIO	477.24
164804	5/21/2018	THURMOND, DEBORAH	000092403		702-3200-480.36-11	PEST CONTROL- CITY YARD	23,292.85
164805	5/21/2018	TIME WARNER CABLE	000092403		001-4000-351.35-09	UNLEADED FUEL	30.00
164806	5/21/2018	URREA, RIO & SOLANA	000092403		001-2000-446.26-09	SOCCER REFUND ANASTASIA STOCKINGER	91.85
164807	5/21/2018	VILLEGAS, JOSE	000092403		001-2000-446.26-09	99 E RAMSEY ST MAY 25/2018 - JUN 24/2018	11.87
164808	5/21/2018	VISTA PAINT	000092403	028571	001-2000-446.26-09	789 N SAN GORGONIO AVE JUN 1,2018 - JUN 30,2018	37.45
164809	5/21/2018	WELLS FARGO CARD SERVICES INC	000092403	028571	001-0000-218.22-22	172 N MURRAY ST JUN 1,2018 - JUN 30,2018	27.60
164810	5/21/2018	WELLS FARGO CARD SERVICES INC	000092403		570-7000-356.38-01	UB CR REFUND-FINALS 000010480	12.80
			000092403		675-7020-356.38-15	MEDICAL LIFELINE DEC 2017 - MAY 2018	0.72
			000092403		855-9500-490.90-30	PUBLIC BENEFIT CHARGE REBATE DEC 2017- MAY 2018	344.99
			000092403		855-9500-490.90-30	IVORY, GREEN & WHITE PNT	88.91
			000092403		001-1000-411.36-07	GREEN PAINT - PROJ 2016-04	(3.48)
			000092403		001-1300-412.23-01	SALES TAX CITY SEAL	52.86
			000092403		001-1400-412.23-03	LA VILLA BURGERS CITY COUNCIL MTG FOOD 5/8	250.00
			000092403		001-1400-412.23-03	LEAGUE OF CA CITIES WESTERN CITY ONLINE AD	100.00
			000092403		001-1400-412.23-06	HIMC - ID# 30789 RENEWAL SONIA DE LA FUENTE	48.39
			000092403		001-1400-412.23-06	HOLMESCUSTOMPRODUCTS.COM CITY SEAL	99.99
			000092403		001-4000-461.89-49	MACROMEDIA - ADOBE SPARK SCOTT FOSTER	300.00
			000092403		670-7000-473.23-06	SCPPA - MILLER, TOM ANNUAL CONFERENCE 5/17/18	300.00
			000092403		630-2000-454.23-05	SCPPA - ROBINSON, BRANDON ANNUAL CONFERENCE 5/17/18	300.00
			000092403		001-1910-412.23-03	SCPPA - SMITH, JASON ANNUAL CONFERENCE 5/17/18	653.40
			000092403		001-1910-412.23-05	HYATT HOTEL - CWEA RESERV THORNTON & MOLEDO	130.00
			000092403		001-1910-412.23-05	CAPPO - JORGE URIBE 2018 MEMBERSHIP	270.00
			000092403		001-2000-446.89-49	CAPPO - TISHA SHOWERS 2018 MEMBERSHIP	479.88
			000092403		001-2200-421.23-06	CAPPO - SHOWERS & URIBE 01/08/2018 CONFERENCE	175.96
			000092403		001-2210-421.23-06	ADOBE SYSTEMS INC CREATIVE CLOUD SUBSCRIPTN	(2,182.30)
			000092403		001-4000-461.89-49	SOUTHWEST AIRLINES PHIL HOLDER TRAINING	67.85
			000092403		001-1300-412.23-05	CCI HOTEL GUESTRESERVATNS AYRES HOTEL-YOUNGBLOOD,C	91.15
			000092403		001-1300-412.23-06	BIGLOTS.COM 7 DRAWER BIN CART	331.74
			000092403		001-1910-412.23-06	WALMART.COM OUTDOOR PICNIC TABLE	509.96
			000092403		001-1910-412.23-06	SHRM - ROBERT METEAU HOTEL DEPOSIT	2,015.00
			000092403		001-1910-412.23-06	SHRM - ROBERT METEAU ANNUAL CONFERENCE REGSTN	39.00
			000092403		001-1910-412.23-06	CAPPO - JENNIFER MCCOY BEST VALUE BIDS WEBINAR	39.00
			000092403		001-1910-412.23-06	CAPPO - JENNIFER MCCOY COST ANALYSIS FOR PROCURM	39.00
			000092403		001-1910-412.23-06	CAPPO - JENNIFER MCCOY PERFORMANCE MEASUREMENTS	39.00
			000092403		001-1910-412.23-06	CAPPO - JORGE URIBE COST AVOIDANCE REPORTING	39.00
			000092403		001-1910-412.23-06	CAPPO - JORGE URIBE DEBATING LOCAL VENDOR PRE	39.00
			000092403		001-1910-412.23-06	CAPPO - JORGE URIBE HANDLING CHANGE IN MNGMT	39.00
			000092403		001-1910-412.23-06	CAPPO - TISHA SHOWERS PURCHASING ROLE IN CONSTR	400.00
			000092403		001-1910-412.23-06	NATIONAL PROCUREMENT INST AEP AWARD APP FEE	

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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
164810	5/22/18	WELLS FARGO CARD SERVICES INC	JNY 6093 MAY18		001-1910-412.23-06 001-3000-482.23-06 001-4010-461.23-06 001-4010-461.25-02 670-7000-473.23-05 001-0000-218.22-22 001-4000-461.36-09 001-0000-204.80-14 001-0000-204.20-00	NATIONAL PROCUREMENT INST NPI ANNUAL MEMBERSHIP FEE ASCE HYDROLOGIC TRESPASS ANOTHER PERFECT POOL CPO CERT CLASS - C AREIAS SWIMOUTLET.COM LIFEGUARD WHISTLES DOUBLETREE HOTEL-T MILLER SMUA CONFERENCE UB CR REFUND-FINALS 000014090 PRINTING ON SHIRTS VEBA CONTRIBUTIONS PPE 04/08/2018 CREDIT NOT TAKEN E FLOYD ADJUSTMENT RETIREMENT BENEFITS PPE 04/08/2018 REF INVOICE CHRISTOPHER PAXTON CAL PERS 457 CONTRIBUTION PPE 4/22/2018 CREDIT TAKEN FROM PPE 4/8 RETIREMENT BENEFITS PPE 4/22/2018 VEBA CONTRIBUTIONS PPE 4/22/2018 MED CONTR-D SAVARD WILL BE CORRECTED NEXT PP MEDICAL CONTRIBUTIONS PPE 5/06/2018 DEPENDENT CARE CONTRBTN PPE 5/06/2018 PAYROLL PPE 5/06/2018 PAYROLL TAX DEPOSIT PPE 5/06/2018 FEDERAL INCOME TAX PPE 5/06/2018 FICA MEDICARE PPE 5/06/2018 ST UNEMPLOYMENT INSURANCE QUARTER END 3/31/2018 CAL PERS 457 CONTRIBUTION PPE 5/06/2018 RETIREMENT BENEFITS PPE 5/06/2018 VEBA CONTRIBUTIONS PPE 5/06/2018 PAYROLL PPE 5/20/2018 PAYROLL TAX DEPOSIT PPE 5/20/2018 FEDERAL INCOME TAX PPE 5/20/2018 FICA MEDICARE PPE 5/20/2018 MEDICAL CONTRIBUTIONS PPE 5/20/2018 DEPENDENT CARE CONTRBTN PPE 5/20/2018 GASB 68 REPORT & CENSUS DATA VEBA CONTRIBUTION PPE 5/20/2018 CAL PERS 457 CONTRIBUTION PPE 5/20/2018 RETIREMENT BENEFITS PPE 5/20/2018	240.00 99.00 285.00 112.10 354.52 6.72 783.89 26,564.60 353.65 81,172.31 51.93 35,890.99 (353.65) 79,480.99 500.00 27.04 4,185.32 544.18 355,706.38 19,388.15 48,081.59 83,972.10 9,900.00 33,758.37 79,355.86 500.00 319,429.62 17,587.10 46,473.48 77,127.68 4,076.98 544.18 2,250.00 500.00 33,800.41 80,101.31 6,227,226.06 (88.00) (152.00) 5,475.18 6,232,461.24
164811	5/22/2018	WETZEL, KYLE & CELINE	000091639	028969			
164812	5/31/2018	XENIA PACIFIC, INC	4510				
9006226	5/1/2018	WELLS FARGO BANK	PPE 04/03/18				
9006227	5/1/2018	CA. ST. PUBLIC EMPLOYEES	PPE 04/03/18				
9006228	5/2/2018	CA. ST. PUBLIC EMPLOYEES	100000015253319				
9006229	5/1/2018	CALPERS 457 PLAN - 450260	PPE 4/22/18				
9006230	5/3/2018	CA. ST. PUBLIC EMPLOYEES	PPE 4/22/18				
9006231	5/2/2018	WELLS FARGO BANK	PPE 4/22/18				
9006232	5/2/2018	TASC	PPE 5/06/18				
9006233	5/11/2018	WELLS FARGO BANK	PPE 5/06/18				
9006234	5/14/2018	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 5/06/18				
9006235	5/14/2018	INTERNAL REVENUE SERVICE	PPE 5/06/18				
9006236	5/15/2018	CALIFORNIA, STATE OF	L3442671392				
9006237	5/17/2018	CALPERS 457 PLAN - 450260	PPE 5/06/18				
9006238	5/17/2018	CA. ST. PUBLIC EMPLOYEES	PPE 5/06/18				
9006239	5/17/2018	WELLS FARGO BANK	PPE 5/06/18				
9006240	5/28/2018	WELLS FARGO BANK	PPE 5/20/18				
9006241	5/29/2018	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 5/20/18				
9006242	5/29/2018	INTERNAL REVENUE SERVICE	PPE 5/20/18				
9006243	5/29/2018	TASC	PPE 5/20/18				
9006244	5/11/2018	CA. ST. PUBLIC EMPLOYEES	100000015311093				
9006245	5/11/2018	WELLS FARGO BANK	PPE 5/20/18				
9006246	5/11/2018	CALPERS 457 PLAN - 450260	PPE 05/20/18				
9006247	5/31/2018	CA. ST. PUBLIC EMPLOYEES	PPE 05/20/18				
Grand Total						Less Voided / Reissued Checks from Prior Period Less Voided Checks Prior Period Add Payroll Checks Total Remittance for Month	6,227,226.06 (88.00) (152.00) 5,475.18 6,232,461.24

Voided Checks

May 2018

Date	Check	Vendor #	Reason	Amount	Check	Vendor #	Amount
5/10/2018	164251	99001	No attendees	\$ 60.00			
5/10/2018	161167	6198	Lost check	\$ 12.00	164524	6198	\$ 12.00
5/10/2018	160716	3204	Stale dated check	\$ 16.00	164467	3204	\$ 16.00
5/10/2018	160980	3204	Stale dated check	\$ 16.00	164467	3204	\$ 16.00
5/10/2018	161229	3204	Stale dated check	\$ 32.00	164467	3204	\$ 32.00
5/10/2018	160407	7032	Stale dated check	\$ 12.00	164503	7032	\$ 12.00
5/17/2018	164525	99001	Training class was cancelled	\$ 119.00			
5/17/2018	164526	99001	Vendor paid through credit card	\$ 995.22			
5/24/2018	163166	1327	Payment not required	\$ 92.00			
5/24/2018	164605	2496	Payment required separate checks	\$ 1,375.00	164699	2496	\$ 200.00
					164700	2496	\$ 1,175.00
TOTALS				\$ 2,729.22			\$ 1,463.00

Payroll

May 2018

Start	End	Date	Description	Check Total	
11397	11410	5/11/2018	WARRANT REGISTER	\$	2,320.71
11411	11430	5/25/2018	WARRANT REGISTER	\$	3,154.47
TOTALS				\$	5,475.18
35 CHECKS USED					

Prepared 5/10/18, 15:59:04
 Program PR655L
 CITY OF BANNING

Check Register
 BIWEEKLY
 Pay Date 5/11/18

Page 1
 Pay Period 10
 4/23/18 to 05/06/18

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M	6585	11397	.00
	CALIF. STATE DISBURSEMENT UNIT		11398	115.38
	OFFICE OF THE ATTORNEY GENERAL		11399	241.38
	UNITED STATES TREASURY		11400	125.50
	CALIF. STATE DISBURSEMENT UNIT		11401	180.46
	TRACY YOUNGBLOOD		11402	223.39
	FRANCHISE TAX BOARD		11403	91.69
	LAPHAM, SIERRA G	4397	11404	165.81
4000-461	ALDERMAN, LUKE D	220	11405	102.98
4010-461	UNITED STATES TREASURY		11406	260.00
	MARY NELL WARE		11407	300.00
	FRANCHISE TAX BOARD		11408	75.00
	US DEPT OF EDUCATION		11409	245.28
	CALIF. STATE DISBURSEMENT UNIT		11410	193.84
Total Checks -			14	2,320.71

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
1000-411	PETERSON, DON M	6585	11411	.00
	CALIF. STATE DISBURSEMENT UNIT		11412	115.38
	OFFICE OF THE ATTORNEY GENERAL		11413	241.38
	UNITED STATES TREASURY		11414	125.50
	CALIF. STATE DISBURSEMENT UNIT		11415	180.46
	TRACY YOUNGBLOOD		11416	223.39
	FRANCHISE TAX BOARD		11417	83.66
	LAPHAM, SIERRA G	4397	11418	152.43
4000-461	ALDERMAN, LUKE D	220	11419	205.95
4010-461	FLOYD, ANTHONY P	2394	11420	61.57
4010-461	GARCIA, JAREN D	2549	11421	42.83
4010-461	GARCIA, MARIO A	2547	11422	180.17
4010-461	GILCHRIST JR, SEAN E	2699	11423	126.68
4010-461	QUINN, MELISSA S	6748	11424	220.95
4010-461	TRYON, MYKAELA C	8441	11425	44.61
4010-461	UNITED STATES TREASURY		11426	260.00
	MARY NELL WARE		11427	300.00
	FRANCHISE TAX BOARD		11428	75.00
	US DEPT OF EDUCATION		11429	320.67
	CALIF. STATE DISBURSEMENT UNIT		11430	193.84
Total Checks -			20	3,154.47



**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: June 26, 2018

SUBJECT: Public Works Capital Improvement Project Status List

RECOMMENDED ACTION:

This is informational only; receive and file report.

GOAL STATEMENT:

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

BACKGROUND:

There are several planning, environmental, design and construction contracts that have been approved by City Council and/or the Interim City Manager's office that are being managed by the Public Works Department. In an effort to keep the City Council and the public informed of the progress made and current status of each project, staff has prepared and will continue to update the attached Public Works CIP Tracking Sheet. The list will be presented to City Council on a monthly basis.

FISCAL IMPACT:

None

ATTACHMENTS:

1. CIP Status List
- Approved by:

Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Public Works Department CIP Tracking Sheet

PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS (CIP) TRACKING SHEET

Category	Project #	Project	Phase	Council Award Date	Project Kickoff	% Completed	Tasks Completed	Current Tasks	1 Month Look Ahead Tasks	Future Tasks	Tentative Completion	Project Budget
Streets	2014-03	Hargrave/Ramsey Street Intersection	Design	5/26/2015	8/10/2015	95%	PS&E are 100% complete.	Waiting for SCE to complete their design and easement documents for the relocation of power poles. Acquiring Caltrans permit. Banning Electric preparing improvement plans.	SCE and Banning Electric complete designs.	Execute easement and right of way dedication documents. Council to accept easement and right of way dedications. Bid project.	8/1/18	\$ 79,920
Streets	2016-11	Hathaway/Ramsey Street Intersection	Design	12/12/2016	1/18/2017	90%	Staff completed reviewing and submittal of PS&E. Preliminary R/W appraisal. "Intent to Appraise" letters sent to property owners.	Banning Electric preparing improvement plans. Review of right-of-way documents, preparation of Temporary Construction Easements and appraisals. Review final PS&E.	Present appraisal to council and property owners. Complete PS & E package.	Complete right-of-way acquisition. Bid project.	8/1/18	\$ 254,512
Streets	ATP-52140(12)	ATP Bicycle/Pedestrians Safe Routes to School	Environmental Design, Construction	5/22/2018	6/19/2018	5%	Design Funding Allocation approved by CTC in March 2017 and approved by Caltrans in April 2017. Council approved PSA dated 5-22-18.	Scheduled kick-off meeting for the design with Caltrans on 6-19-18.	Start the design. Provide record drawing to consultant.	Review PS&E submitted by design consultant.	Designs 12/1/2018, Construction 12/1/2019	\$ 1,082,000
Streets	HSR-5214 (010)	Traffic Signal System Improvements on Ramsey Street	Construction	6/27/2017	11/6/2017	100%	Construction completed.	Caltrans post construction review/approval and NOC.	File NOC with County & release of retention.	NOC recoredation with the County & Release of Retention amount	-	\$ 384,000
Streets	STP-5214 (011)	Ramsey Street, from Hargrave St. to west of Hathaway St.	Environmental, PS&E	-	-	80%	PS&E are 75% complete. Cultural resources study approved by Caltrans. Draft PS and E documents sent to Caltrans for review and comment.	Finalizing of PS&E	Advertise Notice Inviting to Bid, consider combining the project with Hargrave St. and Hathaway St. improvements for better bid costs and results	Open bids and recommend award to City Council	9/1/18	\$ 295,000
Streets	-	Joshua Palmer Way Realignment	Design	-	-	95%	PS&E 95% complete. Submitted to Caltrans for review. Funding agreement in place. Appraisals completed.	Right of way acquisition. Caltrans review.	Negotiate right-of-way acquisition price with property owners. Complete all improvements plans. Obtain Caltrans permit.	Notice Inviting to bid	-	-
Parks	2017-03	Lions Park Multi Purpose Fields, CEQA	Environmental	11/7/2016	-	95%	Received FAA and AILUC approval for project. ABS2 Consultation was started. Completed borrowing owl study.	ABS2 Consultation	Complete CEQA Document	-	8/1/18	\$ 66,300
Parks	2017-03	Lions Park Multi Purpose Fields	Design	7/11/2017	9/5/2017	95%	Staff is reviewing the final PS&E.	Staff is reviewing the final PS&E.	MyLars submittal and final approval of PS&E.	Looking for funding for Construction	8/1/18	\$ 77,798
Parks	2016-04	Roseworth Williams Park Improvements	Construction	6/27/2017	8/27/2017	99%	Maintenance started on May 22, 2018 and will ended on June 22, 2018 and completing final punch list items.	Maintenance started on May 22, 2018 and will ended on June 22, 2018 and completing final punch list items.	Approval of NOC by City Council.	Filing of NOC with the County and release of retention amount.	8/1/18	\$ 2,450,000
Parks	2017-10	Repeller Park Parking Lot Landscaping	Design	-	4/5/2017	100%	Development of PS&E	Coordination with Purchasing Department to advertise project.	Bid project, open and evaluate bids.	Award construction contract.	2/1/18	\$ 10,960
Parks	2017-10	Repeller Park Parking Lot Landscaping	Construction	3/13/2018	5/7/2018	98%	Construction started. Most items completed.	Waiting on final paving.	Final paving and final walkthrough and punchlist items.	Approval of NOC	8/1/18	\$ 88,467
Building, Multi	2017-01	Community/Senior Center Improvements	Construction	3/27/2018	6/11/2018	20%	Project kicked off. Demolition completed. Mold abatement completed. Roof installation has started at Community Center.	Roof installation, gym flooring prep work.	Installation of gym flooring, completion of community center roof and roof work at senior center.	Completion of roof installation, ceiling and wall repairs, painting, dry light tinting, installation of gym flooring and installation of security system.	8/1/18	\$ 432,210
Water	2016-02W	Water Canyon Pipeline Replacement	Construction	11/14/2017	11/30/2017	85%	Installation of 6,900 feet of 24-inch Ductile Iron Pipe; flushing and pressure testing of 4,100 feet of 24-inch Ductile Iron Pipe; Bact Testing and tie-ins of 4,100 feet of 24-inch DIP	Monitoring for Cultural, Archeological and Paleontological Resources; Disinfection and Bact Testing. Tie-ins for lower two segments of Phase 1	Trenching and Pipeline Installation; Monitoring for Cultural, Archeological and Paleontological Resources; Pipeline Flushing and Disinfection; Pressure Testing and Bact Testing	Final Testing and Acceptance.	6/27/18	\$ 2,100,000
Water	2015-01W	Water Line Replacement (3 Locations)	Design	3/24/2015	4/15/2016	95%	100% Design for Location 3; 90% Design for Location 2	90% review for Location 2; preliminary review for Location 3	Complete plans and specs for location 3	Complete plans and specs for Location 2	6/30/18	\$ 107,980
Water	2017-11W	Integrated Regional Water Management Plan	Plan Development, Project Nominations	3/14/2017	4/11/2017	99%	Draft Plan; Water Supply Reliability Study; Recycled Water Feasibility Study; Wastewater Modeling Update; Bact S&C; and other studies for the project. Nominations Submittals and Evaluations. Boundary coordination with Coachella Region and acceptance by DWR. Final IRWM Plan. City Council approval.	Submittal of IRWM Plan to DWR for comment/approval.	City Council review and adoption. Final approval by Department of Water Resources	IRWM Plan implementation	11/30/18	\$ 1,075,904
Water	2017-GWA	Groundwater Audit	Planning	-	10/4/2017	90%	Kickoff Meeting. Data Gathering. Data Review and Analysis. Draft Summary Report.	Review of Draft Summary Report	Meeting to discuss Pumping Recommendations	Finalize Groundwater Audit Report; Implementation	6/30/18	\$ 19,886
Water/Wastewater/Recycled	2017-07W	Integrated Water, Wastewater, and Recycled Water Master Plan	Planning	12/12/2016	12/19/2016	95%	Final Draft of Integrated Master Plan; Training on Dynamic CIP Tool	Staff Report to Council for Formal Adoption of Integrated Master Plan	Disseminate information to Development community; upload IMP to City website	Project Closeout	6/30/18	\$ 431,344
LMD	2017-12	Landscape Maintenance District No.1 Redesign	Design	-	7/10/2017	80%	Reviewed conceptual plans. Field work, staff provided RW Park Specs and current costs to the consultant.	Complete Design drawings and cost estimates.	Submit Draft Landscape design drawings including irrigation, cost estimates and Specs. for review and approval.	Design and Specs final approval by the City.	8/31/18	\$ 24,560

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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
Holly Stuart, Management Analyst

MEETING DATE: June 26, 2018

SUBJECT: Information Regarding Assembly Bill 341 (Mandatory Commercial Recycling) & Assembly Bill 1826 (Mandatory Commercial Organics Recycling)

RECOMMENDED ACTION:

Receive and file.

BACKGROUND:

The purpose of this report is to provide City Council and the public with information regarding two important bills that regulate the collections and disposal of solid waste.

Assembly Bill (AB) 341

The purpose of AB 341 is to reduce greenhouse gas (GHG) emissions by diverting commercial solid waste through recycling efforts. The goal of AB 341 is to increase the diversion of solid waste from the currently required level of fifty percent (50%) to seventy-five percent (75%) by the year 2020. In order to achieve this goal, the State has mandated local governments and jurisdictions to implement a commercial solid waste recycling program consisting of education, outreach and monitoring of businesses and to report achievements through the Electronic Annual Report (EAR). The current California mandatory recycling law requires that commercial businesses generating 4 cubic yards of waste per week or multi-family complexes with 5 or more units are required to implement a recycling.

The State has the authority to levy fines on agencies that are out of compliance and have not shown reasonable efforts in implementing recycling programs. The schedule summarizing implementation requirements for recycling programs is provided below:

When:	What:	Description of Responsibilities:
July 1, 2012	Local Jurisdiction Commercial Recycling Program Implementation	Each jurisdiction shall implement an education, outreach and monitoring program with efforts being phased over time.
July 1, 2012	Commercial Recycling Requirements	Businesses that generate 4 cubic yards or more of commercial solid waste per week or a multifamily residential dwelling of five units or more shall recycle.
August 1, 2013	Jurisdiction Annual Reports	Each jurisdiction shall report the progress achieved in implementing its commercial recycling program, including education, outreach and monitoring, and if applicable, enforcement efforts and exemptions, by providing updates in its electronic annual report.
August 1, 2014	CalRecycle Review	First review of jurisdictions' that are in a biennial review cycle on their implementation of the regulation, with reviews conducted every biennial or quadrennial review cycle thereafter depending on each jurisdiction's review status.

In order to achieve these mandates, staff and Waste Management, Inc. (WM) have implemented business recycling options and participates in annual reporting and state audits summarizing all the continuous efforts in providing outreach and educational material to commercial businesses and multi-family complexes. It has been an ongoing process to monitor these entities, administer audits, assess rates and provide program options in order to achieve compliance with AB 341.

Assembly Bill (AB) 1826

In an effort to meet California's recycling and GHG emission goals, beginning April 1, 2016, AB 1826 began phasing in requirements for commercial business generators to collect organics waste including green waste trimmings, foods scraps and food soiled paper for composting through the implementation of organics recycling programs. Additionally, at the same time, multi-family complexes with 5 or more units were also targeted to phase in organics recycling programs that involve the collection green waste trimmings.

With the implementation of AB 1826 and its requirements, organic materials originally destined for California's landfills will instead be composted, reducing waste and the production greenhouse gases. The schedule summarizing implementation requirements for organics recycling programs is provided below:

Who:	When:	Generation Thresholds:
Commercial Business	April 1, 2016	8 cubic yards of organics per week
Multi-family complex (5+ units)	April 1, 2016	8 cubic yards of green waste trimmings per week
Commercial Business	January 1, 2017	4 cubic yards of organics per week
Multi-family complex (5+ units)	January 1, 2017	4 cubic yards of green waste trimmings per week
Commercial Business & Multi-family complex (5+ units)	January 1, 2019	4 cubic yards of commercial solid waste (trash) per week

In order to achieve these mandates, City staff along with WM, continue to provide outreach and education to commercial business generators and multi-family complexes. Efforts include broadcasting mandates and recycling information on the City's local television channel and website. Additionally, educational material is transmitted through social media including tips and "fun facts". Furthermore, letters and flyers have been mailed directly to all businesses and general managers of multi-family complexes providing valuable information regarding the AB 1826 and recycling thresholds. In reaching out, audits and assessments have also been performed, informing these entities of their generation statuses, available program options and obligations. Other opportunities that have been implemented include presenting at local chamber events and signatures events such as the Disaster Expo. Workshops have also been scheduled or will be performed educating staff on the requirements, as well as, entities that remain out of compliance. Staff continues efforts to monitor entities and provide outreach in order to reach diversion goals.

FISCAL IMPACT:

N/A

Approved by:


 Rochelle Clayton
 Interim City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

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

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-77, Calling for the Holding of a General Municipal Election to be held on Tuesday, November 6, 2018 for the Election of Members of the City Council by Districts 4 and 5 as Required by the Provisions of the Laws of State of California Relating to General Law Cities and the Banning Municipal Code

RECOMMENDED ACTION:

Adopt Resolution 2018-77, Calling for the holding of a General Municipal Election to be held Tuesday, November 6, 2018 for the Election of Members of the City Council by Districts 4 and 5 as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and the Banning Municipal Code

JUSTIFICATION:

Per the California Elections Code, a resolution needs to be adopted calling for a General Municipal Election to be held on Tuesday, November 6, 2018. The Riverside County Registrar of Voters request that a resolution be submitted to their office by June 29, 2018. Adoption of a resolution must meet the requirements of the California Elections Code and meet the calendar deadline of the Registrar of Voters.

FISCAL IMPACT:

The estimated costs associated with this election were provided by Riverside County Registrar of Voters. District 4 = \$9,000-\$19,000. District 5 = \$8,000-\$18,000.

Measure 1 = \$10,000-\$20,000. Measure 2 = \$6,000-\$16,000. Measure 3 = \$4,000-\$14,000. The estimated cost of the election is included in the Fiscal Year 2018-2019 budget.

OPTIONS:

1. Approve as recommended
2. No action would result in not holding an election

ATTACHMENTS:

1. Resolution 2018-77

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-77

RESOLUTION 2018-77

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018 FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL BY DISTRICTS 4 AND 5 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND BANNING MUNICIPAL CODE.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California and Chapter 2.04 Section 2.04.035 of the Banning Municipal Code a General Municipal Election shall be held on Tuesday, November 6, 2018, for the election of Members of City Council for the full term of four years by Districts 4 and 5 as set forth on the Adopted Electoral District Map attached as Exhibit A and for the following officers:

Council Member - Incumbent Debbie Franklin

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. General Election Called for Districts 4 and 5. Pursuant to the requirements of the laws of the State of California relating to general law cities and Chapter 2.04 Section 2.04.035 of the Banning Municipal Code, there is called and ordered to be held in the City of Banning, California on Tuesday, November 6, 2018, a General Municipal Election for the purpose of electing Members of the City Council for a full term of four years by Districts 4 and 5 as set forth in the Adopted Electoral District Map attached as Exhibit A.

SECTION 2. Riverside County Registrar Authorized to Administer Election. The City Council requests and authorizes the Riverside County Registrar to administer the election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 3. Time for Opening and Closing of Polls. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code §10242, except as provided in §14401 of the election Code of the State of California.

SECTION 4. Ballots. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 5. Conduct of Election. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of Election. The City Clerk of the City of Banning will give notice of such Election by publication in the local newspaper.

SECTION 7. Canvass of Election. The Riverside County Registrar of Voters is requested to canvass the election for the City of Banning.

SECTION 8. Filing of Resolution with Registrar. The City Clerk of the City of Banning is authorized and directed to file a certified copy of this Resolution with the Riverside County Registrar of Voters.

SECTION 9. Additional Notice. Notice of the time and place of holding the election is given and the City Clerk and Registrar are authorized, instructed and directed to give such further or additional notice of the election, in time, form and manner as may be required by law.

SECTION 10. Certification of Resolution. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-77, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

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

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-78, Adopting Regulations for Candidates for Elective Office, Pertaining to the Electorate and the Costs Thereof for the General Municipal Election to be Held in the City on Tuesday, November 6, 2018.

RECOMMENDED ACTION:

Adopt Resolution 2018-78, Adopting Regulations for Candidates for Elective Office, Pertaining to the Electorate and the Costs Thereof for the General Municipal Election to be Held in the City on Tuesday, November 6, 2018.

JUSTIFICATION:

Per Section 13307 of the California Elections Code the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including the costs thereof. Adoption of this resolution is needed so that if a candidate elects to have a candidate's statement they will have regulations to follow and pay his or her pro rate share of the costs of a statement to be included in the voter's pamphlet. The Riverside County Registrar of Voters request that a resolution be submitted to their office by June 30, 2018 and adoption of this resolution would meet that deadline.

FISCAL IMPACT:

There is no fiscal impact

OPTIONS:

1. Adopt Resolution 2018-78
2. No action would result in not allowing for candidates to prepare a candidate's statement.

ATTACHMENTS:

1. Resolution 2018-78

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-78

RESOLUTION 2018-78

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2018.

WHEREAS, Section 13307 of the California Elections Code provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs thereof:

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

SECTION 1. General Provisions. Pursuant to Section 13307 of the California Elections Code, each candidate for elective office to be voted for at the General Municipal Election to be held in the City of Banning on Tuesday, November 6, 2018 may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age, and occupation of the candidate, and a brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate. Such statement will not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. Except as provided in Section 13309 of the California Elections Code, such statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. Payment. The Riverside County Elections Department shall give the City Clerk an estimate of the total cost of printing, handling, translating and mailing the candidate's statement filed pursuant to the Elections Code, and require each candidate filing a statement to pay in advance his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet. As these costs are only estimated, the City Clerk shall bill each candidate for any cost in excess of the deposit and shall refund any unused portion of any deposit.

SECTION 3. The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time the nominating petitions are issued.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-78, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Heidi Meraz, Community Services Director

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-68, Approving the FY 2018/19 – 2020/20 Short Range Transit Plan Authorizing the Submittal of the FY 2018/19 Local Transportation Fund Claim

RECOMMENDATION:

That City Council adopt Resolution 2018-68, approving the FY 2018/19-2020/21 Short Range Transit Plan (SRTP) and authorizing the submittal of the 2018/19 Local Transportation Fund (LTF) claim in the amount of \$1,417,294.

JUSTIFICATION:

LTF dollars and fare box revenue cover the operational costs of the City's transit department, to include both the fixed route and dial-a-ride services. A claim form must be submitted annually to the Riverside County Transportation Commission (RCTC) before the funds will be released to the City. It is required that the SRTP be formally approved prior to the submittal of the claim document.

BACKGROUND:

The Short Range Transit Plan (SRTP), Exhibit "A", is prepared annually and provides a detailed description of services and operations along with statistics and projections to validate funding requests that will be submitted to RCTC that year. The revenues and expenses for the transit department for the proposed 2018/19 and 2019/20 city budgets are based on the information provided within the 2018/19-2020/21 SRTP document.

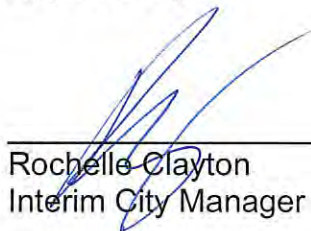
OPTIONS:

1. Adopt Resolution 2018-68, authorizing the submittal of the FY 2018/19 Local Transportation Fund Claim in the amount of \$1,417,294.
2. Reject Resolution 2018-68, resulting in the annual Local Transit Fund Claim not being submitted and a loss of \$1,417,294 in operational assistance for Fixed-Route and Dial-A-Ride service in the City of Banning.

ATTACHMENT:

1. 2018/19-2020/21 SRTP
2. Resolution 2018-68

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

2018/2019 and 2019/2020 Short Range Transit Plan



Short Range Transit Plan

FY 2018/19 – 2020/21



Banning Pass Transit

789 N. San Geronio Avenue

Banning, CA 92220

951.922.3243

FY 2018/2019

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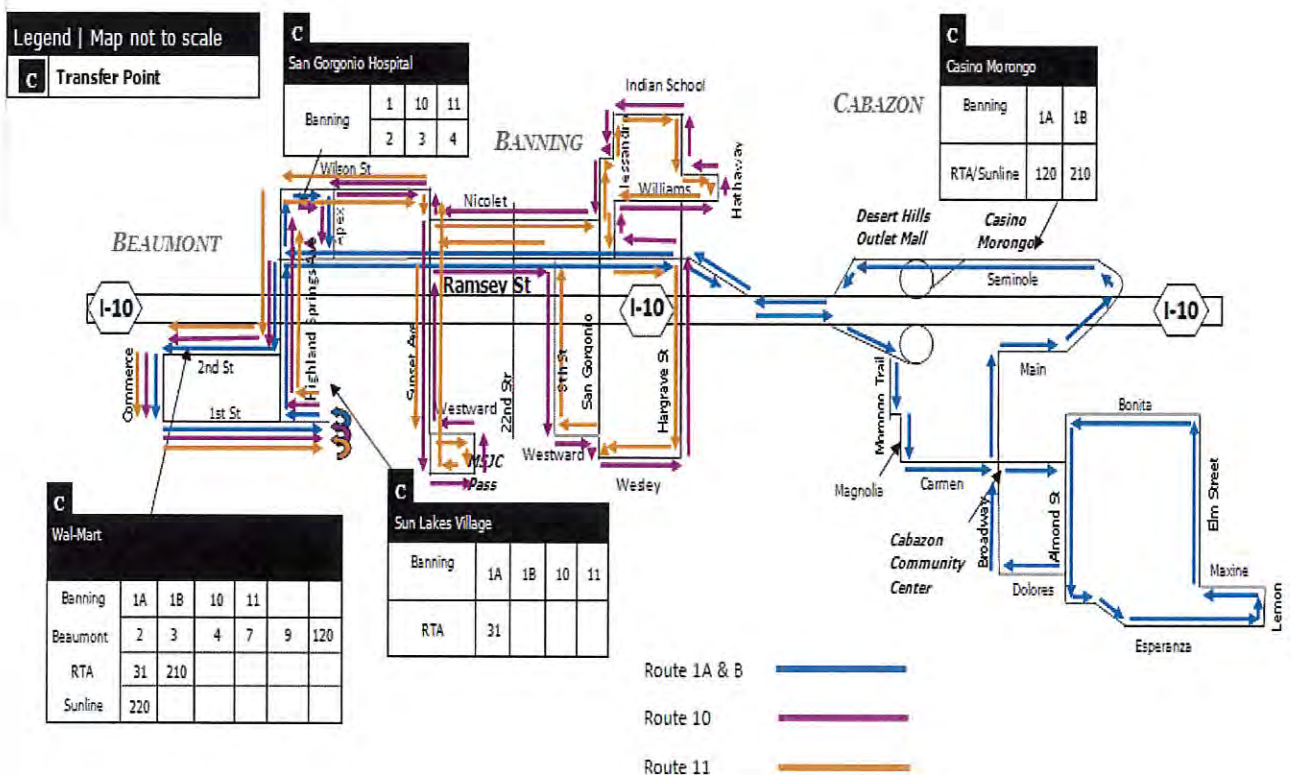
1 System Overview

1.1 – Description of Service Area

The Banning Transit system serves several areas, including the commercial and residential areas of Banning and Cabazon, as well as the commercial areas of the Morongo Indian Reservation and limited commercial areas of Beaumont. The cities of Banning and Beaumont operate under a shared brand identity, "Pass Transit." Pass Transit offers seamless transit by coordinating transportation services that cover approximately 40 square miles in the pass area with routes connecting to regional services.

Within the service area, population is mixed with areas of both high and low densities. The current routes have been planned by taking advantage of this knowledge, allowing the system to operate more efficiently.

Service Area Map



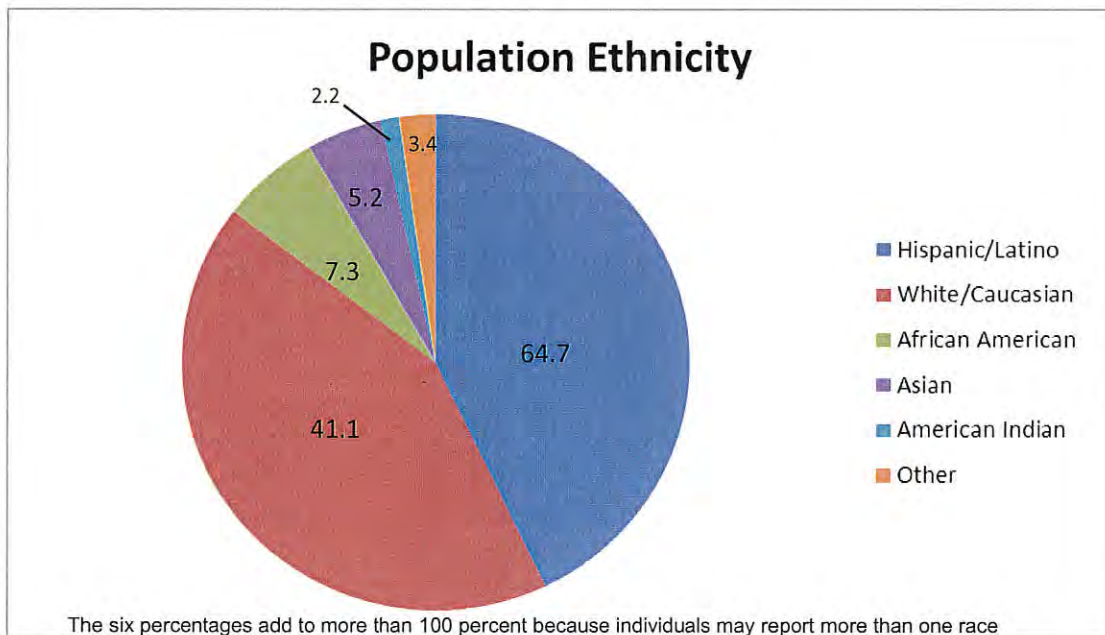
1.2 – Population Profile and Area Demographics

Riverside County covers 7,208 square miles with a population of over 2.2 million people in 2010, per the U.S. Census. The population density for Riverside County is 303.8 people per square mile, largely due to the vast desert areas that are not populated.

The city of Banning covers 23 square miles with a population of 30,241 people in 2014, per the U.S. Census. The population density for Banning is 1,300 per square mile. The population of the service area covered by Banning Transit has grown by approximately 29% over the last ten years.

The median household income in Banning is reported at \$38,919, with 19.4% of the residents living below the federal poverty line.

The racial makeup of the city is as follows:



The average age of the population is the following:

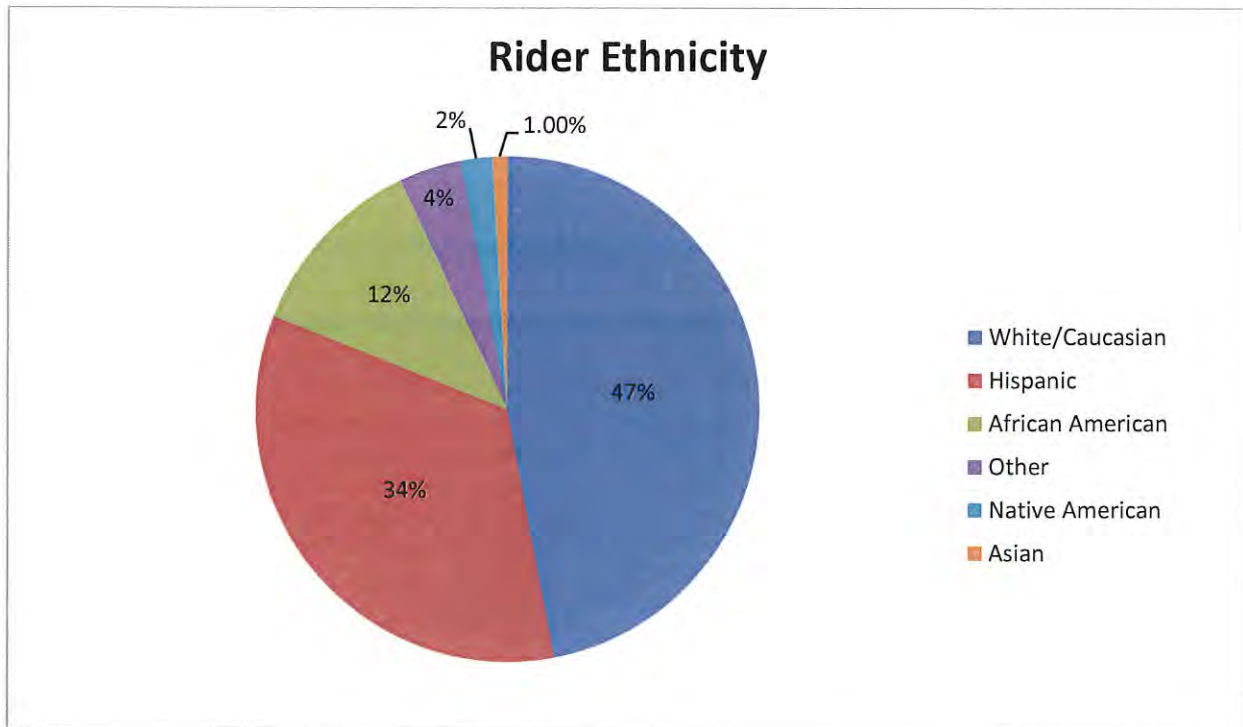
- 65 or older 25.9 %
- 45-64 Years 21.6 %
- 25-44 Years 20.4 %
- 18-24 Years 9.2 %
- Under 18 Years 22.9 %

The median age of the population is 42.3 years old.

Rider Demographics

In 2013, a survey was conducted showing the demographics of the Pass Transit riders. The information gathered helped create a visual indication of the use of the system.

The racial makeup of the ridership is as follows:



Furthermore, 86% of respondents stated that they used the system's fixed routes at least three times a week. 59% of the ridership used the bus service for local trips within the Banning/Beaumont/Cabazon area, and 49% use the transit to travel outside of Pass Transit's service area. For 91% of ridership, the bus system is their only means of transportation. An unspecified amount of respondents stated that the transit service is readily available in their area, with a majority of riders living within a two-block radius of a bus stop.

A majority of the users of the system share the commonality of being either underemployed or unemployed, with 88% of riders reporting an annual household income of \$20,000 or less and 81% of respondents reporting a family of two or more. 87% of those completing the survey report English as their primary language while 13% speak Spanish.

1.3 – Existing Service and Route Performance

The Banning Transit System currently has three fixed route services which serve the main streets and neighborhood areas of Banning, the residential and business areas of Cabazon, and the main business and shopping area of Beaumont.

Banning's fixed route buses are accessible to people with disabilities; each bus has a wheelchair lift or ramp along with two wheelchair securement locations. Banning offers individualized travel training to assist new passengers in learning how to ride these buses. Banning Paratransit is an origin-to-destination shared ride transportation service for seniors age 60 and older and persons who are, due to their functional limitation(s), unable to use accessible fixed route bus service. Passengers must be certified eligible per guidelines established by the Americans with Disabilities Act (ADA).

1.4 – Current and Proposed Fare Structure

The Pass Transit system has adopted a mutual service fare to make traveling more accessible to those who utilize the system. The chart below has a detailed breakdown of the current fares for available services:

Fixed Route					
Fare Categories	Base Fare	Day Pass	10-Trip Punch Pass	10-Ticket Book	Monthly Pass
General	\$1.15	\$3.00	N/A	\$10.35	\$36.00
Youth (grades K-12)	\$1.00	\$3.00	\$10.00	N/A	\$10.00
Senior (60+)	\$.65	\$1.80	N/A	\$5.85	\$21.50
Disabled	\$.65	\$1.80	N/A	\$5.85	\$21.50
Military Veterans	\$.65	\$1.80	N/A	\$5.85	\$21.50
<i>Child (46" tall or under. Must be accompanied by full fare paying passenger.)</i>	\$.25	N/A	N/A	N/A	N/A
Zone Fare (Cabazon Residential Area)	\$.25	\$.25	\$.25	\$.25	N/A
Deviations (Routes 3 & 4)	\$.25	\$.25	\$.25	\$.25	\$.25
Active Military	FREE	N/A	N/A	N/A	N/A
GoPass (During school session only)	FREE	N/A	N/A	N/A	N/A

Dial-A-Ride Fares

Fare Categories	Base Fare	10-Ride Punch Card
One-Way	\$2.00	\$18.00
Companion	\$3.00	N/A
PCA (w/ I.D.)*	FREE	FREE
No Show	\$2.00	N/A

*Personal Care Attendant must show proper ID each time they board.

1.5 – Revenue Fleet

Banning Transit System operates seven fixed route vehicles all of which are powered by compressed natural gas (CNG). The vehicles are equipped with racks for two bicycles and are in compliance with the ADA with mobility device lifts and two tie-down stations per bus. The transit system also has four vehicles that are classified as Dial-A-Ride (two in revenue service and one as a spare). The one remaining is utilized as an alternate for the fixed-route if needed. All are in compliance with the ADA, with mobility device lifts and tie-down stations for four mobility devices. Banning Pass Transit also has four support vehicles which are used for driver relief or administrative errands.

The most recent additions to the fleet are two 32' El Dorado National EZ Rider II buses, with the most recent being delivered January of 2018.

See the City of Banning Fleet Inventory Table 1 for individual vehicle characteristics.

1.6 – Existing Facility/Planned Facilities

Banning Transit System functions as a department within the City and utilizes existing facilities. Transit Administrative staff is housed at the City's Community Center located at 789 North San Geronio Avenue, where bus passes are sold, schedules are available and all ADA applications are processed. Dispatch and general telephone information is also provided at the transit office within the Community Center.

Banning Pass Transit Office Hours

Monday – Thursday: 7:30am to 6:00pm

Friday: 8:00am to 5:00 pm

The maintenance, parking, fueling of the buses, and storage of bus stop amenities are performed at the City's Corporation Yard located at 176 East Lincoln Street. Maintenance of the vehicles is performed by the Public Works Department, Fleet Maintenance Division.

There are currently no plans to expand Banning Pass Transit System facilities. Meanwhile, there are plans to improve the CNG fueling station during the upcoming year.

1.7 – Existing Coordination between Transit Agencies

The cities of Banning and Beaumont have operated under a Memorandum of Understanding (MOU) which allows for each respective agency to cross jurisdictional boundary lines, allowing simplified travel for passengers throughout the Pass area, however this MOU will be ending and replaced with one that is equally beneficial to each respective agency.

In addition, an MOU is held with the Morongo Band of Mission Indians allowing stops on their property. The ability to provide a stop at Casino Morongo allows passengers to make connections with Sunline Commuter Link 220, providing service from Palm Desert to Riverside. Also, services are also coordinated with Riverside Transit Agency (RTA) by providing timed stops that meet with routes that provide travel to and from the areas of Hemet and Moreno Valley (i.e. Route 31 at either Sun Lakes or Walmart). Riders also have the opportunity to connect with the Amtrak Thruway Bus Service at Casino Morongo.

2 Existing Service and Route Performance

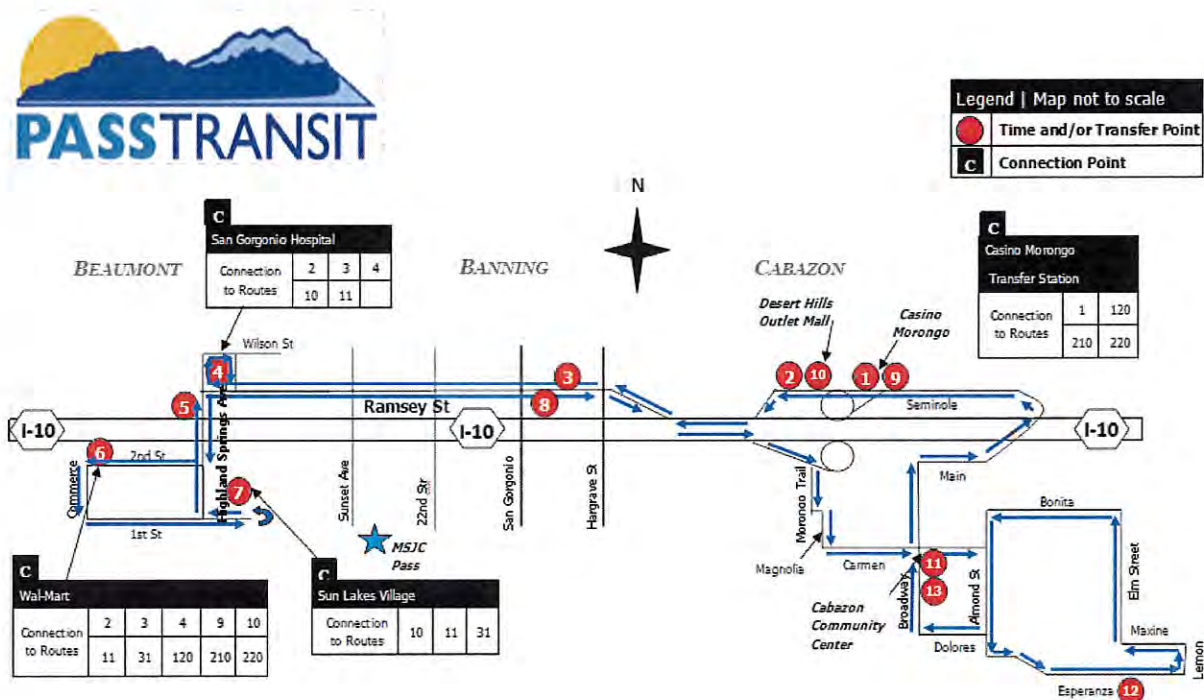
2.1 – Fixed Route Service

The Banning Transit System currently has three fixed route services which serve downtown and neighborhood areas of Banning, both the residential and business areas of Cabazon, and the main commercial area of Beaumont. The main service arterial is Ramsey, which is served by Beaumont's route 2 and Banning's route 1; splitting frequency, ridership and fare revenues. As noted in prior years SRTP's the level of service through Ramsey continues to be detrimentally impacting Banning's fare box recovery and changes to existing service will begin in July 2018 to correct what has been an ongoing problem.

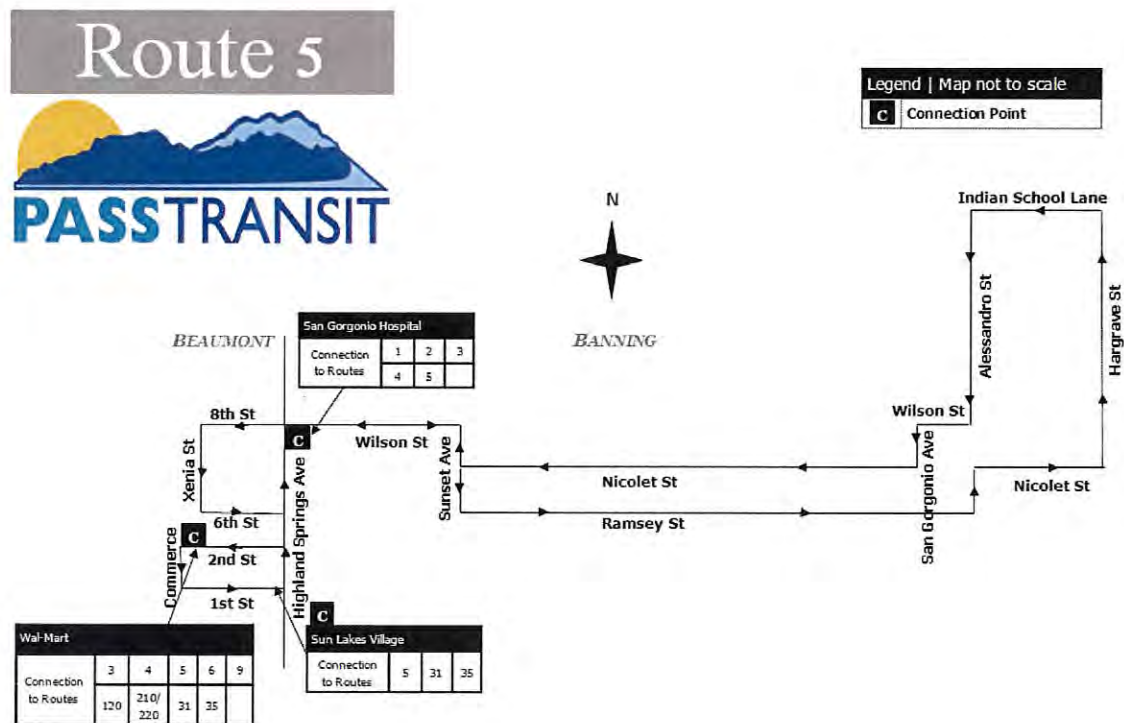
Route 1A & Route 1B – Beaumont/Banning/Cabazon

Pass Transit Route 1 is among the most used route in the system, operating primarily along Ramsey Street and 6th Street and serving the commercial areas of Cabazon and Casino Morongo. Ridership on Route 1 accounts for approximately 60% of the total use of the system.

While the longest in distance, this route operates on one-hour headway from Beaumont to Casino Morongo. The major stops on this line include Albertsons, Wal-Mart, Banning City Hall, Mid-County Justice Center, San Geronio Memorial Hospital, Casino Morongo and the Desert Hills Outlets in Cabazon.

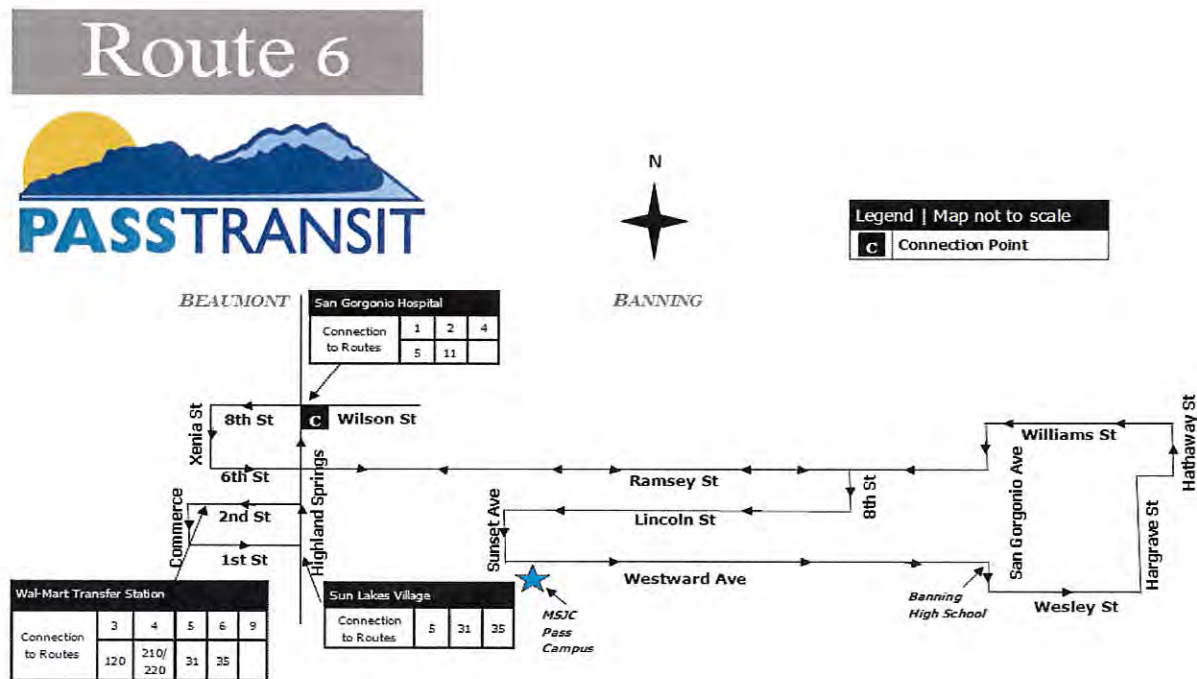


The second loop of Route 1 also runs on an hour headway departing from Casino Morongo and servicing the Cabazon Community Center and the residential areas of Cabazon. Two buses are operated on this route which allows for hourly service to the two respective areas.



Route 6 – Southern Banning

Accounting for 15% of Pass Transit use, Route 6 provides service to the southern area of Banning. Major stops on this route are the Mid-County Justice Center, Banning City Hall, the Mt. San Jacinto Pass Campus, Banning High School, Smith Correctional Facility, Medical Facilities, San Geronio Memorial Hospital and the commercial area of Beaumont. Banning staff has evaluated how best to serve the northerly and southerly markets and will be changing this route to a clockwise pattern that will cover both the north and south sides of Banning. The information for the new service can be found in Section 3, Planned Service Changes and Implementation.



Banning Pass Transit fixed route service hours are as follows:

Days	Route	Hours
Monday – Friday	Route 1	4:30 A.M. – 10:45 P.M.
Monday - Friday	Route 5	5:30 A.M. – 6:30 P.M.
Monday - Friday	Route 6	6:00 A.M. – 6:00 P.M.
Saturday & Sunday	Route 1	8:00 A.M. – 6:00 P.M.
Saturday & Sunday	Routes 5 & 6	8:00 A.M. – 5:00 P.M.

Banning Pass Transit offers limited service hours, 9:00 A.M. to 5:00 P.M., on the following holidays: Martin Luther King Day, President's Day, Labor Day, Veterans Day, and the day after Thanksgiving.

Banning Pass Transit offers no service on the following holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, and Christmas Day.

All aforementioned fixed routes are consistently monitored and will be modified as needed to better serve unmet transit needs.

2.2 – Dial-A-Ride Service

Pass Transit Dial-A-Ride is a service offered to seniors, aged 60 and older, persons with disabilities and passengers eligible under the Americans with Disabilities Act (ADA). Limited service hours are available for non-ADA passengers. This category of passenger is also required to fill out a certification application to determine eligibility. If these terms are met, the applicant will receive a card certifying their eligibility to ride.

Pass Transit Dial-A-Ride is a service offered within the city limits of Banning and Beaumont as well as within a $\frac{3}{4}$ mile boundary of Routes 1 and 2 service areas (including Cabazon).

The primary uses for the Dial-A-Ride system are transportation to medical appointments, workshop programs for persons with disabilities, shopping areas, and employment. Dial-a-Ride services also provide connections to the Riverside Transit Agency and Pass Transit Fixed Routes. Additionally, demand for paratransit is expected to grow. This is a universal transit/paratransit theme nationwide and Banning is anticipated to continue to see growth in the paratransit program. Furthermore, demand for Saturday and Sunday paratransit is expected to grow from somewhat inconsequential from a budget / demand standpoint to significant in the coming fiscal years.

Hours for the Dial-A-Ride program are as follows:

Days	Hours
Seniors (age 60 & older) & Persons without ADA Certification	
Monday - Friday	8:00 A.M. – 3:00 P.M.
Saturday & Sunday	No Service
Persons with ADA Certification	
Monday - Friday	7:00 A.M. – 7:00 P.M.
Saturday & Sunday	Limited service when three or more persons request service.

2.3 – Key Performance Indicators

The Riverside County Transportation Commission (RCTC) has adopted a Productivity Improvement Plan (PIP) for the transit and commuter rail operators of Riverside County. The PIP sets forth efficiency and effectiveness standards that the transit operators are to meet. Progress towards these standards is reported quarterly to the Commission. The following table on the next page shows the operating performance indicators adopted in the PIP and this plan's projections for the coming year.

Banning Transit System / Pass Transit <i>Performance Statistics</i>	FY 2016 Audited	FY 2017 Actual	FY 2018 Projected (Based on 3 rd Quarter Actuals)	FY 2019 Planned
Unlinked Passenger Trips	137,594	133,185	129,826	197,950
Operating Cost per Revenue Hours	\$56.03	\$71.13	\$55.50	\$57.79
Farebox Recovery Ratio	13.05%	10.66%	10.11%	12.13%
Subsidy per Passenger	\$7.28	\$9.88	\$8.35	\$7.34
Subsidy per Passenger Mile	\$2.84	\$3.84	\$3.25	\$1.29
Subsidy per Revenue Hour	\$48.72	\$63.55	\$49.89	\$50.78
Subsidy per Revenue Mile	\$1.31	\$1.69	\$1.37	\$1.75
Passengers per Revenue Mile	0.18	0.17	0.16	0.24

Projections are based on operating data through March 2018 and projected through June, 2018. Since these are only estimates, the performance indicators are subject to change.

For Fiscal Year 2018/2019, the Banning Transit System expects to be in compliance with at least 4 of the 7 performance targets.

Additional details on key indicators for demand responsive and fixed route services are shown in Table 2.

The Banning Transit System does not receive any federal funding and is not required to report to the National Transit Database.

2.4 – Productivity Improvement Efforts

In order to meet performance standards, routes are continually monitored and analyzed to insure that the service being provided runs as efficiently as possible.

Banning Pass Transit completed a Comprehensive Operations Analysis (COA) with Transportation Management & Design, Inc. in May of 2014, resulting in route changes for the entire system. Ultimately, to most effectively serve the Cabazon community it has been determined that including that segment of Route 1 is most prudent. With hourly frequency, Route 1 is able to service those residents more directly and sustain a better farebox recovery due to the Ramsey corridor.

Banning Pass Transit has continued to experience a significant decrease in farebox revenue with the additional service of the Beaumont Route 2. While the additional bus allows for 30 minute service from Walmart in Beaumont to Casino Morongo, the growth in ridership that was projected for the route has not been realized. Thus, Banning had requested that beginning January 1, 2017 Beaumont reduce their trips through Banning by 50%. This did not occur and loss of fare revenue down the service arterial Ramsey continues to detrimentally impact farebox recovery and the Banning Transit Budget, along with oversaturating this corridor with disproportionately high frequency. As a result, the City of Banning will be terminating the 2002 agreement and no longer share service areas with the City of Beaumont.

2.5 – Major Trip Generators and Projected Growth over the next two years

Major passenger trip destinations that the Banning Pass Transit services are the Sunlakes Plaza Shopping Center, the 2nd Street Marketplace in Beaumont, the Walmart Supercenter in Beaumont, the Banning Justice Center, San Gorgonio Pass Hospital, Beaver and Loma Linda Medical Plazas, the Cabazon Outlet Stores, Desert Hills Premium Outlets and Casino Morongo, Smith Correctional Facility and the Mt. San Jacinto College Pass Campus. There is a high demand for service to these destinations whether for employment, necessities, or pleasure. Looking into FY 2019, Banning may look to request funding for reverse commute

service that connects the Pass area with the desert communities and Sunline. Staff will explore routing, service planning and the budget for service during FY 2019. Additionally, demand for paratransit is expected to grow. This is a universal transit/paratransit theme nationwide and Banning is anticipated to continue to see growth in the paratransit program.

2.6 – Equipment, Passenger Amenities and Facility Needs

It is the City of Banning's goal to acquire, upgrade, and maintain equipment with the federal Transit Asset Management (TAMs) Business Model in mind to manage the nexus between State of Good Repair (SGR) and Safety Management System (SMS).

All fixed route and Dial-A-Ride vehicles are equipped with security cameras and recording equipment. Two new fixed route buses were placed into service July, 2015. Grant funds have been received for two additional 32' passenger coaches, one of which was delivered in September 2016 and another in December 2017. The standardization and enhancement for both fleet and facility security cameras has also been budgeted and will be implemented in Fiscal Year 2018. One staff vehicle was ordered and delivered in Fiscal Year 2018.

This year funds are being requested for the replacement of a hydraulic lift at the fleet maintenance shop and for improvement to the Compressed Natural Gas (CNG) fueling station. The former is being supplemented by FY 2017 funds, while the latter merges several 08/09 funding streams into a consolidated project along with additional FY 2018 STA capital funds. This project will be implemented in FY 18 and is estimated to be completed early in FY 2019. It will be a perennial SRTP request to ensure State of the Industry technology is maintained and State of Good Repair is achieved.

3 Planned Service Changes and Implementation

3.1 – Recent Service Changes

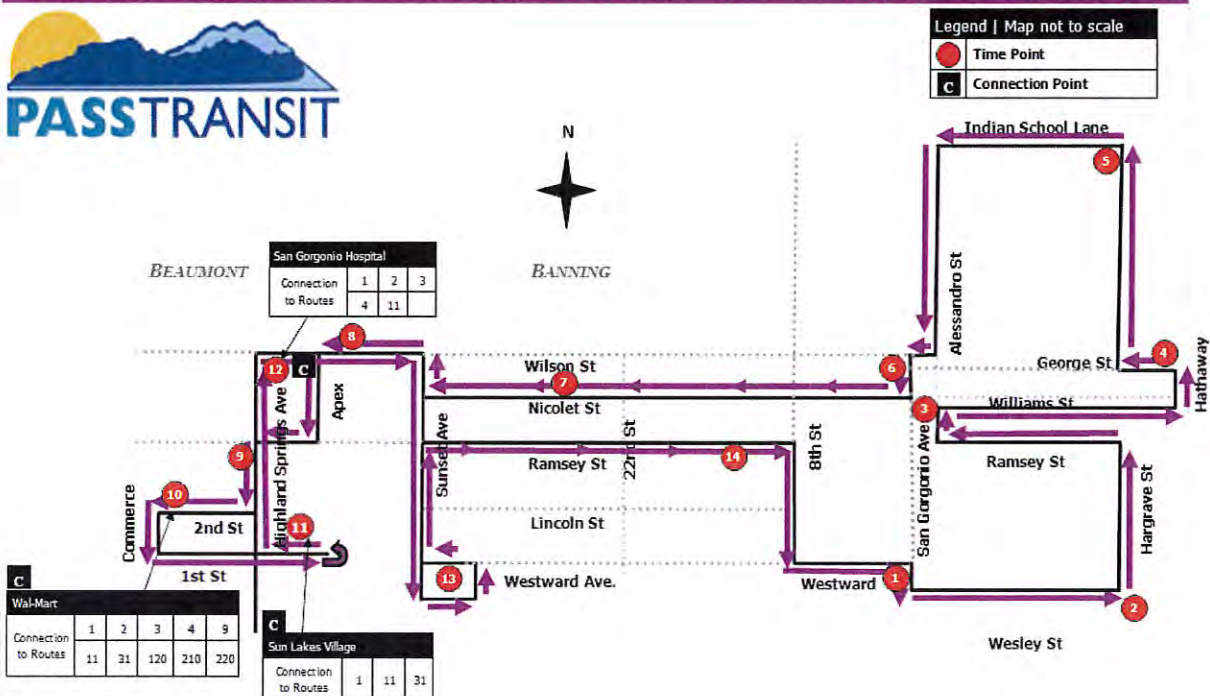
The COA had called for a Cabazon Circulator route that would connect residents in that community to Morongo Casino, and thereby, the entire Pass Transit System. Operationally, such a circulator route is not feasible and leads to one additional vehicle (along with corresponding hours and miles) to serve no more than the same number of passengers best case scenario due to it also forcing a transfer. Therefore Banning operates two vehicles on route 1 resulting in hourly frequency, and for passengers on the Ramsey corridor, de facto 30 minute headways with Beaumont continuing status-quo with their Route 2. This has diffused ridership and continues to impede adequate farebox recovery for the Banning system, and as a result the City of Banning will be terminating the current agreement with the City of Beaumont and no longer share the Ramsey Street Corridor with Beaumont Pass Transit. Banning will continue to operate Route 1 on its current hourly schedule.

This reduction has been determined to be necessary due to oversaturation of service in Banning's service area. While service has been increased over the past two years, Banning Pass Ridership and farebox revenue have both declined. Major growth projected for the downtown area which will generate a significant increase in ridership has not yet occurred (i.e. County Courthouse being fully operational, retail and office space being built and a substantial amount of county offices relocating to the area). A new Memorandum of Understanding will be developed and will address transfer points, financial equity relative to monthly passes and other items as deemed necessary each respective agency.

Routes 5 and 6, which are operated as circular loops that cover the northern and southern areas of town are being eliminated and will be replaced with Routes 10 and 11. Routes 10 and 11 will operate independently in a clockwise and counter clockwise pattern, having a 70-75 minute headway, with a combined 35-40 minute frequency for passengers. This will provide service that is more effective and efficient than the current alignment. Staff will outreach and market to the community to ensure awareness of the changes that are being made.

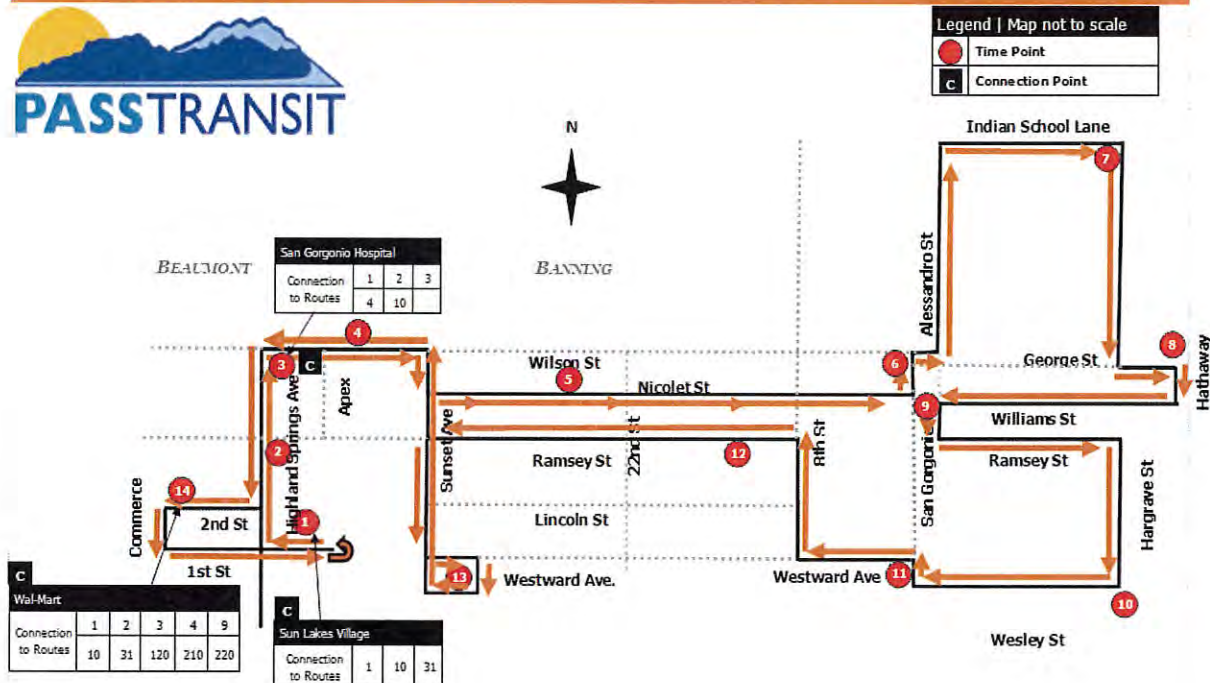
Route 10

INFO: 951-922-3243
www.ci.banning.ca.us



Route 11

INFO: 951-922-3243
www.ci.banning.ca.us



3.2 – Recommend Local and Express Routes

Banning is exploring the possibility of requesting funding for a reverse commuter and desert link route in fiscal year 2020. In the coming fiscal year 2019, staff will review estimated demand, service planning, and budgeting for this route. At this point, it is hypothetical pending due diligence research and review, but could mature into a service recommendation and request depending on the outcome of the analysis.

3.3 – Marketing Plans and Promotions

Efforts have continued to be made to market the Pass Transit System over the past year and will continue in the coming year. These efforts include purchasing advertising on a map of the San Geronimo Pass Area, distribution of route maps by delivery to the library, Chamber of Commerce, San Geronimo Memorial Hospital, Mt. San Jacinto Pass Campus, local hotels and other businesses.

The following marketing efforts will be undertaken to promote ridership growth:

1. Continue outreach programs to schools and at community events.
2. Attend senior community meetings to provide information.
3. Participation in the MSJC GO-PASS Program to encourage ridership of college students. Work with campus staff to maximize awareness of Banning Pass Transit.
4. Articles in local papers highlighting new transportation routes.
5. Incorporate and coordinate travel training opportunities for Pass Passengers with regional providers including Sunline, RTA and Beaumont.
6. Offer "Rider Appreciation Day" to raise awareness of benefits of public transportation.
7. Continue to participate with Transportation Now, Senior Transportation Assistance Group, Pass Area Senior Connections, Pass Area Veterans Assistance, Cabazon Community Resources and other efforts.

The City of Banning's website at www.ci.banning.ca.us provides basic Pass Transit route and schedule information, as well as links to route information for neighboring agencies. Customers can submit comments, complaints, concerns and suggestions through the city website.

Banning Pass Transit strives to operate service in a manner that will maximize system productivity, efficiency, as well as the use of subsidies.

- Develop an ongoing planning process with key agencies and organizations within the region.
- Ensure that services are operated in a manner to maximize safety, to the riders, the public and the operators.
- Develop a core group of services that connect key activity points and commit to providing service along those corridors.
- Continually review all services to evaluate the efficiency and needs of the transit system.

3.4 – Budget Impact on Proposed Changes

Banning transit farebox recovery and budget have been detrimentally impacted by Beaumont's continued operation of Route 2 that serves the primary arterial of Ramsey Street. With a plan in place to have Beaumont discontinue said service beginning August 2018, and the realignment of routes 5 and 6, it is anticipated that farebox recovery will

improve significantly and the transit budget will be balanced. Banning will be using Low Carbon Operations Program (LCTOP) funds to eliminate a zone fare that is charged to passengers traveling into Cabazon.

4 FINANCIAL AND CAPITAL PLANS

4.1 – Operating and Capital Budget

For FY 18/19, operating funds needed to operate the Banning Pass Transit System are \$1,878,500 for the Fixed Route and DAR. The operating funds consist of \$ 1,653,957 Local Transportation Funds (LTF) and \$35,443 in Low Carbon Transit Operations Program (LCTOP) funds. The projected farebox revenue for FY 18/19 is \$188,000. Additional funding in the amount of \$1,100 will come from interest income.

Staff will continue to complete previously funded Capital projects in FY 18/19 and will continue to operate service in a manner that will maximize system productivity and efficiency. As previously reviewed, this year funds are being requested for the replacement of a hydraulic lift at the fleet maintenance shop and improvements to the existing CNG fueling station. The former is being supplemented by FY 2017 funds, while the latter merges several 08/09 funding streams into a consolidated project along with additional FY 2018/19 STA capital funds.

4.2 – Funding Plans to Support Proposed Operating and Capital Program

Capital projects are funded through STA funds, Public Transportation Modernization, Improvement, and Service Enhancement Account Program and Proposition 1B Security grants for Banning Pass Transit.

Operating costs will be fully funded through LTF funds, LCTOP, farebox revenue and interest.

4.3 – Regulatory and Compliance Requirements

The City of Banning submitted an Americans with Disabilities Act Paratransit Plan to the FTA on January 26, 1992. Pass Transit fixed route buses are equipped with ADA compliant mobility device lifts and are accessible to persons with disabilities. A procedure is in place to provide service to a customer in a mobility device should a fixed route bus lift fail.

Banning Pass Transit Dial-A-Ride services provide ADA complementary paratransit service for the fixed route services operated by Banning Transit System. Beaumont Transit System offers the same service through its Pass Transit Dial-a-Ride operation. The system uses a

self-certification process with professional verification. Banning Transit System staff processes ADA certifications for Pass Transit operations.

Title VI

Banning Transit System/Pass Transit does not utilize federal funds for operating expenses. As such, Title VI requirements do not currently apply to the transit system.

Alternatively Fueled Vehicles (RCTC Policy)

Pass Transit fixed-route buses are CNG powered. Pass Transit Dial-A-Ride vehicles (which are less than 33,000 lbs. GVW and 15-passenger capacity), administrative and driver relief vehicles are gasoline-powered.

Future vehicle purchases will be in compliance with the RCTC and South Coast Air Quality Management District (AQMD) policies regarding alternative fuel transit vehicles.

The CNG Fueling Station at the City of Banning Corporation Yard provides expanded CNG capacity and fast fueling capability. With increased capacity and redundant compressor units, having adequate and reliable CNG pumping capacity will not be an issue in the foreseeable future.

SECTION 5

SRTP TABLES



Table 1 - Fleet Inventory
FY 2018/19 Short Range Transit Plan
City of Banning

Bus (Motorbus) / Directly Operated

Year Built	Mfg. Code	Model Code	Seating Capacity	Lift and Ramp Equipped	Vehicle Length	Fuel Type Code	# of Active Vehicles FY 2017/18	# of Contingency Vehicles FY 2017/18	Life to Date Vehicle Miles Prior Year End FY 2016/17	Life to Date Vehicle Miles through March FY 2017/18	Average Lifetime Miles Per Active Vehicle As Of Year-To-Date (e.g., March) FY 2017/18
2015	EDN	AeroElite	30	2	32	CN	2	0	127,481	153,151	76,575
2017	EDN	Easy Rider	25	1	32	CN	1	0		19,804	19,804
2016	EDN	EZ Rider	25	1	32	CN	1	0	21,256	62,228	62,228
2004	EDN	Transmark	33	2	35	CN	2	0	909,001	945,458	472,729
2010	EDN	XHF	31	1	34	CN	1	0	586,181	616,135	616,135
Totals:			144	7			7	0	1,643,919	1,796,776	256,682

Demand Response / Directly Operated

Year Built	Mfg. Code	Model Code	Seating Capacity	Lift and Ramp Equipped	Vehicle Length	Fuel Type Code	# of Active Vehicles FY 2017/18	# of Contingency Vehicles FY 2017/18	Life to Date Vehicle Miles Prior Year End FY 2016/17	Life to Date Vehicle Miles through March FY 2017/18	Average Lifetime Miles Per Active Vehicle As Of Year-To-Date (e.g., March) FY 2017/18
2010	EBC	Aerotech	16	1	25	GA	1	0	97,736	109,486	109,486
2010	EBC	EDN	16	1	25	GA	1	0	102,026	102,026	102,026
2003	EDN	Aerotech	12	1	25	GA	1	0	318,251	330,402	330,402
2013	GLV	Universal	18	1	26	CN	1	0	46,144	58,036	58,036
2008	ZZZ	Ford	14	1	26	GA	1	0	194,536	230,293	230,293
Totals:			76	5			5	0	758,693	830,243	166,049



Table 2 -- City of Banning -- SRTP Service Summary
FY 2018/19 Short Range Transit Plan
All Routes

	FY 2015/16 Audited	FY 2016/17 Audited	FY 2017/18 Plan	FY 2017/18 3rd Qtr Actual	FY 2018/19 Plan
Fleet Characteristics					
Peak-Hour Fleet			6		6
Financial Data					
Total Operating Expenses	\$1,151,971	\$1,473,649	\$1,850,000	\$904,829	\$1,653,957
Total Passenger Fare Revenue	\$150,360	\$157,157	\$187,500	\$91,487	\$200,720
Net Operating Expenses (Subsidies)	\$1,001,611	\$1,316,492	\$1,662,500	\$813,342	\$1,453,237
Operating Characteristics					
Unlinked Passenger Trips	137,594	133,185	199,540	97,370	197,950
Passenger Miles	352,512	342,529	413,703	250,436	1,123,444
Total Actual Vehicle Revenue Hours (a)	20,558.9	20,717.2	24,852.0	16,302.3	28,618.0
Total Actual Vehicle Revenue Miles (b)	767,543.3	776,997.0	839,213.0	592,232.5	830,174.0
Total Actual Vehicle Miles	776,697.5	785,685.0	848,543.0	599,321.1	844,831.0
Performance Characteristics					
Operating Cost per Revenue Hour	\$56.03	\$71.13	\$74.44	\$55.50	\$57.79
Farebox Recovery Ratio	13.05%	10.66%	10.13%	10.11%	12.13%
Subsidy per Passenger	\$7.28	\$9.88	\$8.33	\$8.35	\$7.34
Subsidy per Passenger Mile	\$2.84	\$3.84	\$4.02	\$3.25	\$1.29
Subsidy per Revenue Hour (a)	\$48.72	\$63.55	\$66.90	\$49.89	\$50.78
Subsidy per Revenue Mile (b)	\$1.31	\$1.69	\$1.98	\$1.37	\$1.75
Passenger per Revenue Hour (a)	6.7	6.4	8.0	6.0	6.9
Passenger per Revenue Mile (b)	0.18	0.17	0.24	0.16	0.24

(a) Train Hours for Rail Modes. (b) Car Miles for Rail Modes.

Currently there are no excluded in the Banning Pass Transit System



Table 3 - SRTP Route Statistics

City of Banning -- 1

FY 2018/19

All Routes

Data Elements											
Route #	Day Type	Peak Vehicles	Passengers	Passenger Miles	Revenue Hours	Total Hours	Revenue Miles	Total Miles	Operating Cost	Passenger Revenue	Net Subsidy
BAN-1	All Days	2	143,000	786,500	18,390.0	18,600.0	666,664.0	672,584.0	\$1,107,719	\$143,000	\$964,719
Ban-10	All Days	1	21,200	144,100	4,182.0	4,260.0	65,650.0	69,140.0	\$143,119	\$17,340	\$125,779
Ban-11	All Days	1	21,200	144,100	4,182.0	4,650.0	65,650.0	68,422.0	\$143,119	\$17,340	\$125,779
BAN-DAR	Weekday	2	12,550	48,744	1,864.0	3,599.0	32,210.0	34,685.0	\$260,000	\$23,040	\$236,960
Service Provider Totals		6	197,950	1,123,444	28,618.0	31,109.0	830,174.0	844,831.0	\$1,653,957	\$200,720	\$1,453,237

Route #	Day Type	Operating Cost Per Revenue Hour	Operating Cost Per Revenue Mile	Cost Per Passenger	Farebox Recovery Ratio	Subsidy Per Passenger	Subsidy Per Passenger Mile	Subsidy Per Revenue Hour	Subsidy Per Revenue Mile	Passengers Per Hour	Passengers Per Mile
BAN-1	All Days	\$60.23	\$1.66	\$7.75	12.90%	\$6.75	\$1.23	\$52.46	\$1.45	7.8	0.21
Ban-10	All Days	\$34.22	\$2.18	\$6.75	12.11%	\$5.93	\$0.87	\$30.08	\$1.92	5.1	0.32
Ban-11	All Days	\$34.22	\$2.18	\$6.75	12.11%	\$5.93	\$0.87	\$30.08	\$1.92	5.1	0.32
BAN-DAR	Weekday	\$139.48	\$8.07	\$20.72	8.86%	\$18.88	\$4.86	\$127.12	\$7.36	6.7	0.39
Service Provider Totals		\$57.79	\$1.99	\$8.36	12.13%	\$7.34	\$1.29	\$50.78	\$1.75	6.9	0.24

TABLE 3A – Individual Route Statistics

Fixed Route	Description	Area/Service Site
Route 1	Service from Beaumont to Cabazon via downtown Banning	Walmart Shopping Center, Albertsons, San Gorgonio Memorial Hospital, medical facilities, shopping areas, and restaurants at Highland Springs Downtown Banning, Banning Justice Center, Casino Morongo, Desert Hills Outlet, Cabazon Community Center and residential areas of Cabazon
Route 10	Residential areas of Northern and Southern Banning to Walmart Shopping	Banning City Hall, Fox Cineplex, Banning Library, Banning Community Center, Mid-county Justice Center, Post Office, San Gorgonio Hospital, Mt. San Jacinto College Pass Campus, Banning High School, Smith Correctional Facility; medical facilities, shopping areas, and restaurants at Highland Springs
Route 11	Residential areas of Southern and Northern Banning to Walmart Shopping	Banning City Hall, Fox Cineplex, Banning Library, Banning Community Center, Mid-county Justice Center, Post Office, San Gorgonio Hospital, Mt. San Jacinto College Pass Campus, Banning High School, Smith Correctional Facility; medical facilities, shopping areas, and restaurants at Highland Springs
City-Wide	Demand response/reservation based service for seniors and disabled	All areas of Banning and limited areas in Beaumont

City of Banning
FY 2018/19
Summary of Funds Requested
Short Range Transit Plan

Table 4 - Summary of Funds Requested for FY 2018/19

City of Banning

Project Description	Capital Project Number (1)	Total Amount of Funds	LTF	STA	SGR	State of Good Repair	LCTOP	Fare Box	Other (2)
FY 18/19 Operating Assistance		\$1,653,957	\$1,417,294				\$35,443	\$200,720	\$500
Subtotal: Operating		\$1,653,957	\$1,417,294	\$0	\$0	\$0	\$35,443	\$200,720	\$500
CNG Facility	19-01	\$400,000		\$400,000					
ADA Paratransit Mini-Bus Replacement	19-02	\$75,000		\$75,000					
State of Good Repair (FY 17/18)	19-03	\$38,307				\$38,307			
Subtotal: Capital		\$513,307	\$0	\$475,000	\$0	\$38,307	\$0	\$0	\$0
Total: Operating & Capital		\$2,167,264	\$1,417,294	\$475,000	\$0	\$38,307	\$35,443	\$200,720	\$500

Note: Other (2) is from Interest Income

Table 4A – Capital Project Justification

PROJECT NUMBER (If existing project in FTIP, indicate FTIP ID number)

SRTP Project No 19-01:

FTIP No:

PROJECT NAME: CNG Facility

PROJECT DESCRIPTION: (For Bus Purchase projects, indicate fuel type)

This request for \$400,000 will be combined with \$308,058 of existing reprogrammed capital funds and will be used to construct a new CNG Facility. An engineering assessment of the facility resulted in a recommendation to replace all components of the facility due to age and condition and the fact that several components (i.e. compressor control system and dispensers) of the existing system are obsolete and replacement parts have become increasingly difficult to procure. The CNG Facility is used both by the City and the Banning Unified School District and the school district will be sharing in the cost of total cost of the project.

PROJECT JUSTIFICATION:

Given the condition of the existing CNG facility, constructing a new facility is necessary to ensure reliable, and cost-efficient service is provided. If the facility were to become non-operational, the City's transit vehicles would have to travel to either Hemet, Moreno Valley, Redlands or Palm Springs to fuel.

PROJECT FUNDING SOURCES (REQUESTED):

STA Funds \$400,000

PROJECT SCHEDULE (if existing project in FTIP, indicate original start date and new completion date):

RFP	July 2018
BID AWARD	September 2018
CONSTRUCTION	October 2018 – February 2019
COMPLETION	March 2019

PRIOR YEAR PROJECTS OF A SIMILAR NATURE WITH UNEXPENDED BALANCE INCLUDING PROJECTS APPROVED BUT NOT YET ORDERED (INCLUDE FTA GRANT #, FTIP ID # AND RCTC'S SRTP CAPITAL GRANT #)

<i>FTA Grant #</i>	<i>FTIP ID #</i>	<i>RCTC/SRTP Project #</i>	<i>Description</i>	<i>Unexpended balance (as of 6/30/17)</i>
		09-08	Schedule Holders/ CNG Facility	5,000
		09-09	GPS System/ CNG Facility	25,000
		09-10	Paratransit Scheduling Software/CNG Facility	25,000
		09-11	Computer Equipment/ CNG Facility	53,246.66
		09-13	Security Cameras on Buses/CNG Facility	44,264.66
		09-16	Automated Annunciator & Display/CNG Facility	966.25
		17-01	Hydraulic Lift/ CNG Facility	44,591
		18-01	ITS Transit & Paratransit/ CNG Facility	60,000
		18-02	Hydraulic Lift/CNG Facility	50,000
Total				308,058.37

PROJECT NUMBER (If existing project in FTIP, indicate FTIP ID number)

SRTP Project No 19-02:

FTIP No:

PROJECT NAME: ADA Paratransit Mini-Bus Replacement**PROJECT DESCRIPTION:** (For Bus Purchase projects, indicate fuel type)

This request for \$75,000 will be used to purchase a CNG fueled ADA Paratransit Mini-Bus to provide service to Dial-A-Ride passengers.

PROJECT JUSTIFICATION:

Due to an aging fleet an additional paratransit vehicle will be needed to provide Dial-A-Ride service at the existing level.

PROJECT SCHEDULE (if existing project in FTIP, indicate original start date and new completion date):

Specs drawn & Issue Purchase Order: August 2019

Delivery: August 2020

PROJECT FUNDING SOURCES (REQUESTED):

STA Funds \$75,000

PRIOR YEAR PROJECTS OF A SIMILAR NATURE WITH UNEXPENDED BALANCE INCLUDING PROJECTS APPROVED BUT NOT YET ORDERED (INCLUDE FTA GRANT #, FTIP ID # AND RCTC'S SRTP CAPITAL GRANT #)

None

PROJECT NUMBER (If existing project in FTIP, indicate FTIP ID number)

SRTP Project No 19-03:

FTIP No:

PROJECT NAME: State of Good Repair (FY 17/18)**PROJECT DESCRIPTION:** (For Bus Purchase projects, indicate fuel type)

Rehabilitation of rolling stock

PROJECT JUSTIFICATION:

There are two buses in the current fleet that have a considerable amount of useful life, but are in need of some mechanical rehabilitation to allow for maximum operating efficiency and reliability.

PROJECT SCHEDULE (if existing project in FTIP, indicate original start date and new completion date):

Specs drawn & Issue Purchase Order: August 2019
 Completion of Work: December 2019

PROJECT FUNDING SOURCES (REQUESTED):

State of Good Repair Funds in the amount of \$38,307.

PRIOR YEAR PROJECTS OF A SIMILAR NATURE WITH UNEXPENDED BALANCE INCLUDING PROJECTS APPROVED BUT NOT YET ORDERED (INCLUDE FTA GRANT #, FTIP ID # AND RCTC'S SRTP CAPITAL GRANT #)

None

Table 5.1- Summary of Funds Requested for FY 2019/20

Project Description	Capital Project Number (1)	Total Amount of Funds	LTF	STA	Prop 1B (PTMISEA)	Prop 1B Security	LCTOP	Fare Box	Other (2)
FY 19/20 Operating Assistance		\$1,939,057	\$1,743,957					\$194,000	\$1,100
Subtotal: Operating		\$1,939,057	\$1,743,957	\$0	\$0	\$0	\$0	\$194,000	\$1,100
Heavy Duty Hydraulic Lift	20-01	\$75,000		\$75,000					
Subtotal: Capital		\$75,000	\$0	\$75,000	\$0	\$0	\$0	\$0	\$0
Total: Operating & Capital		\$2,014,057	\$1,743,957	\$75,000	\$0	\$0	\$0	\$194,000	\$1,100

Note: Other (2) is from Interest Income

Table 5.1– Capital Project Justification

PROJECT NUMBER (If existing project in FTIP, indicate FTIP ID number)

SRTP Project No: 20-01

FTIP No:

PROJECT NAME: Heavy Duty Hydraulic Lift

PROJECT DESCRIPTION: (For Bus Purchase projects, indicate fuel type)

PROJECT JUSTIFICATION:

This project will enhance the capacity of the Fleet Maintenance Division and enable significantly more onsite repairs. This will reduce the cost of subcontracting out repairs that cannot be completed currently due to the lack of this essential piece of equipment.

PROJECT SCHEDULE (if existing project in FTIP, indicate original start date and new completion date):

Specs drawn: July and August 2018 (RFP on Street September – December 2019)

Order: Award and Notice to Proceed January 2019

Delivery and Installation: Phased Implementation March – June 2019

PROJECT FUNDING SOURCES (REQUESTED):

STA FUNDS \$75,000

PRIOR YEAR PROJECTS OF A SIMILAR NATURE WITH UNEXPENDED BALANCE INCLUDING PROJECTS APPROVED BUT NOT YET ORDERED (INCLUDE FTA GRANT #, FTIP ID # AND RCTC'S SRTP CAPITAL GRANT #)

None

Table 5.2 - Summary of Funds Requested for FY 2020/21

Project Description	Capital Project Number (1)	Total Amount of Funds	LTF	STA	Prop 1B (PTMISEA)	Prop 1B Security	LCTOP	Fare Box	Other (2)
FY 20/21 Operating Assistance		\$2,035,954	\$1,831,154					\$203,700	\$1,100
Subtotal: Operating		\$2,035,954	\$1,831,154	\$0	\$0	\$0	\$0	\$203,700	\$1,100
Type 7 Replacement Bus	21-01	\$450,000		\$450,000					
Subtotal: Capital		\$450,000	\$0	\$450,000	\$0	\$0	\$0	\$0	\$0
Total: Operating & Capital		\$2,485,954	\$1,831,154	\$450,000	\$0	\$0	\$0	\$203,700	\$1,100

Note: Other (2) is from Interest Income

Table 5.2 – Capital Project Justification**PROJECT NUMBER** (If existing project in FTIP, indicate FTIP ID number)

SRTP Project No 21-01:

FTIP No:

PROJECT NAME: TYPE 7 Replacement Bus**PROJECT DESCRIPTION:** (For Bus Purchase projects, indicate fuel type)**Table 5.2 – Capital Project Justification**

Due to an aging fleet, an additional bus is needed to maintain existing service and facilitate anticipated growth in our fixed-route bus system. In addition, the purchase of a new CNG fueled bus will provide increased reliability and passenger comfort, as well as replace an existing bus that is beyond its useful life and only being kept in service to meet demand.

Banning Pass Transit has the goal of maintaining a State of Good Repair with the Transit Asset Management (TAM) Business Model in mind.

PROJECT SCHEDULE (if existing project in FTIP, indicate original start date and new completion date):

Specs drawn: Issue Purchase Order August 2020

Order: September 2020

Delivery: August 2021

PROJECT FUNDING SOURCES (REQUESTED):

STA Funds \$450,000

PRIOR YEAR PROJECTS OF A SIMILAR NATURE WITH UNEXPENDED BALANCE INCLUDING PROJECTS APPROVED BUT NOT YET ORDERED (INCLUDE FTA GRANT #, FTIP ID # AND RCTC'S SRTP CAPITAL GRANT #)

None

TABLE 6- PROGRESS TO IMPLEMENT TRIENNIAL PERFORMANCE AUDIT

Audit Recommendations (Covering FY 2009/10 – FY 2011/12)	Action(s) Taken And Results
1. Consider purchasing dispatching and scheduling software program	Currently working with the City's IT staff and evaluating software programs that will best meet our operational needs
2. Provide cross-training opportunities for City Transit Administrative Staff	The Transit Department has been reorganized to allow for cross training of the dispatch and operations.
3. Update Local Bus Schedules to show connectivity with Other Transit Services	New Bus Schedules have been designed and show connecting bus services and transfer points to and from Banning Transit with other transit providers.
4. Provide Weblink from Banning Transit to Beaumont Transit	A Weblink to Beaumont Transit is now available on Banning Transit's website.



Table 7 -- Service Provider Performance Targets Report

FY 2017/18 Short Range Transit Plan Review
City of Banning

Data Elements	FY 2017/18 Plan	FY 2017/18 Target	FY 2017/18 Year to Date Through 3rd Quarter	Year to Date Performance Scorecard
Unlinked Passenger Trips	199,540			
Passenger Miles	413,703			
Total Actual Vehicle Revenue Hours	24,852.0			
Total Actual Vehicle Revenue Miles	839,213.0			
Total Actual Vehicle Miles	848,543.0			
Total Operating Expenses	\$1,850,000			
Total Passenger Fare Revenue	\$187,500			
Net Operating Expenses	\$1,662,500			
Performance Indicators				
Mandatory:				
1. Farebox Recovery Ratio	10.13%	>= 10.00%	10.11%	Meets Target
Discretionary:				
1. Operating Cost Per Revenue Hour	\$74.44	<= \$57.09	\$55.50	Meets Target
2. Subsidy Per Passenger	\$8.33	>= \$6.49 and <= \$8.79	\$8.35	Meets Target
3. Subsidy Per Passenger Mile	\$4.02	>= \$2.52 and <= \$3.42	\$3.25	Meets Target
4. Subsidy Per Hour	\$56.90	>= \$42.01 and <= \$56.83	\$49.89	Meets Target
5. Subsidy Per Mile	\$1.98	>= \$1.11 and <= \$1.50	\$1.37	Meets Target
6. Passengers Per Revenue Hour	8.00	>= 5.53 and <= 7.48	6.00	Meets Target
7. Passengers Per Revenue Mile	0.24	>= 0.14 and <= 0.20	0.16	Meets Target

Note: Must meet at least 4 out of 7 Discretionary Performance Indicators



FY 2018/19 - Table 8 -- SRTP Performance Report

Service Provider: City of Banning
All Routes

Performance Indicators	FY 2016/17 End of Year Actual	FY 2017/18 4th Quarter Year-to-Date	FY 2018/19 Plan	FY 2018/19 Target	Plan Performance Scorecard (a)
Passengers	133,185	97,370	197,950	None	
Passenger Miles	342,529	250,436	1,123,444	None	
Revenue Hours	20,717.2	16,302.3	28,618.0	None	
Total Hours	22,312.6	17,455.2	31,109.0	None	
Revenue Miles	776,997.0	592,232.5	830,174.0	None	
Total Miles	785,685.0	599,321.1	844,831.0	None	
Operating Costs	\$1,473,649	\$904,829	\$1,653,957	None	
Passenger Revenue	\$157,157	\$91,487	\$200,720	None	
Operating Subsidy	\$1,316,492	\$813,342	\$1,453,237	None	
Operating Costs Per Revenue Hour	\$71.13	\$55.50	\$57.79	<= \$42.01	Fails to Meet Target
Operating Cost Per Revenue Mile	\$1.90	\$1.53	\$1.99	None	
Operating Costs Per Passenger	\$11.06	\$9.29	\$8.36	None	
Farebox Recovery Ratio	10.66%	10.11%	12.13%	>= 10.0%	Meets Target
Subsidy Per Passenger	\$9.88	\$8.35	\$7.34	>= \$7.10 and <= \$9.60	Meets Target
Subsidy Per Passenger Mile	\$3.84	\$3.25	\$1.29	>= \$2.76 and <= \$3.74	Better Than Target
Subsidy Per Revenue Hour	\$63.55	\$49.89	\$50.78	>= \$42.41 and <= \$57.37	Meets Target
Subsidy Per Revenue Mile	\$1.69	\$1.37	\$1.75	>= \$1.16 and <= \$1.58	Fails to Meet Target
Passengers Per Revenue Hour	6.40	6.00	6.90	>= 5.10 and <= 6.90	Meets Target
Passengers Per Revenue Mile	0.17	0.16	0.24	>= 0.14 and <= 0.18	Better Than Target

a) The Plan Performance Scorecard column is the result of comparing the FY 2018/19 Plan to the FY 2018/19 Primary Target.

The City of Banning

HIGHLIGHTS OF 2018/19

SHORT RANGE TRANSIT PLAN

- Sustain and enhance service levels in Cabazon with Low Carbon Transit Operations Program Funding.
- Existing CNG Facility will be rebuilt to ensure a reliable, safe, and efficient fueling station is available for transit operations.
- Purchase and install passenger information signs at key stops to inform individuals regarding next bus information.
- Continue working with the City of Beaumont staff regarding the coordination of routes, schedules, passenger amenities, and fares to ensure that Pass Transit is seamless and offers an ease of use to Pass Area residents, while still maintaining the best service possible within our service area.
- Evaluate strategies to increase revenue and service productivity.

Table 9A

BANNING TRANSIT SYSTEM/PASS TRANSIT	FY 2014/15 Audited	FY 2015/16 Audited	FY 2016/17 Audited	FY 2017/18 Estimate (Based on 3rd Quarter Actuals)	FY 2018/19 Planned
System-wide Ridership	144,978	137,594	133,185	129,826	197,950
Operating Cost Per Revenue Hours	\$57.50	\$56.03	\$71.13	\$55.50	\$57.79

Table 9B - Fare Revenue Calculation (consistent with Commission Farebox Recovery Policy)			
Revenue Sources included in Fare box Calculation	Actual Amount from FY 16/17 Audit	FY 17/18 (Plan)	FY 18/19 (Plan)
1. Passenger Fares	157,157	121,982	200,720
2. Interest			
3. General Fund Supplement			
4. Measure A			
5. Advertising Revenue			
6. Gain on Sale of Capital Assets			
7. CNG Revenue			
8. Lease/ Other Revenue			
9. Federal Excise Tax Refund			
10. Investment Income			
11. CalPers CERBT			
12. Fare Revenues from Exempt Routes			
13. Other Revenues			
TOTAL REVENUE for Farebox Calculation (1-13)	157,157	121,982	202,720
TOTAL OPERATING EXPENSES for Farebox Calculation	1,473,649	1,206,438	1,653,957
FAREBOX RECOVERY RATIO	10.66%	10.11%	12.25%

ATTACHMENT 2

Resolution 2018-68

RESOLUTION 2018-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE 2018/19-2019/20 SHORT RANGE TRANSIT PLAN (SRTP) AND AUTHORIZING THE SUBMITTAL OF THE FY 2018/19 LOCAL TRANSPORTATION FUND (LTF)

WHEREAS, the City of Banning annually receives an allocation of Local Transportation Funds to operate the City's transit and dial-a-ride services; and

WHEREAS, the Short Range Transit Plan is prepared annually as justification for the LTF Funding request; and

WHEREAS, a claim form and standard assurances must be submitted to Riverside County Transportation Commission in order to receive the allocated LTF; and

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

SECTION 1. That the City of Council of the City Banning hereby approves the 2018/19 Short Range Transit Plan document,

SECTION 2. The City Council of the City of Banning hereby authorizes the Community Services Director to execute and submit the Fiscal Year 2018/19 LTF Public Transit Claim in the amount of \$1,417,294 on behalf of the City of Banning.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-68 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch, and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

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



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Heidi Meraz, Community Services Director

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-62, Approving the Renewal of the Landscape Maintenance Contract for City Parks with Z&T Ventures, Inc. dba Service Scape of Alta Loma, California for Fiscal Year 2018/2019 in the amount of \$80,248

RECOMMENDED ACTION:

Staff recommends that the City Council adopt Resolution 2018-62:

1. Approving an Agreement with Z&T Ventures, Inc., dba Service Scape of Alta Loma, California in the amount "not to exceed" \$80,248 for Fiscal Year 2018/2019 and authorizing for additional annual renewals for up to two (2) additional single year periods. The annual cost per each additional single year period will be \$80,248.00.
2. Authorizing the Interim City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Agreement.
3. Authorizing the Interim City Manager to execute the Agreement with Service Scape of Alta Loma, California for the remainder of Fiscal Year 2018/2019 and for additional annual renewals for up to two (2) additional single year periods.

BACKGROUND:

The City has transitioned the Parks Maintenance Division ("Parks") from the Public Works Department to the Community Services Department. Part of the transition process included a reorganization of the Streets Maintenance Division ("Streets") and Parks which included the transferring of City staff from Parks to Streets. In order to continue maintaining the City's parks in a cost effective and efficient manner, staff determined that the City would benefit from hiring a landscape maintenance contractor to complete routine landscape maintenance tasks such as mowing, trimming and edging. Subsequently, on October 13, 2017 staff solicited proposals through Planet Bids from qualified companies to provide landscape maintenance services for City owned

parks. The Invitation to Bid (IFB) went to 250 external vendors and 10 City of Banning vendors.

The scope of work included lawn mowing, seeding, aeration, edging, fertilization, weed and pest control, maintenance of planter beds, trimming and tree care for all locations identified listed below:

- Lions Park
- Sylvan Park
- Repplier Park
- Dysart Park
- Roosevelt Williams Park

As a result, the Council approved the award of the contract for landscape maintenance services of City Park to Z&T Ventures, Inc., dba Service Scape for "not to exceed" the amount of \$39,270 for the remainder of Fiscal Year 2017/2018 (5 month period) with the option to renew for an additional three single years upon satisfactory annual review of provided services and subject to the consideration of a consumer price index increase. The "not to exceed" contract amount includes an allowance of \$10,000 for expenses related to miscellaneous irrigation repairs and/or plant replacement as needed.

JUSTIFICATION:

The award of an agreement to Z&T Ventures Inc., dba Service Scape will ensure that the City Parks included in the agreement will be maintained at an appropriate level, that necessary irrigation repairs and/or plant replacements will occur as needed.

FISCAL IMPACT:

The needed funding for the landscape maintenance agreement is not included in the 2018/2019 budget in the General Fund to Account No. 001-3600-461.23-29 (Landscape Maintenance) in the amount of 80,248.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2018-62
2. Amendment No. 1
3. Original Contract Services Agreement
4. Resolution 2018-12 (Original Agreement)

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-62

RESOLUTION 2018-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE RENEWAL OF THE LANDSCAPE MAINTENANCE CONTRACT FOR CITY PARKS WITH Z&T VENTURES, INC., DBA SERVICE SCAPE FOR FISCAL YEAR 2018/2019 IN THE AMOUNT OF \$80,248

WHEREAS, at the regularly scheduled meeting on January 09, 2018, the City Council adopted Resolution No. 2018-12, awarding the initial contract for maintenance of City Parks to Z&T Ventures Inc., DBA Service Scape;

WHEREAS, the annual contract amount for maintenance of the City Parks was \$70,248 with three (3), one (1) year renewal options upon a satisfactory review of the previously provided services; and

WHEREAS, the original contract terms were from March 20, 2018 through June 30, 2018 in a prorated amount of \$30,270; and

WHEREAS, Z&T Ventures, Inc., dba Service Scape has provided satisfactory service to the City over the term of the initial contract; and

WHEREAS, the Contract Agreement with Artistic Maintenance, Inc. provides an option to renew at the annual rate or up to three (3) single additional years upon a satisfactory review of the previously provided services; and

WHEREAS, staff recommends the renewal of the Contract Agreement with Z&T Ventures, Inc., dba Service Scape for Fiscal Year 2018/2019;

WHEREAS, Account No. 001-3600-461-23.29 (Landscape Maintenance) in the amount of \$84,000 will fund the monthly operation.

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 City Parks is hereby renewed with Z&T Ventures, Inc., dba Service Scape, in the amount of \$80,248.

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 Z&T Ventures, Inc., dba Service Scape

PASSED, APPROVED AND ADOPTED this 26th day of June, 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-62 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch, and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

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

ATTACHMENT 2

Amendment No. 1

**AMENDMENT NO. 1 TO
AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR CITY PARKS
BETWEEN THE CITY OF BANNING, CALIFORNIA
AND
Z&T VENTURES, INC., a California corporation, dba SERVICE SCAPE**

THIS AMENDMENT NO. 1 TO THE AGREEMENT FOR CONTRACT SERVICES ("Amendment No. 1") by and between the **CITY OF BANNING** ("CITY") and **Z&T Ventures, Inc., a California corporation, dba SERVICE SCAPE** ("Contractor") is effective as of the 1st day of July, 2018.

RECITALS

A. On January 9, 2018, CITY adopted City Council Resolution No. 2018-12, which authorized CITY and Contractor to enter into that certain Agreement for Contract Services dated March 20, 2018 ("Agreement"). The Agreement provided that Contractor would provide those services specified in the Scope of Services attached to the Agreement as Exhibit "A". Pursuant to Section 3.5 of the Agreement, CITY can extend the term of the Agreement for a period not to exceed three (3) years.

B. On June 26, 2018, CITY adopted City Council Resolution No. 2018-62, which authorized the extension of the Agreement for an additional one-year term, ending on June 30, 2019, and the increase in compensation for services provided under the Agreement.

C. CITY and Contractor now desire to amend the Agreement in accordance with Resolution No. 2018-62 to include additional compensation for the extended contract term in an annual amount of Eighty Thousand Two Hundred Forty-Eight Dollars (\$80,248.00) 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 for City Parks by and between the CITY OF BANNING and Z&T Ventures, Inc., a California corporation, dba SERVICE SCAPE". Hereafter, all references in the Agreement to "Agreement for Contract Services by and Between the City of Banning and Z&T Ventures, Inc., a California corporation, dba SERVICE SCAPE" and "Agreement for Landscape Maintenance Services for City Parks by and between the CITY OF BANNING and Z&T Ventures, Inc., a California corporation, dba SERVICE SCAPE" shall be understood to refer to this Agreement, as amended.

(b) Section 2.1 of the Agreement is amended to read as follows:

2.1. Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amounts specified in the Schedule of Compensation attached hereto as Exhibit “C” and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed Thirty Thousand Two Hundred Seventy Dollars (\$30,270.00) for the initial term of January 1, 2018 to June 30, 2018; and shall not exceed Eighty Thousand Two Hundred Forty-Eight Dollars (\$80,248.00) for the extended contract term of July 1, 2018 to June 30, 2019, for a total not to exceed One Hundred Ten Thousand Five Hundred Eighteen Dollars (\$110,518) (the “Contract Sum”), unless additional compensation is approved pursuant to Section 1.10.

- (b) Section 3.5, “Term” of the Agreement is amended read as follows:

3.5 Term.

Unless earlier terminated in accordance with Article 7 of this Agreement, the term of this Agreement shall commence upon execution by both Parties and shall expire on June 30, 2019, unless extended in writing in advance by both Parties. CITY shall have the option for annual renewals for up to two additional single year periods (“Option Periods”). The Contract Sum for each Option Period is Eighty Thousand Two Hundred Forty-Eight Dollars (\$80,248.00).

- (c) Section VI. of Exhibit “C” is amended to read as follows:

IV. The total compensation for Services shall not exceed Thirty Thousand Two Hundred Seventy Dollars (\$30,270.00) for the initial term of January 1, 2018 to June 30, 2018; and shall not exceed Eighty Thousand Two Hundred Forty-Eight Dollars (\$80,248.00) for the extended contract term of July 1, 2018 to June 30, 2019, for a total not to exceed One Hundred Ten Thousand Five Hundred Eighteen Dollars (\$110,518), as provided in Section 2.1 of this Agreement.

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

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:

Z_&T Ventures, Inc.,
a California corporation,
dba SERVICE SCAPE

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 _____, 2018 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	_____
<input type="checkbox"/>	PARTNER(S) <input type="checkbox"/> LIMITED <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 _____	_____
SIGNER IS REPRESENTING: (NAME OF PERSON(S) OR ENTITY(IES))		DATE OF DOCUMENT
_____ _____		_____
		SIGNER(S) OTHER THAN NAMED ABOVE

ATTACHMENT 3

Original Contract Services Agreement

CONTRACT SERVICES AGREEMENT

By and Between

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

and

**Z&T VENTURES, INC.,
dba SERVICE SCAPE**

**AGREEMENT FOR CONTRACT SERVICES
BETWEEN
THE CITY OF BANNING, CALIFORNIA
AND
Z&T VENTURES, INC., dba SERVICE SCAPE**

THIS AGREEMENT FOR CONTRACT SERVICES (herein "Agreement") is made and entered into this 20th day of March, 2018 by and between the **CITY OF BANNING**, a municipal corporation ("City") and Z&T Ventures, Inc., dba **SERVICE SCAPE**, a California corporation ("Contractor"). City and Contractor are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties".

RECITALS

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

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

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

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

OPERATIVE PROVISIONS

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

ARTICLE 1. SERVICES OF CONTRACTOR

1.1 Scope of Services.

In compliance with all terms and conditions of this Agreement, the Contractor shall provide those services specified in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by this reference, which services may be referred to herein as the "services" or "work" hereunder. As a material inducement to the City entering into this Agreement, Contractor represents and warrants that it has the qualifications, experience, and facilities necessary to properly perform the services required under this Agreement in a thorough, competent, and professional manner, and is experienced in performing the work and services contemplated herein. Contractor shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. Contractor covenants that it

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shall follow the highest professional standards in performing the work and services required hereunder and that all materials will be of good quality, fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

1.2 Contractor's Proposal.

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

1.3 Compliance with Law.

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

1.4 Licenses, Permits, Fees and Assessments.

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

1.5 Familiarity with Work.

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

1.6 Care of Work.

The Contractor shall adopt reasonable methods during the life of the Agreement to furnish continuous protection to the work, and the equipment, materials, papers, documents, plans, studies and/or other components thereof to prevent losses or damages, and shall be responsible for all such damages, to persons or property, until acceptance of the work by City, except such losses or damages as may be caused by City's own negligence.

1.7 Warranty.

Contractor warrants all Work under the Agreement (which for purposes of this Section shall be deemed to include unauthorized work which has not been removed and any non-conforming materials incorporated into the Work) to be of good quality and free from any defective or faulty material and workmanship. Contractor agrees to warranty labor for 90 days, and parts, materials, and workmanship for a period of one year (or the period of time specified elsewhere in the Agreement or in any guarantee or warranty provided by any manufacturer or supplier of equipment or materials incorporated into the Work, whichever is later) after the date of final acceptance, Contractor shall within ten (10) days after being notified in writing by the City of any defect in the Work or non-conformance of the Work to the Agreement, commence and prosecute with due diligence all Work necessary to fulfill the terms of the warranty at his sole cost and expense. Contractor shall act sooner as requested by the City in response to an emergency. In addition, Contractor shall, at its sole cost and expense, repair and replace any portions of the Work (or work of other contractors) damaged by its defective Work or which becomes damaged in the course of repairing or replacing defective Work. Contractor shall perform such tests as the City may require to verify that any corrective actions, including, without limitation, redesign, repairs, and replacements comply with the requirements of the Agreement. All costs associated with such corrective actions and testing, including the removal, replacement, and reinstitution of equipment and materials necessary to gain access, shall be the sole responsibility of the Contractor. All warranties and guarantees of subcontractors, suppliers and manufacturers with respect to any portion of the Work, whether express or implied, are deemed to be obtained by Contractor for the benefit of the City, regardless of whether or not such warranties and guarantees have been transferred or assigned to the City by separate agreement and Contractor agrees to enforce such warranties and guarantees, if necessary, on behalf of the City. In the event that Contractor fails to perform its obligations under this Section, or under any other warranty or guaranty under this Agreement, to the reasonable satisfaction of the City, the City shall have the right to correct and replace any defective or non-conforming Work and any work damaged by such work or the replacement or correction thereof at Contractor's sole expense. Contractor shall be obligated to fully reimburse the City for any expenses incurred hereunder upon demand. This provision may be waived in Exhibit "B" if the services hereunder do not include construction of any improvements or the supplying of equipment or materials.

1.8 Prevailing Wages.

Contractor is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "Public Works" and "Maintenance" projects. If the Services are being performed as part of an applicable "Public Works" or "Maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

1.9 Further Responsibilities of Parties.

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

1.10 Additional Services.

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

1.11 Special Requirements.

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

ARTICLE 2. COMPENSATION AND METHOD OF PAYMENT.

2.1 Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Contractor the amounts specified in the "Schedule of Compensation" attached hereto as Exhibit "C" and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed Thirty Thousand Two Hundred Seventy Dollars, (\$30,270.00) (the "Contract Sum"), unless additional compensation is approved pursuant to Section 1.10.

2.2 Method of Compensation.

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

2.3 Reimbursable Expenses.

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

2.4 Invoices.

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

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

2.5 Waiver.

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

ARTICLE 3. PERFORMANCE SCHEDULE

3.1 Time of Essence.

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

3.2 Schedule of Performance.

Contractor shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as Exhibit "D" and incorporated herein by this reference.

3.3 Force Majeure.

The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the Contractor, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes,

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wars, litigation, and/or acts of any governmental agency, including the City, if the Contractor shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified. The Contract Officer's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Contractor be entitled to recover damages against the City for any delay in the performance of this Agreement, however caused, Contractor's sole remedy being extension of the Agreement pursuant to this Section.

3.4 Inspection and Final Acceptance.

City may inspect and accept or reject any of Contractor's work under this Agreement, either during performance or when completed. City shall reject or finally accept Contractor's work within forth five (45) days after submitted to City. City shall accept work by a timely written acceptance, otherwise work shall be deemed to have been rejected. City's acceptance shall be conclusive as to such work except with respect to latent defects, fraud and such gross mistakes as amount to fraud. Acceptance of any work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, Article 1 and 5, pertaining to warranty, and indemnification and insurance, respectively.

3.5 Term.

Unless earlier terminated in accordance with Article 7 of this Agreement, the term of this Agreement shall commence upon execution by both parties and shall expire on June 30, 2018, or extended in writing in advance by both parties. Maximum term and any subsequent amendment or modification shall not exceed three (3) years.

ARTICLE 4. COORDINATION OF WORK

4.1 Representatives and Personnel of Contractor.

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

Randy Zbinden, President

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

4.2 Status of Contractor.

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

4.3 Contract Officer.

The Contract Officer shall be such person as may be designated by the City Manager. It shall be the Contractor's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Contractor shall refer any decisions which must be made by City to the Contract Officer. Unless otherwise specified herein, any approval of City required hereunder shall mean the approval of the Contract Officer. The Contract Officer shall have authority, if specified in writing by the City Manager, to sign all documents on behalf of the City required hereunder to carry out the terms of this Agreement.

4.4 Independent Contractor.

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

4.5 Prohibition Against Subcontracting or Assignment.

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

ARTICLE 5. INSURANCE, INDEMNIFICATION AND BONDS

5.1 Insurance Coverages.

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

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

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

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

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

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

5.2 General Insurance Requirements.

All of the above policies of insurance shall be primary insurance and shall name the City, its elected and appointed officers, employees and agents as additional insureds and any insurance maintained by City or its officers, employees or agents shall apply in excess of, and not contribute with Contractor's insurance. The insurer is deemed hereof to waive all rights of subrogation and contribution it may have against the City, its officers, employees and agents and their respective insurers. Moreover, the insurance policies must specify that where the primary insured does not satisfy the self-insured retention, any additional insured may satisfy the self-insured retention. All of said policies of insurance shall provide that said insurance may not be amended or cancelled by the insurer or any party hereto without providing thirty (30) days prior written notice by certified mail return receipt requested to the City. In the event any of said

policies of insurance are cancelled, the Contractor shall, prior to the cancellation date, submit new evidence of insurance in conformance with Section 5.1 to the Contract Officer. No work or services under this Agreement shall commence until the Contractor has provided the City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by the City. City reserves the right to inspect complete, certified copies of all required insurance policies at any time. Any failure to comply with the reporting or other provisions of the policies including breaches or warranties shall not affect coverage provided to City.

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

CANCELLATION:

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

[to be initialed]

N/A
Agent Initials

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

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

In the event the Contractor subcontracts any portion of the work in compliance with Section 4.5 of this Agreement, the contract between the Contractor and such subcontractor shall require the subcontractor to maintain the same policies of insurance that the Contractor is required to maintain pursuant to Section 5.1, and such certificates and endorsements shall be provided to City.

5.3 Indemnification.

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

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

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

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

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

5.4 Performance Bond.

Concurrently with execution of this Agreement, and if required in Exhibit "B", Contractor shall deliver to City performance bond in the sum of the amount of this Agreement, in the form provided by the City Clerk, which secures the faithful performance of this Agreement.

The bond shall contain the original notarized signature of an authorized officer of the surety and affixed thereto shall be a certified and current copy of his power of attorney. The bond shall be unconditional and remain in force during the entire term of the Agreement and shall be null and void only if the Contractor promptly and faithfully performs all terms and conditions of this Agreement.

5.5 Sufficiency of Insurer or Surety.

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

ARTICLE 6. RECORDS, REPORTS, AND RELEASE OF INFORMATION

6.1 Records.

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

6.2 Reports.

Contractor shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require. Contractor hereby acknowledges that the City is greatly concerned about the cost of work and services to be performed pursuant to this Agreement. For this reason, Contractor agrees that if Contractor becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services contemplated herein or, if Contractor is providing design services, the cost of the project being designed, Contractor shall promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Contractor is providing design services, the estimated increased or decreased cost estimate for the project being designed.

6.3 Ownership of Documents.

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

6.4 Confidentiality and Release of Information.

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

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

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

(d) Contractor shall promptly notify City should Contractor, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed there under. City retains the right, but has no obligation, to represent Contractor or be present at any deposition, hearing or similar proceeding. Contractor agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Contractor. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

ARTICLE 7. ENFORCEMENT OF AGREEMENT AND TERMINATION

7.1 California Law.

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

7.2 Disputes; Default.

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

7.3 Retention of Funds.

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

7.4 Waiver.

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

construed as a waiver. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

7.5 Rights and Remedies are Cumulative.

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

7.6 Legal Action.

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

7.7 Liquidated Damages.

Since the determination of actual damages for any delay in performance of this Agreement would be extremely difficult or impractical to determine in the event of a breach of this Agreement, the Contractor and its sureties shall be liable for and shall pay to the City the sum of Not Applicable (\$ 0.00) as liquidated damages for each working day of delay in the performance of any service required hereunder, as specified in the Schedule of Performance (Exhibit "D"). The City may withhold from any monies payable on account of services performed by the Contractor any accrued liquidated damages.

7.8 Termination Prior to Expiration of Term.

This Section shall govern any termination of this Contract except as specifically provided in the following Section for termination for cause. The City reserves the right to terminate this Contract at any time, with or without cause, upon thirty (30) days' written notice to Contractor, except that where termination is due to the fault of the Contractor, the period of notice may be such shorter time as may be determined by the Contract Officer. In addition, the Contractor reserves the right to terminate this Contract at any time, with or without cause, upon sixty (60) days' written notice to City, except that where termination is due to the fault of the City, the period of notice may be such shorter time as the Contractor may determine. Upon receipt of any notice of termination, Contractor shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. Except where the Contractor has initiated termination, the Contractor shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer, except as provided in Section 7.3. In the event the Contractor has initiated termination, the Contractor shall be entitled to compensation only for the reasonable value of the work product actually produced hereunder. In the event of termination without cause pursuant to this Section, the terminating party need not provide the non-terminating party with the opportunity to cure pursuant to Section 7.2.

7.9 Termination for Default of Contractor.

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

7.10 Attorneys' Fees.

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

ARTICLE 8. CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION

8.1 Non-liability of City Officers and Employees.

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

8.2 Conflict of Interest.

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

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

8.3 Covenant Against Discrimination.

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

8.4 Unauthorized Aliens.

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

ARTICLE 9. MISCELLANEOUS PROVISIONS

9.1 Notices.

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

9.2 Interpretation.

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

9.3 Counterparts.

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

9.4 Integration; Amendment.

This Agreement including the attachments hereto is the entire, complete and exclusive expression of the understanding of the parties. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. No amendment to or

SERVICE SCAPE, CITY PARKS, CSA-18

modification of this Agreement shall be valid unless made in writing and approved by the Contractor and by the City Council. The parties agree that this requirement for written modifications cannot be waived and that any attempted waiver shall be void.

9.5 Severability.

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

9.6 Corporate Authority.

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

[SIGNATURES ON FOLLOWING PAGE]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

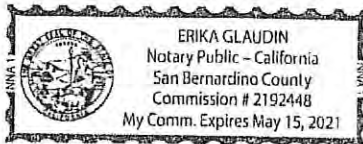
State of California

County of San Bernardino

On 3/28/18 before me, Erika Glaudin Notary
Date Here Insert Name and Title of the Officer

personally appeared Randel Zbinden
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s) acted, executed the instrument.



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

WITNESS my hand and official seal.

Place Notary Seal Above

Signature: [Signature]
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Contract agreement

Document Date: 3/28/18 Number of Pages: 41

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer — Title(s): _____ ☐ Corporate Officer — Title(s): _____

☐ Individual ☐ Individual

☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact ☐ Attorney in Fact

☐ Trustee ☐ Trustee

☐ Guardian or Conservator ☐ Guardian or Conservator

☐ Other: _____ ☐ Other: _____

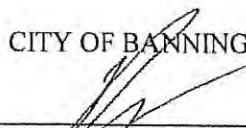
Signer Is Representing: _____ Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

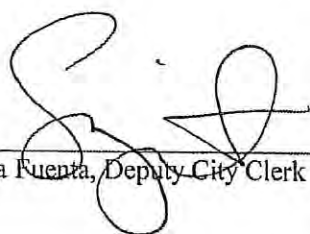
RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF BANNING


ALEJANDRO DIAZ, INTERIM CITY
MANAGER, *RICHELLE CLAYTON*

ATTEST:

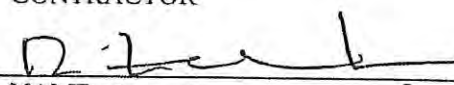

Sonja De La Fuente, Deputy City Clerk

APPROVED AS TO FORM:
RICHARDS, WATSON & GERSHON

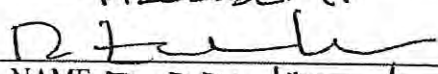
Kevin G. Ennis, City Attorney

CONTRACTOR

By:


NAME: R. ZBINDEN
TITLE: PRESIDENT

By:


NAME: R. ZBINDEN
TITLE: SECRETARY

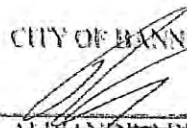
26-3172034
Tax ID No.

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.

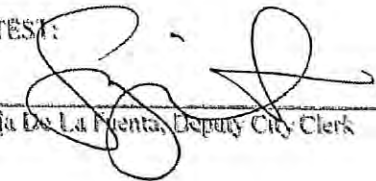
IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF BANNING


ALEJANDRO DIAZ, INTERIM CITY
MANAGER

ROCHELLE CLAYTON

ATTEST:


Sonja De La Fuente, Deputy City Clerk

APPROVED AS TO FORM:
RICHARDS, WATSON & GERSHON


Kevin G. Ennis, City Attorney

CONTRACTOR

By:

NAME:

TITLE: PRESIDENT

By:

NAME:

TITLE: SECRETARY

26-3172034

Tax ID No.

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.

EXHIBIT "A"
SCOPE OF SERVICES

I. Contractor will perform the following Services:

As specified in the Invitation for Bid #17-096 Scope of Work and Service Scape's proposal dated October 31, 2017 Exhibit "A-1"

EXHIBIT "A-1"
INVITATION FOR BID #17-096 AND SERVICE SCAPE'S PROPOSAL

SERVICE SCAPE, CITY PARKS, CSA-18

Landscape Maintenance Services for City Parks (17-096), bidding on November 1, 2017 10:00 AM (Pacific)

Printed 11/02/2017

Bid Results**Bidder Details**

Vendor Name Service Scape
Address 9716 Cottonwood Way
 Alta Loma, CA 91737
 United States

Respondee Randy Zbinden
Respondee Title President
Phone 909-702-1045 Ext.
Email service_scape@verizon.net
Vendor Type

Bid Detail

Bid Format Electronic
Submitted October 31, 2017 9:41:12 AM (Pacific)
Delivery Method
Bid Responsive Yes
Bid Status Submitted
Confirmation # 122315
Ranking 0

Respondee Comment**Buyer Comment****Attachments**

File Title	File Name	File Type
Bid	Bid for Banning.pdf	Response File

Line Items

Type	Item Code	UOM	Qty	Unit Price	Line Total	Discount	Comment
	Discount Terms no discount						
	Service Location						
1	Llons Park						
	Task #1	Monthly	12	\$1,404.0000	\$16,848.0000	\$16,848.0000	
2	Sylvan Park						
	Task #2	Monthly	12	\$1,200.0000	\$14,400.0000	\$14,400.0000	
3	Repllier Park						
	Task #3	Monthly	12	\$1,400.0000	\$16,800.0000	\$16,800.0000	
4	Roosevelt Williams Park						
	Task #4	Monthly	12	\$1,200.0000	\$14,400.0000	\$14,400.0000	
5	Dysart Park						
	Task #5	Monthly	12	\$650.0000	\$7,800.0000	\$7,800.0000	
				Subtotal	\$70,248.0000	\$70,248.0000	
	Other Optional Recommended Tasks						

Bid Results

Type	Item Code	UOM	Qty	Unit Price	Line Total	Discount	Comment
6	Other Optional Recommended Tasks						
	Optional	Total	1	0	0	0	
				Subtotal	0	0	
				Total	\$70,248.0000	\$70,248.0000	

ATTACHMENT 4

Resolution 2018-12

RESOLUTION 2018-12

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AN AGREEMENT FOR THE LANDSCAPE MAINTENANCE OF CITY PARKS TO SERVICE SCAPE OF ALTA LOMA, CALIFORNIA IN THE AMOUNT NOT TO EXCEED \$30,270

WHEREAS, the City is in the process of transitioning the Parks Maintenance Division ("Parks") from the Public Works Department to the Community Services Department and in the process has identified the need to hire a landscape maintenance contractor to complete routine landscape maintenance tasks such as mowing, trimming and edging; and

WHEREAS, on October 13, 2017 staff solicited proposals through Planet Bids from qualified companies to provide landscape maintenance services for City owned parks including Lions Park, Sylvan Park, Repplier Park, Dysart Park and Roosevelt Williams Park; and

WHEREAS, the City received five (5) proposals and determined that Service Scape of Alta Loma, California is the lowest responsive and responsible bidder; and

WHEREAS, staff recommends the award of the agreement to Service Scape in the amount "not to exceed" \$30,270, which includes an allowance of \$10,000 for expenses related to miscellaneous irrigation repairs and/or plant replacement as needed; and

WHEREAS, an appropriation in the amount of \$30,270 to Account No. 001-3600-461.30-01 (Repair/Maintenance-Grounds/Fields) from the General Fund is required to fund the Agreement.

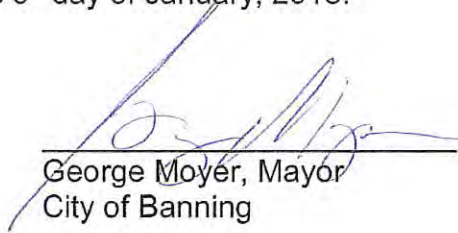
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning as follows:

SECTION 1. The City Council adopts Resolution 2018-12 approving an Agreement with Service Scape of Alta Loma, California in an amount "not to exceed" \$30,270 for the remainder of Fiscal Year 2017/2018 with the option for annual renewals for up to three (3) additional single year periods at \$80,248 each single year period.


SECTION 2. The Interim City Manager or his designee are authorized to make necessary budget adjustments, appropriations and transfers related to the Agreement.

SECTION 3. The Interim City Manager or his designee are authorized to execute the Agreement with Service Scape of Alta Loma, California for the remainder of Fiscal Year 2017/2018 with the option for annual renewals for up to three (3) additional single year periods.

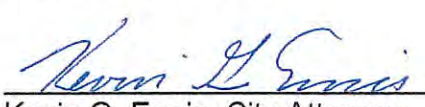
PASSED, APPROVED AND ADOPTED this 9th day of January, 2018.


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 2018-12, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 9th day of January, 2018, by the following vote, to wit:

AYES: Council Members Andrade Franklin, Peterson, and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: Council Member Welch



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



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director/Interim ASD

MEETING DATE: June 26, 2018

SUBJECT: Receive and File Informational Report on Transparent California and the Local Government Compensation Report

RECOMMENDATION:

Receive and File Report.

BACKGROUND:

It has been brought up at several Council Meetings and questions have been asked about what makes up certain items on the Transparent California website. Here is a breakdown of the information provided to Transparent California:

The information provided to Transparent California comes from the data provided to the State Controller's Office (SCO) on the Local Government Compensation Report. This report is broken out in more detail than the report provided on the Transparent California website, which combines lump sum pay with other pay and reports it all as Other Pay. There are three items that make up the Benefits amount reported on the SCO report and combined on the Transparent California report. See below for details. The data compiled for the SCO report is given to Transparent California through a Public Records Request received each year, the only difference is the name of the employee is provided to Transparent California and is not requested by SCO.

To find the SCO Government Compensation Report go to the State Controller's website at: www.sco.ca.gov

Click on the Government Data and Accountability tab, then Resources: Government Employee Compensation Data, Cities tab, search for Banning.

Please note: The SCO report is due April 30th of each year for the previous calendar year.

The intent of the report is to capture pay and benefit information to every compensated employee who received a **W2** for the respective calendar year for the report and for all Board/Council members (compensated or uncompensated). This includes all current employees, terminated employees, seasonal employees and part-time employees that worked any part of the year that we are required to provide a W2 to per IRS regulations. The report provided to the SCO and to Transparent California does not indicate whether an employee is full-time or part-time. Transparent California uses the minimum salary for that position to determine if that employee is full-time or not. However, a full-time and full-benefit employee may not be included in their total full-time employee count if an employee had left mid-year and did not earn the minimum salary, which could skew the average figures.

This is what makes up the report:

Regular Pay

Amount paid to employee for working regular hours

Overtime Pay

Amount paid to employee for working in excess of regular hours

Lump Sum Pay

One-Time cash outs of vacation/sick leave, holiday or personal leave. City of Banning MOU's or Employment contracts allow for payouts of leave time during the year and upon termination of employment

Other Pay

Other pay includes car allowances, meal periods, meeting stipends, incentive pay, bonus pay, retention pay, hazard pay, bilingual pay, cash amount of benefit allowance and on-call pay.

Note: Transparent California combines Lump Sum Pay and Other Pay together and reports it all as Other Pay

Benefits are broken out into different categories and the ones that pertain to the City are as follows:

Defined Benefit Plan; Employer's Share

This is the required employer contribution paid by the employer towards the employee's defined benefit plan. This amount may or may not include payments made toward the retirement plan's unfunded liability. (In 2016 the amount will include the portion of the unfunded liability as it was a part of the total percentage required by CalPERS, but in

2017 the unfunded liability amount was removed from the percentage and paid as a lump sum amount to CalPERS. So the amount reported in 2017 will be lower)

Deferred Compensation/Defined Contribution Plan

This is the amount paid by the employer towards the employee's deferred compensation/defined contribution plan. For the City of Banning, Per MOU's, this includes the excess amount of the benefit allowance that is not used towards medical benefits and is required to be placed in a 457 plan.

Employer Contribution: Health, Dental, Vision

This is the dollar amount paid by the employer towards the employee's Health, Dental, and/or Vision care plans. For the City of Banning, the employees receive a benefit allowance per the cafeteria plan and their respective MOUs. The maximum amount of the benefit allowance is reported here or the portion used towards their medical benefits. Unused portion is either reported in Deferred Compensation/Defined Contribution Plan or if received as cash, reported in Other Pay.

Note: Transparent California combines these three items in the benefit amount

ATTACHMENTS:

1. State of California Government Compensation in California Program 2017 Reporting Instructions
2. City of Banning – Local Government Compensation Report – Calendar Year 2017 as provided to the SCO by April 30, 2018
3. Report Summaries and Averages for years 2010-2016 from the State Controller's website
4. Summaries for years 2013-2017 from Transparent California Website
5. City of Banning Employee Count and Average Salaries & Benefits

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

State of California Government Compensation in
California Program 2017 Reporting Instructions

State of California

*Government
Compensation
in California
Program*

2017 Reporting Instructions



BETTY T. YEE

California State Controller's Office

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Introduction – Report Preparation Information

The State Controller's Office (SCO) is pleased to present the Government Compensation in California (GCC) reporting instructions for calendar year 2017. These reporting instructions provide guidance on completing and submitting the GCC report to the SCO.

I. Intent of the Report

The intent of the GCC report is to capture pay and benefit information for every compensated employee who received a W-2 for calendar year 2017, and for all board members (compensated or uncompensated):

- Report compensation information for:
 - Board members – compensated or uncompensated;
 - Full-time employees;
 - Part-time employees;
 - Temporary employees; and
 - Seasonal employees.
- If you did not have any paid employees who received a W-2 for the calendar year, then submit a GCC report that contains the department and classifications of your board members. For example, even if a special district did not issue any W-2's for the calendar year, a GCC report listing board members is still required.
- Do not report information on positions filled by independent contractors. For clarification of employee vs. contractor, refer to *Internal Revenue Service Publication 15-A, Employer's Supplemental Tax Guide*, at <https://www.irs.gov/pub/irs-pdf/p15a.pdf>
- Do not include any pay reported on IRS Form 1099.

II. General Reporting Requirements

Due Date:

The reporting due date is provided on the GCC alert letter regarding the *2017 Government Compensation in California Report*.

Format:

Report templates are available on SCO's website: https://www.sco.ca.gov/ard_locinstr_gcc_reporting.html.

The templates provided on SCO's website are the only report format that can be used.

Select the appropriate employer type from the list in the directory.

To submit a completed GCC report using File Transfer Protocol (FTP), refer to the FTP Instructions available on SCO's website: https://www.sco.ca.gov/ard_locinstr_gcc_reporting.html

III. Detailed Reporting Requirements

Section A. Report Identification and Contact Information

This is the header portion of the GCC report:

State Controller's Office - Local Government Programs and Services Division Local Government Compensation Report - Calendar Year 20xx Refer to the 20xx GCC Reporting Instructions for more details			Preparer Contact Information	
Entity Name Human Resources Web Page			Preparer Name Phone Number E-mail Address	
Employees Hold more than One Position? Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?	(Enter 'Yes' or 'No') (Enter 'Yes' or 'No')	'Save As' Filename		

Step A1: Entity Name

For the "Entity Name" field, select your entity name from the drop-down list on the report template. Ensure that you have correctly selected your entity, as many entity names are similar to each other.

Step A2: Save As Filename

Before proceeding to the next step, save the GCC report file to your computer. The filename should be the reporting year and your 11 digit unique identification number: 2017-xxxxxxxxxx. Your unique identification number is located on your reporting template embedded in the "Save As" Filename box in **red font**.

This field is automatically populated. Do not alter the data in this field.

For example, the filename for entity ABC, with unique identification number 12345678910, would be **20xx-12345678910.xlsx**, as shown below:

State Controller's Office - Local Government Programs and Services Division Local Government Compensation Report - Calendar Year 20xx Refer to the 20xx GCC Reporting Instructions for more details				
Entity Name City of ABC				
Human Resources Web Page http://www.cityofABC.org/hr				
Employees Hold more than One Position? Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?	Yes Yes	(Enter 'Yes' or 'No') (Enter 'Yes' or 'No')	'Save As' Filename 20xx-12345678910.xlsx	

Step A3: Human Resources Web Page

Enter the Uniform Resource Locator (URL) for your entity's human resources web page into the "Human Resources Web Page" field.

If your agency does not have a Human Resources web page, you can enter "None" or leave the field blank.

Step A4: Employees Hold More Than One Position?

- Select “Yes” or “No” from the drop-down list:
 - Yes – indicates that your entity had employees who held more than one position concurrently during the course of the calendar year.
 - No – indicates that your entity did not have any employees who held more than one position concurrently during the course of the calendar year.

Step A5: Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?

- Select “Yes” or “No” from the drop-down list:
 - Yes – indicates that amounts reported in the “Defined Benefit Plan: Employer’s Share” column include payment made toward the retirement plan’s unfunded liability.
 - No – indicates that amounts reported the “Defined Benefit Plan: Employer’s Share” column include normal cost payments only.

State Controller's Office - Local Government Programs and Services Division
 Local Government Compensation Report - Calendar Year 20xx
[Refer to the 20xx GCC Reporting Instructions for more details](#)

Entity Name	
Human Resources Web Page	
Employees Hold more than One Position?	(Enter 'Yes' or 'No')
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?	(Enter 'Yes' or 'No')
	'Save As' Filename

Step A6: Preparer Contact Information

- In the “Preparer Name” field, enter the name of the individual who is preparing the report and can be contacted to answer questions regarding the data reported.
- In the “Phone Number” field, enter the phone number – including the area code – of the report preparer.
- In the “Email Address” field, enter the email address of the report preparer.

Preparer Contact Information

Preparer Name **John Doe**
 Phone Number **(123) 456-7890**
 E-mail Address **john.doe@entityABC.org**

Section B. Pay and Benefit Data for Each Employee

This is the compensation detail portion of the GCC report. Each row represents an employee who received a W-2 for the calendar year (or an uncompensated board member).

The GCC report contains protected cells. **Do not reformat cells in the spreadsheet. This may cause your report to be rejected.** Do not cut and paste pay and benefit information into the spreadsheet without ensuring that data elements are consistent with the cell formats shown below. The number of columns in the spreadsheet that you are copying data from must match the number of columns in the GCC reporting template.

Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Total Wages Subject to Medicare (Box 5 of W-2):				Applicable Defined Benefit Pension Formula	Employer Contribution:			
					Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay		Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Deferred Compensation/ Defined Contribution Plan	Health, Dental, Vision
Alphanumeric 100 Characters Maximum	Alphanumeric 100 Characters Maximum	Numeric 5 Characters Maximum	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Alphanumeric 50 Characters Maximum	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999	Whole Dollars Only Maximum = 99,999,999

Step B1: Elected Officials

- An employee is considered an elected official when their position is attained via public election, or when they are appointed to fill out the remainder of a previously-elected official's term. Individuals serving for multiple entities should only be listed as elected officials for the entities to which they were specifically elected. For example, if an employee is elected to a city council and subsequently appointed as a board member for a special district, they would be listed as an elected official on the city's GCC report; they would not be listed as an elected official on the special district's GCC report.
- In the **Elected Official** column, enter a "Y" if the row represents an elected official position. Leave this column blank for all non-elected officials.
- Elected officials may include, but are not limited to:
 - Assessors
 - Auditor-Controllers
 - Board Members
 - City Attorneys
 - City Council Members
 - Clerks
 - Controllers
 - County Supervisors
 - District Attorneys
 - Mayors
 - Public Defenders
 - Sheriffs
 - Treasurers
 - Tax Collectors

Step B2: Department

In the **Department** column, enter the department name:

- Use alphanumeric characters (100 characters maximum).
- Use proper case (i.e. Administration, Finance, Public Works, etc.).
- Do not use abbreviations.**

Step B3: Classification

In the **Classification** column, enter the job title or position name:

- Use alphanumeric characters (100 characters maximum).
- Use proper case (i.e. Accountant, Clerk, Director, etc.).
- Use the standard job title or position name for individuals who received a W-2 (or uncompensated board members) for calendar year 2016.
- For stepped classifications, use roman numerals (i.e. Accountant I, Clerk IV, etc.).
- **Do not include employee names, employee numbers, or position numbers.**
- **Do not use abbreviations.**

Step B4: Multiple Positions Footnote

The Multiple Positions Footnote column identifies employees who held multiple positions concurrently during the calendar year. Notations should only be made in this column for employees holding multiple concurrent positions. For employees who held one position throughout the calendar year, leave this column blank (see **Figure 1** on page 8). Assign a unique number (5 digit maximum) to each employee who held multiple concurrent positions, and include it with the listing of each concurrent position held:

- Calculate the total amount for each of the compensation columns (wages and benefits) for all positions concurrently held by a single employee, and place the totals on the line for either the most recently-held position or the position with the highest maximum annual salary (primary line). All subsequent positions (secondary lines) should only list the Department and Classification, with zero (0) as the compensation amount.
- The example in **Figure 2** on page 8 shows an employee who held two positions concurrently during the calendar year: one position was an Accountant I, and the other position was a Clerk II. "246" is the unique identification number for this employee, and it is included with the listing of each concurrent position held by this employee.
- The Multiple Positions Footnote column should be left blank if an employee transferred, promoted, or worked in multiple positions that did not have overlapping dates of service. For example, if an employee was an Accountant I for the first six months of the year, then was promoted to an Accountant II for the remaining six months of the year, do not record the two positions in the Multiple Positions Footnote column. Instead, only report the position that the employee held at the end of the reporting calendar year.

Figure 1

Scenario 1: Employee held one position

Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Total Wages Subject to Medicare (Box 5 of W-2)				Applicable Defined Benefit Pension Formula	Employer Contribution			
					Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay		Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Deferred Compensation/Defined Contribution Plan	Health, Dental, Vision
Administration	Accountant I		24,000	36,000	31,250	1,500	0	0	2%@55	0	2,500	0	2,000

Employee works in Administration

- Appointed as an Accountant I
- Worked 1/1/2012 to 12/31/2012
- Annual Total Wages Subject to Medicare (Box 5 of W-2) is \$32,750
 - \$31,250 in annual regular pay
 - \$1,500 in overtime pay

Figure 2

Scenario 2: Employee held two positions concurrently during the calendar year

	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Total Wages Subject to Medicare (Box 5 of W-2)				Applicable Defined Benefit Pension Formula	Employer Contribution			
						Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay		Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Deferred Compensation/Defined Contribution Plan	Health, Dental, Vision
Primary Row	Finance	Accountant I	246	24,000	36,000	31,250	2,250	0	3,000	2%@55	0	2,500	0	2,000
Secondary Row	Administration	Clerk II	246	0	0	0	0	0	0	N/A	0	0	0	0

Enter Total Wages Subject to Medicare and Employer Contribution Information for all concurrently held positions on one primary row using the most recently appointed position or the position with the highest maximum annual salary.

Use subsequent rows for information related to other concurrently held positions. Enter only position-related information on this row (Department, Classification, Annual Salary Minimum/Maximum, Pension Formula). Enter zeros for wage information and employer contribution information.

Employee's Annual Total Wages Subject to Medicare (Box 5 of W-2) is \$36,500

- Appointed as an Accountant I in Finance
- Worked 1/1/2012 to 12/31/2012
- \$20,250 in regular pay
- \$2,250 in overtime pay

- Also appointed as a Clerk II in Administration
- Worked 1/1/2012 to 5/31/2012
- \$11,000 in regular pay
- \$3,000 in incentive pay

Calculations:

\$20,250 Accountant I
 + \$11,000 Clerk II
 \$31,250 Annual Regular Pay
 \$2,250 overtime pay
 + \$3,000 incentive pay
 \$36,500 Total Wages

Step B5: Annual Salary Minimum

In the **Annual Salary Minimum** column, enter the minimum annual base salary for the employee's position:

- Use whole dollars only.
- To calculate the annual minimum salary from hourly wages, convert hourly pay to equivalent full-time pay, including part-time employees (i.e. multiply the minimum base hourly wage by full-time hours).
- Do not include additional compensation (i.e. overtime pay, incentive pay, etc.).
- Enter zero if there is no salary schedule associated with the employee's position.

Step B6: Annual Salary Maximum

In the **Annual Salary Maximum** column, enter the maximum annual base salary for the employee's position:

- Use whole dollars only.
- To calculate the annual maximum salary from hourly wages, convert hourly pay to equivalent full-time pay, including part-time employees (i.e. take the maximum base hourly wage and multiply by full-time hours).
- Do not include additional compensation (i.e. overtime pay, incentive pay, etc.).
- Enter zero if there is no salary schedule associated with the employee's position.

Total Wages Subject to Medicare (Box 5 of W-2)

- **Total Wages Subject to Medicare** (Box 5 of W-2) only includes wages that are subject to Medicare taxes. Deductions subtracted from gross pay to calculate Total Wages Subject to Medicare (Box 5 of W-2) are not captured by the GCC report (i.e. pretax medical deductions).
- For instructions regarding cafeteria allowances, see **Step B15** on page 14.
- If an employee held a position that did not have wages subject to Medicare taxes, then use the amount reported in Box 1 of that employee's W-2. Add back any deferrals and deductions (i.e., pretax contributions to 401K, 403B, or similar) that would have been Medicare-taxable.
 - For information on positions that are not subject to Medicare taxes, refer to *Internal Revenue Service Publication 15-A, Employer's Supplemental Tax Guide*: <https://www.irs.gov/pub/irs-pdf/p15a.pdf>
 - For information on benefits not subject to Medicare taxes, refer to *Internal Revenue Service Publication 15-B, Employer's Tax Guide to Fringe Benefits*: <https://www.irs.gov/pub/irs-pdf/p15b.pdf>

Step B7: Total Wages Subject to Medicare (Box 5 of W-2): Annual Regular Pay

In the **Regular Pay** column, enter the dollar amount paid to an employee for working regular hours:

- Use whole dollars only.
- Enter zero if the employee did not earn regular pay.

Step B8: Total Wages Subject to Medicare (Box 5 of W-2): Overtime Pay

In the **Overtime Pay** column, enter the dollar amount paid to an employee for overtime worked:

- Use whole dollars only.
- Enter zero if the employee did not earn overtime pay.

Step B9: Total Wages Subject to Medicare (Box 5 of W-2): Lump Sum Pay

In the **Lump Sum Pay** column, enter the dollar amount paid to an employee for lump sum pay:

- Use whole dollars only.
- Enter zero if the employee was not given lump sum pay.
- Lump sum pay includes one-time cash outs such as paid excess vacation/sick leave.

Step B10: Total Wages Subject to Medicare (Box 5 of W-2): Other Pay

In the **Other Pay** column, enter the dollar amount paid to an employee for any compensation not reported as regular pay, overtime pay, or lump sum pay. "Other pay" includes, but is not limited to, car allowances, meeting stipends, incentive pay, bonus pay, retention pay, hazard pay, bilingual pay, and on-call pay:

- Use whole dollars only.
- Enter zero if the employee did not earn other pay.

Employer Contributions: Pension Systems

There are two types of pension systems:

- Defined benefit system – benefits are predetermined by a formula that is based in part on the employee's age at retirement, final average salary, and length of service. The employer's contributions are determined on the basis of benefits to be paid.
- Defined contribution system – the rate of contribution by the employer, and sometimes by the employee, is fixed. Therefore, the employee's pension benefit will be whatever amount the accumulated contributions, plus investment earnings, will provide at retirement.

The diagram in **Figure 3** on page 13 shows the two types of pension systems, and illustrates which employer contribution amounts are to be reported in Steps B12 through B14 for each plan.

An employee's pension plan may be funded by separate monetary contributions from two sources – the employer and the employee. Occasionally, the employer will make a monetary contribution to the employee's share.

The GCC report only captures the amounts paid by the employer; it does not include employee contributions.

Step B11: Applicable Defined Benefit Pension Formula

In the **Applicable Defined Benefit Pension Formula** column, enter the defined benefit pension formula for employees under a defined benefit plan. If a formula is entered in this column, enter the employer contribution amounts in the "Defined Benefit Plan – Employer's Share" column:

- Use alphanumeric characters (50 characters maximum).
- Enter "N/A" if the position does not have a defined benefit pension formula.
- If providing a formula entry, include a percentage representation and an age. (i.e. 2% @ 55)

Step B12: Employer Contribution: Retirement Plan – Employees' Share Paid by Employer

In the **Retirement Plan – Employees' Share Paid by Employer** column, enter the dollar amount paid by the employer, on behalf of the employee, towards the employee's share of retirement costs:

- Use whole dollars only.
- Enter zero if there is no employer contribution.
- For example: Employee's share is 7% and employer paid 2% of that 7%. Enter the dollar amount (the dollar value of the 2%) for the employer's share of the contribution.
- Include amounts the employer paid on behalf of the employee; do not include any amounts that the employee paid.

Step B13: Employer Contribution: Defined Benefit Plan – Employer's Share

In the **Defined Benefit Plan – Employer's Share** column, enter the required employer contribution (dollar amount) paid by the employer towards the employee's defined benefit plan. This amount may or may not include payments made toward the retirement plan's unfunded liability. Each employer can determine how to proceed based upon what is most practical. Refer to **Step A5** on page 5 to ensure the information entered this column is consistent with the response to **Step A5**. If a dollar amount is entered in this column, then enter the corresponding formula in the "Applicable Defined Benefit Pension Formula" column:

- Use whole dollars only.
- Enter zero if there is no employer contribution.

Step B14: Employer Contribution: Deferred Compensation/Defined Contribution Plan

Deferred compensation: An employee has deductions from their salary deposited into a deferred compensation plan such as 401(a), (b), (k), 403(b), and 457 plans. The employer provides matching contributions to the plan.

For example: An employee contributes \$2,000 annually to a 401(k); the employer matches that contribution. Enter \$2,000 in the "Employer Contribution: Deferred Compensation/Defined Contribution Plan" column.

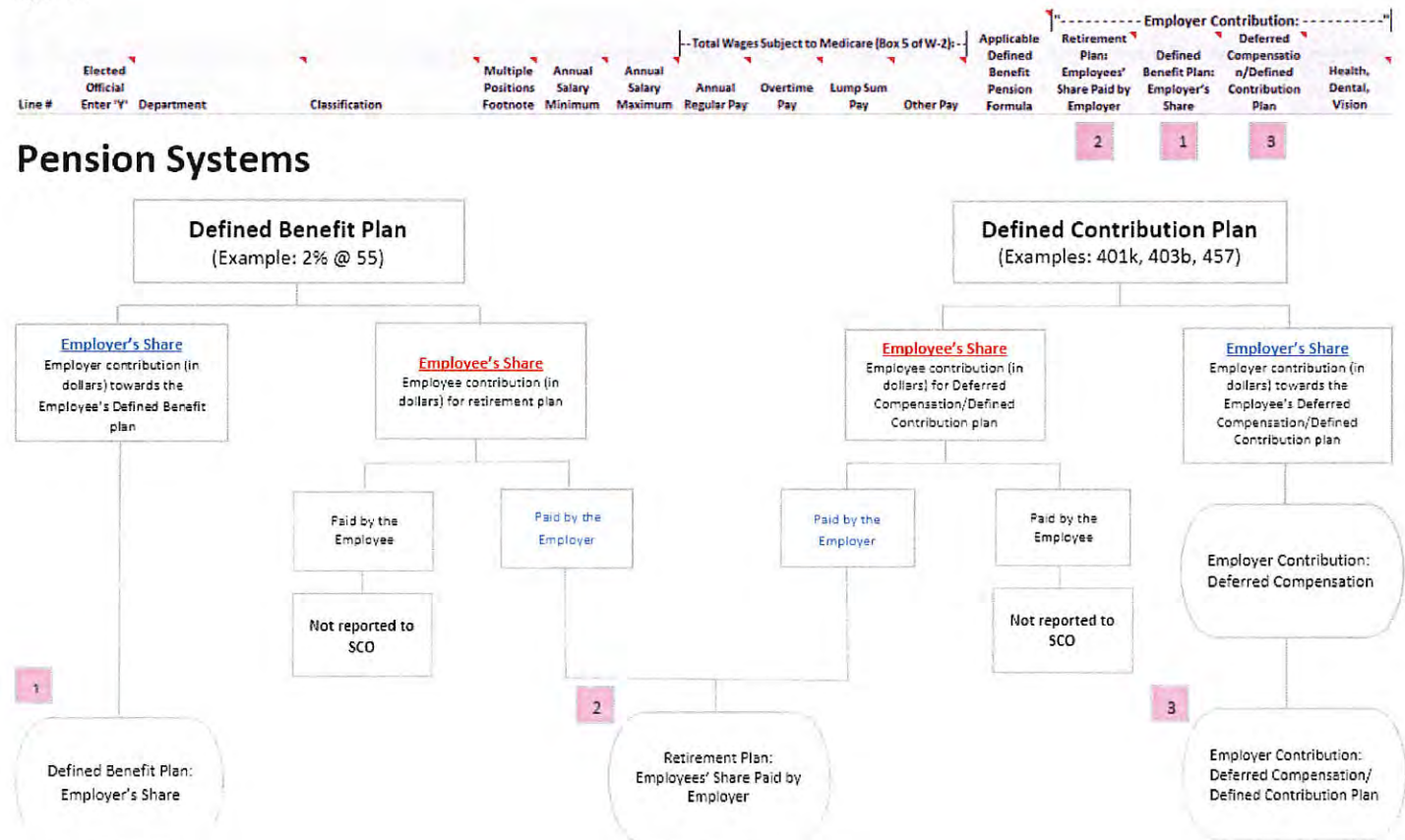
Defined contribution: An employer contributes a percentage of an employee's salary to an investment fund, regardless of whether the employee contributes. Convert that percentage to an annual dollar amount and enter.

For example: An employer pays 7% of an employee's \$50,000 annual salary. Enter \$3,500 ($7\% \times \$50,000$) in the "Employer Contribution: Deferred Compensation/Defined Contribution Plan" column.

In the **Deferred Compensation/Defined Contribution Plan** column, enter the dollar amount paid by the employer towards the employee's deferred compensation/defined contribution plan. This includes deferred compensation/defined contribution plans such as 401(a), (b), (k), 403(b), and 457 plans:

- Use whole dollars only.
- Enter zero if there is no employer contribution.

Figure 3



Step B15: Employer Contribution: Health, Dental, Vision

In the **Health, Dental, Vision** column, enter the dollar amount paid by the employer towards the employee's Health, Dental, and/or Vision care plans:

- Use whole dollars only.
- If the employer provides a cafeteria allowance, then report the used portion in the "Health, Dental, Vision" column and report any unused portion in the "Other Pay" column.
 - For example: If an employee received a \$1,000 cafeteria allowance, but only used \$800 of the allowance, then \$800 should be reported in the "Health, Dental, Vision" column, and the unused \$200 of the allowance should be reported in the "Other Pay" column (see **Step B10** on page 10).
- Enter zero if there is no employer contribution.
- This is an example of a completed GCC report:

State Controller's Office - Local Government Programs and Services Division
Local Government Compensation Report - Calendar Year 20xx
[Refer to the 20xx GCC Reporting Instructions for more details](#)

Entity Name: City of ABC
 Human Resources Web Page: <http://www.cityofABC.org/hr>
 Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')
 Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')
 Save As' Filename: 20xx-12345678910.xlsx

Preparer Contact Information
 Preparer Name: John Doe
 Phone Number: (123) 456-7890
 E-mail Address: john.doe@cityofABC.org

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Total Wages Subject to Medicare (Box 5 of W-2):				Applicable Defined Benefit Pension Formula	Employer Contribution: -----			
							Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay		Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Deferred Compensation n/Defined Contribution Plan	Health, Dental, Vision
1.	Y	Governing Body	Council Member		0	0	0	0	0	0	N/A	0	0	0	0
2.	Y	Governing Body	Council Member		0	0	0	0	0	0	N/A	0	0	0	0
3.	Y	Governing Body	Council Member		0	0	0	0	0	0	N/A	0	0	0	0
4.	Y	Governing Body	Council Member		0	0	0	0	0	0	N/A	0	0	0	0
5.	Y	Governing Body	Council Member		0	0	0	0	0	0	N/A	0	0	0	0
6.		Administration	City Manager		200,000	300,000	300,000	0	0	5,000	2%@55	5,000	10,000	0	0
7.		Administration	Accountant I	246	24,000	36,000	31,250	2,250	0	3,000	2%@55	0	2,500	0	2,000
8.		Payroll	Clerk II	246	18,000	24,000	0	0	0	0	2%@55	0	0	0	0
9.		Planning	Senior Planner		50,000	80,000	60,000	0	0	2,000	2%@55	1,500	3,500	0	0
10.		Engineering	City Engineer		100,000	200,000	150,000	0	15,000	0	2%@55	2,000	7,000	0	0
											Too Many Formulas to List				
11.		Community Services	Director		50,000	150,000	80,000	0	0	0	List	3,000	5,000	0	0
12.															
13.															

These reporting instructions are located on the SCO website at:
https://www.sco.ca.gov/ard_locinstr_gcc_reporting.html

State Controller's Office
Local Government Programs and Services Division
Government Compensation Unit
Post Office Box 942850
Sacramento, California 94250-5875
(916) 445-5153
GCCSupport@sco.ca.gov

ATTACHMENT 2

City of Banning – Local Government Compensation
Report – Calendar Year 2017 as provided to the SCO
by April 30, 2018

State Controller's Office - Local Government Programs and Services Division

Cities - Local Government Compensation Report - Calendar Year 2017

Refer to the 2017 GCC Reporting Instructions for more details

Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-11983305000.XLSX

Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

Preparer Contact Information

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.														----- Total Wages Subject to Medicare (Box 5 of W-2): -----					----- Employer Contribution: -----				
Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary		Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay	Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Employer Contribution:			Health, Dental, Vision							
					Minimum	Maximum							Defined Benefit Plan: Employer's Share	Defined Contribution Plan	Compensation/								
1.	N	AIRPORT	AIRPORT ATTENDANT		23,259	31,467	15,867				2.5% @ 55		2,583										
2.	N	BUILDING MAINTENANCE	SPECIALIST		37,185	50,307	39,142	957		89	2% @ 62		4,046	11,285			1,815						
3.	N	BUILDING SAFETY	DIRECTOR		107,520	145,461	107,648		5,495	6,690	2% @ 62		17,282				17,200						
4.	N	BUILDING SAFETY	OFFICE SPECIALIST		32,865	44,463	36,667	109	467	2,290	2% @ 62		6,207	1,008			14,292						
5.	Y	CITY CLERK	CITY CLERK	2	1,200	1,200	1,200				N/A						8,040						
6.	N	CITY CLERK	EXECUTIVE ASSISTANT		45,306	61,294	43,172		25,012	1,922	2.5% @ 55		8,378	4,715			4,985						
7.	N	CITY CLERK	DEPUTY CITY CLERK	2	51,260	69,348	50,890			243	2.5% @ 55		7,989				15,300						
8.	Y	CITY COUNCIL	COUNCIL MEMBER		4,680	4,680	4,680				N/A			1,667			9,667						
9.	Y	CITY COUNCIL	COUNCIL MEMBER		4,680	4,680	4,680				N/A						13,572						
10.	Y	CITY COUNCIL	MAYOR		4,680	4,680	4,680				N/A						1,424						
11.	Y	CITY COUNCIL	COUNCIL MEMBER		4,680	4,680	4,680				N/A						22,113						
12.	Y	CITY COUNCIL	COUNCIL MEMBER		4,680	4,680	4,680				N/A						1,424						
13.	N	CITY MANAGER	CITY MANAGER		180,589	244,315	95,659		29,739	4,050	2% @ 60		23,490				9,952						
14.	N	CITY MANAGER	EXECUTIVE ASSISTANT		45,306	61,294	41,843	1,379	302	49	2% @ 62		6,734	13,330			1,970						
15.	N	CODE ENFORCEMENT	SENIOR CODE COMPLIANCE OFFICER		53,855	72,859	67,126	4,039	3,665	3,631	2.5% @ 55		11,026				15,300						
16.	N	CODE ENFORCEMENT	CODE COMPLIANCE OFFICER		46,438	62,825	62,490	4,405	494	371	2.5% @ 55		10,141	320			14,980						
17.	N	COMMUNITY DEVELOPMENT	COMMUNITY DEVELOPMENT DIRECTOR		107,520	145,461	23,663		26,833	1,000	2.5% @ 55		5,803				3,333						
18.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	44,871	15,065	360	2,200	2% @ 62		7,680	7,902			7,398						
19.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	31,077	7,796	749	3,514	3% @ 50		6,285	946			11,754						
20.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	46,773	19,529	1,615	4,424	2% @ 62		8,282				15,300						
21.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	53,075	20,849	1,463	11,760	2.5% @ 55		10,427	10,412			4,888						
22.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	24,296				2.5% @ 55		4,240				0						
23.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	17,765	2,211	1,780	143	2% @ 62		4,409	3,271			4,229						
24.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	52,233	17,763	1,338	7,671	2% @ 60		9,754				15,300						
25.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	19,004	3,341		1,914	2% @ 62		1,823	6,366			1,734						
26.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	52,888	25,883		9,293	2.5% @ 55		10,097	5,086			10,214						
27.	N	DISPATCH	PUBLIC SAFETY DISPATCHER		40,044	54,174	14,400	2,841	798	845	2% @ 62		3,817	2,119			2,681						
28.	N	DISPATCH	LEAD PUBLIC SAFETY DISPATCHER		44,201	59,798	56,669	8,875		9,066	3% @ 50		10,539	9,335			5,965						
29.	N	ECONOMIC DEVELOPMENT	DISPATCHER		92,244	124,794	105,166		759	6,300	2% @ 60		17,495				16,230						
30.	N	ELECTRIC - DISTRIBUTION	MANAGER		72,061	97,489	95,955	8,506		21,431	2.5% @ 55		16,567	13,684			1,616						
31.	N	ELECTRIC - DISTRIBUTION	INTERIM ELECTRIC UTILITY DIR		131,002	177,230	14,215				N/A						0						
32.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		59,144	80,014	75,563	899	1,298	407	2% @ 62		12,115	1,383			13,917						
33.	N	ELECTRIC - DISTRIBUTION	UTILITY ENGINEERING SVCS ASST		46,203	62,507	51,944	7,861	1,779	1,760	2% @ 62		8,261	7,755			7,545						
34.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		59,144	80,014	76,700	2,244	455	3,555	2% @ 62		12,688	5,293			10,007						
35.	N	ELECTRIC - DISTRIBUTION	ELECTRIC METER TEST TECHNICIAN		72,061	97,489	95,955	9,377	3,828	7,656	3% @ 50		16,005	3,698			11,602						
36.	N	ELECTRIC - DISTRIBUTION	ELECTRIC OPERATIONS MANAGER		92,244	124,794	65,240		49,411	4,412	3% @ 50		16,453				7,200						

State Controller's Office - Local Government Programs and Services Division

Cities - Local Government Compensation Report - Calendar Year 2017

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Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-11983305000.xlsx

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Preparer Contact Information

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

Retirement Plan: Employees' Share Paid by Employer

Defined Benefit Plan: Employer's Share

Compensation/Deferred Defined Contribution Plan

Health, Dental, Vision

"----- Employer Contribution: -----"

Applicable Defined Benefit Pension Formula

--- Total Wages Subject to Medicare (Box 5 of W-2) ---

Line #	Elected Official	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay	Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Compensation/Deferred Defined Contribution Plan	Health, Dental, Vision
37.	N	ELECTRIC - DISTRIBUTION	SUBSTATION TEST TECHNICIAN POWERLINE CREW		72,061	97,489	95,955	6,007	4,213	6,958	2.5% @ 55		16,180		15,300
38.	N	ELECTRIC - DISTRIBUTION	SUPERVISOR		79,542	107,611	96,995	9,591	4,465	14,689	2.5% @ 55		16,341	4,706	10,594
39.	N	ELECTRIC - DISTRIBUTION	ELECTRIC SERVICE PLANNER		75,709	102,426	100,819	143	2,849	9,919	2.5% @ 55		17,162	8,622	6,678
40.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		59,144	80,014	76,711	1,230	3,540	2,207	2% @ 62		12,212	10,228	5,072
41.	N	ELECTRIC - DISTRIBUTION	POWERLINE CREW												
42.	N	ELECTRIC - DISTRIBUTION	SUPERVISOR		79,542	107,611	100,043	11,646	2,776	24,706	2.5% @ 55		16,682		15,300
43.	N	ELECTRIC - DISTRIBUTION	POWERLINE CREW												
44.	N	ELECTRIC - DISTRIBUTION	SUPERVISOR		79,542	107,611	96,051	8,576	3,033	22,438	2.5% @ 55		16,162	4,369	10,931
45.	N	ELECTRIC - DISTRIBUTION	ELECTRIC UTILITY DIRECTOR		131,002	177,230	145,099		69,465	2,750	2.5% @ 55		26,444		16,667
46.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		59,144	80,014	74,725	1,284	2,158	439	2% @ 62		11,888		15,300
47.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		59,144	80,014	76,336	2,188	2,237	2,355	2% @ 62		12,180	6,319	8,981
48.	N	ELECTRIC - DISTRIBUTION	POWERLINE CREW												
49.	N	ELECTRIC - DISTRIBUTION	SUPERVISOR		79,542	107,611	4,018		4,002	104	2.5% @ 55		990		0
50.	N	ELECTRIC - DISTRIBUTION	WAREHOUSE SERVICES		40,837	55,247	54,384		516	2,331	2.5% @ 55		8,809	9,971	5,329
51.	N	ELECTRIC - DISTRIBUTION	SPECIALIST		59,144	80,014	51,879	118	299	338	2% @ 62		7,495	5,360	10,240
52.	N	ELECTRIC - DISTRIBUTION	ELECTRIC SERVICES WORKER		73,862	99,927	98,357		6,102	3,000	2.5% @ 55		15,892	6,900	8,400
53.	N	ELECTRIC - DISTRIBUTION	ASSOCIATE ELECTRICAL ENGINEER		92,244	124,794	108,861	7,006	742	19,409	3% @ 50		18,371	4,933	10,367
54.	N	ELECTRIC - DISTRIBUTION	MANAGER		59,144	80,014	68,806	1,304	2,489	2,227	2% @ 62		10,926		15,300
55.	N	ELECTRIC - DISTRIBUTION	POWERLINE APPRENTICE 1		79,542	107,611	105,925		3,104	10,159	2.5% @ 55		18,029		15,300
56.	N	ELECTRIC - DISTRIBUTION	SR. ELECTRIC SERVICE PLANNER		72,061	97,489	92,689	13,423	1,006	20,339	2.5% @ 55		15,345		15,300
57.	N	ELECTRIC - DISTRIBUTION	POWERLINE TECHNICIAN		79,542	107,611	92,417	403	1,903	7,336	2.5% @ 55		16,721	11,287	2,413
58.	N	ELECTRIC - DISTRIBUTION	POWERLINE CREW		60,622	82,014	64,173		3,027	3,000	2.5% @ 55		10,253	8,550	6,750
59.	N	ELECTRIC - DISTRIBUTION	SUPERVISOR		92,244	124,794	100,144		3,064	6,300	2.5% @ 55		16,536	1,937	13,363
60.	N	ELECTRIC - DISTRIBUTION	MANAGEMENT ANALYST		43,977	59,496	58,562	516		2,935	2.5% @ 55		9,932	3,630	11,670
61.	N	ELECTRIC - DISTRIBUTION	PWR RESOURCES & REV		60,622	82,014	34,977	42		N/A					0
62.	N	ELECTRIC - DISTRIBUTION	ADMINISTRATIVE		85,658	115,884	107,874		3,511	6,000	2% @ 62		17,757		15,300
63.	N	ELECTRIC - DISTRIBUTION	ASSOCIATE ENGINEER		60,622	82,014	73,447		2,363	6,300	2.5% @ 55		12,294		15,300
64.	N	ELECTRIC - DISTRIBUTION	W/CERTIF.		51,260	69,348	68,978	1,213	13,864	250	2.5% @ 55		11,194	6,136	9,164
65.	N	ELECTRIC - DISTRIBUTION	ACCOUNTING SPECIALIST		41,045	55,529	58,863		9,925	3,843	2.5% @ 55		10,202		3,675
66.	N	ELECTRIC - DISTRIBUTION	ACCOUNTING SPECIALIST		41,045	55,529	19,807	327	187		2.5% @ 55		3,647		13,700
67.	N	ELECTRIC - DISTRIBUTION	DEPUTY CITY MANAGER/ADMINISTRATIVE		134,277	181,661	25,529	178		1,200	2% @ 62		2,913		9,350
68.	N	ELECTRIC - DISTRIBUTION	SERVICES DIR.												
69.	N	ELECTRIC - DISTRIBUTION	DEPUTY FINANCE DIRECTOR		134,277	181,661	167,345		20,448	3,000	2% @ 60		27,142		20,000
70.	N	ELECTRIC - DISTRIBUTION	ACCOUNTANT II		96,914	131,112	93,918		2,500	2% @ 60			13,541		13,943
71.	N	ELECTRIC - DISTRIBUTION	ACCOUNTANT II		47,599	64,396	62,850	2,239	1,976	23	2.5% @ 55		10,125	3,913	11,387

State Controller's Office - Local Government Programs and Services Division

Cities - Local Government Compensation Report - Calendar Year 2017

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Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-11983305000.xlsx

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary			Annual Regular Pay			Overtime Pay	Lump Sum Pay	Total Wages Subject to Medicare (Box 5 of W-2): ---			Applicable Defined Benefit Pension Formula
					Minimum	Maximum	Actual	Minimum	Maximum	Actual						
68.	N	FISCAL SERVICES	FINANCIAL SERVICES		35,393	47,882	21,689					10,470	2.5% @ 55			8,450
69.	N	FISCAL SERVICES	SPECIALIST		96,914	131,112	11,016					15,415	675 2.5% @ 55			1,042
70.	N	FISCAL SERVICES	DEPUTY FINANCE DIRECTOR													
71.	Y	FISCAL SERVICES	FINANCIAL SERVICES		35,393	47,882	35,642	4,982	1,551	3,655	2% @ 62		N/A			15,300
			CITY TREASURER		1,200	1,200	1,200									13,715
			P.T.FINANCIAL													
72.	N	FISCAL SERVICES	SERVS.SPECIALIST		32,865	44,463	21,636					647	2.5% @ 55			0
73.	N	FISCAL SERVICES	ACCOUNTANT		44,201	59,798	56,724						41 2% @ 62		13,735	1,565
74.	N	FISCAL SERVICES	FINANCIAL SERVICES		35,393	47,882	46,642	1,420	2,655	2,340	2.5% @ 55					5,938
			SPECIALIST		41,045	55,529	55,231	7,623	1,123	10,439	2.5% @ 55					4,767
75.	N	FLEET MAINTENANCE	FLEET MAINTENANCE		41,045	55,529	49,184	6,786	199	8,958	2% @ 62					15,300
			MECHANIC		41,045	55,529	55,231									
76.	N	FLEET MAINTENANCE	FLEET MAINTENANCE		41,045	55,529	55,231	11,991	1,408	8,339	2.5% @ 55					15,300
			MECHANIC		72,061	97,489	76,301					9,049	250 2% @ 62			14,000
77.	N	FLEET MAINTENANCE	FLEET MANAGER													
78.	N	FLEET MAINTENANCE	HUMAN RESOURCES													
79.	N	HUMAN RESOURCES	MANAGER		87,799	118,781	96,177					36,428	5,400 2.5% @ 55		2,131	8,269
			DEPUTY HUMAN RESOURCES													
80.	N	HUMAN RESOURCES	DIRECTOR		87,799	118,781	14,118						1,100 2% @ 60		408	976
			HUMAN RESOURCES													
81.	N	HUMAN RESOURCES	TECHNICIAN		42,071	56,917	56,610					1,355	2.5% @ 55		6,705	8,595
			P.T.HUMAN RESOURCES													
82.	N	HUMAN RESOURCES	TECHNICIAN		42,071	56,917	22,279						N/A			0
			INFORMATION TECHNOLOGY													
83.	N	INFORMATION SYSTEMS	MANAGER		77,602	104,985	78,233					8,837	3,000 2.5% @ 55		12,499	15,990
			INFORMATION TECH ANALYST													
84.	N	INFORMATION SYSTEMS	I		51,260	69,348	1,206						2% @ 62		103	0
			INFORMATION TECH ANALYST													
85.	N	INFORMATION SYSTEMS	I		51,260	69,348	9,646	45					2% @ 62		821	240
			INFORMATION													
86.	N	INFORMATION SYSTEMS	TECHNOL/MEDIA TECH		45,306	61,294	37,338					9,732	58 2% @ 62		7,882	5,895
			FIELD SERVICE													
87.	N	METER READING	REPRESENTATIVE		39,841	53,900	53,056	3,982	474	2,567	2.5% @ 55				5,604	9,696
			LEAD FIELD SERVICE													
88.	N	METER READING	REPRESENTAT		43,977	59,496	58,563	3,610	1,141	650	2.5% @ 55				9,520	12,155
			FIELD SERVICE													
89.	N	METER READING	REPRESENTATIVE		39,841	53,900	42,849					412	4,285 2% @ 62		7,229	13,467
90.	N	METER READING	UTILITY SERVICES ASSISTANT		36,996	50,051	49,264	1,104	733	1,800	2.5% @ 55				1,539	13,761
			FIELD SERVICE													
91.	N	METER READING	REPRESENTATIVE		39,841	53,900	42,970	1,399	833	621	2% @ 62				6,912	13,689
92.	N	PARKS	MAINTENANCE WORKER		33,688	45,575	35,459	1,179	698	3,275	2% @ 62				5,768	8,410
93.	N	PARKS	MAINTENANCE WORKER		33,688	45,575	45,339	5,101	911	7,399	2.5% @ 55				7,371	15,300
94.	N	PARKS	MAINTENANCE WORKER		33,688	45,575	38,847	607	562	2,447	2% @ 62				6,327	13,669

Retirement Plan: Employees' Share Paid by Employer

Defined Benefit Plan: Employer's Share

Deferred Compensation/Defined Contribution Plan

Health, Dental, Vision

Preparer Contact Information

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

State Controller's Office - Local Government Programs and Services Division

Cities - Local Government Compensation Report - Calendar Year 2017

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Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')
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Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Preparer Contact Information

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

"----- Employer Contribution: -----"

Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary		Annual Maximum	Annual Regular Pay		Overtime Pay	Lump Sum Pay	Other Pay	Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Compensation/Deferred Contribution Plan	Health, Dental, Vision
					Minimum	Maximum		Minimum	Maximum								
95.	N	PARKS	PUBLIC WORKS		77,602	104,985	103,335	103,335	103,335	365 2.5% @ 55	12,774	365 2.5% @ 55			16,716		15,300
96.	N	PARKS	SUPERINTENDENT		33,688	45,575	38,956	38,956	38,956	273 2% @ 62	675	273 2% @ 62			6,321		15,300
97.	N	PLANNING	MAINTENANCE WORKER		46,438	62,825	53,723	53,723	53,723	2,947 2.5% @ 55	606	2,947 2.5% @ 55			9,051	12,836	2,464
98.	N	PLANNING	DEVELOPMNT.PROJECT		79,542	107,611	5,075	5,075	5,075	550 2% @ 62		550 2% @ 62			457	1,232	68
99.	N	PLANNING	SENIOR PLANNER		76,819	103,927	103,112	103,112	103,112	10,076 3% @ 50	6,395	10,076 3% @ 50			24,137	4,882	1,470
100.	N	POLICE	POLICE STAFF SERGEANT		96,914	131,112	96,575	96,575	96,575	8,538 3% @ 50	22,883	8,538 3% @ 50			22,417		14,450
101.	N	POLICE	POLICE LIEUTENANT		76,819	103,927	92,214	92,214	92,214	8,105 3% @ 50	4,157	8,105 3% @ 50			21,394		14,450
102.	N	POLICE	POLICE STAFF SERGEANT		58,546	79,206	45,584	45,584	45,584	4,887 2.7% @ 57	2,011	4,887 2.7% @ 57			4,126		1,167
103.	N	POLICE	POLICE OFFICER		58,546	79,206	78,585	78,585	78,585	9,776 3% @ 50	5,331	9,776 3% @ 50			18,843		14,450
104.	N	POLICE	POLICE OFFICER		58,546	79,206	49,098	49,098	49,098	1,719 2.7% @ 57	989	1,719 2.7% @ 57			6,358		10,838
105.	N	POLICE	POLICE ASSISTANT I		32,865	44,463	41,459	41,459	41,459	2.5% @ 55		2.5% @ 55			6,693	9,562	5,738
106.	N	POLICE	POLICE OFFICER		58,546	79,206	943	943	943	55 2.7% @ 57	120	55 2.7% @ 57			120		0
107.	N	POLICE	POLICE CHIEF		131,002	177,230	151,419	151,419	151,419	21,925 3% @ 50	19,175	21,925 3% @ 50			36,980		20,000
108.	N	POLICE	POLICE OFFICER		58,546	79,206	77,642	77,642	77,642	9,657 2% @ 50	4,304	9,657 2% @ 50			14,324		14,450
109.	N	POLICE	POLICE STAFF SERGEANT		76,819	103,927	103,828	103,828	103,828	8,411 3% @ 50	6,426	8,411 3% @ 50			23,935		13,892
110.	N	POLICE	POLICE SERGEANT		76,819	103,927	93,883	93,883	93,883	10,949 3% @ 50	13,759	10,949 3% @ 50			22,356		14,450
111.	N	POLICE	POLICE OFFICER		58,546	79,206	11,855	11,855	11,855	1,157 2.7% @ 57	1,026	1,157 2.7% @ 57			1,628		2,408
112.	N	POLICE	POLICE OFFICER		58,546	79,206	31,568	31,568	31,568	5,356 2.7% @ 57	703	5,356 2.7% @ 57			4,649		7,225
113.	N	POLICE	POLICE CAPTAIN		109,649	148,342	144,379	144,379	144,379	7,620 3% @ 50	12,240	7,620 3% @ 50			32,412	11,978	2,722
114.	N	POLICE	POLICE OFFICER		58,546	79,206	64,711	64,711	64,711	5,219 2% @ 50	3,770	5,219 2% @ 50			11,474	1,787	4,618
115.	N	POLICE	POLICE CORPORAL		64,624	87,429	86,744	86,744	86,744	13,613 3% @ 50	8,743	13,613 3% @ 50			21,401		14,450
116.	N	POLICE	POLICE INFORMATION		62,455	84,494	65,127	65,127	65,127	253 2.5% @ 55	2,483	253 2.5% @ 55			10,486		15,300
117.	N	POLICE	TECHNOL.TEC		36,277	49,079	47,062	47,062	47,062	67 2% @ 62	1,239	67 2% @ 62			7,587	4,912	10,388
118.	N	POLICE	POLICE ASSISTANT II		76,819	103,927	103,112	103,112	103,112	5,119 3% @ 50	999	5,119 3% @ 50			23,081		12,291
119.	N	POLICE	POLICE STAFF SERGEANT		58,546	79,206	78,585	78,585	78,585	10,745 3% @ 50	4,570	10,745 3% @ 50			19,049		9,594
120.	N	POLICE	COMMUNITY SERVICES		36,623	49,547	7,302	7,302	7,302	735 2% @ 62	406	735 2% @ 62			1,878		1,204
121.	N	POLICE	OFFICER		45,306	61,294	60,960	60,960	60,960	1,800 2.5% @ 55		1,800 2.5% @ 55			9,892		15,300
122.	N	POLICE	EXECUTIVE ASSISTANT		58,546	79,206	29,273	29,273	29,273	773 2.7% @ 57	844	773 2.7% @ 57			7,733	1,733	1,528
123.	N	POLICE	POLICE OFFICER		58,546	79,206	78,585	78,585	78,585	7,649 3% @ 50	1,446	7,649 3% @ 50			18,389	2,030	4,322
124.	N	POLICE	POLICE OFFICER		58,546	79,206	78,585	78,585	78,585	10,649 3% @ 50	1,276	10,649 3% @ 50			19,029		14,450
125.	N	POLICE	POLICE ASSISTANT I		32,865	44,463	37,539	37,539	37,539	2% @ 62		2% @ 62			6,054	6,822	8,478
126.	N	POLICE	POLICE OFFICER		58,546	79,206	12,594	12,594	12,594	609 2.7% @ 57	944	609 2.7% @ 57			1,658		3,390
127.	N	POLICE	POLICE OFFICER		58,546	79,206	78,585	78,585	78,585	10,649 3% @ 50		10,649 3% @ 50			19,029		14,450
128.	N	POLICE	POLICE OFFICER		58,546	79,206	78,738	78,738	78,738	5,761 3% @ 50	1,180	5,761 3% @ 50			18,019		14,450
129.	N	POLICE	POLICE ASSISTANT I		32,865	44,463	34,258	34,258	34,258	3,519 2% @ 62		3,519 2% @ 62			5,828	5,300	10,000
130.	N	POLICE	POLICE OFFICER		58,546	79,206	78,585	78,585	78,585	10,649 3% @ 50	2,666	10,649 3% @ 50			19,029		14,450
131.	N	POLICE	POLICE OFFICER		58,546	79,206	78,890	78,890	78,890	10,362 3% @ 50		10,362 3% @ 50			18,649		13,892
132.	N	PUBLIC INFORMATION	PUBLIC INFORMATION		60,622	82,014	80,094	80,094	80,094	3,000 2% @ 62	9,397	3,000 2% @ 62			12,632	8,624	7,351
133.	N	PURCHASING	OFFICER		75,709	102,426	88,952	88,952	88,952	3,000 2.5% @ 55	422	3,000 2.5% @ 55			14,378		15,300
134.	N	PURCHASING	BUYER		42,071	56,917	5,743	5,743	5,743	2% @ 62		2% @ 62			489	1,304	1,296
135.	N	RECREATION	RECREATION LEADER				37	37	37	N/A		N/A					0
136.	N	RECREATION	RECREATION LEADER				3,525	3,525	3,525	N/A	69	N/A					0

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Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-11983305000.xlsx

Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Preparer Contact Information

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

"----- Employer Contribution: -----"

Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay	Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Compensation/Deferred Contribution Plan	Health, Dental, Vision
----- Total Wages Subject to Medicare (Box 5 of W-2): -----															
137.	N	RECREATION	RECREATION LEADER				10,644	423			N/A				0
138.	N	RECREATION	RECREATION LEADER				1,530				N/A				0
139.	N	RECREATION	P.T. RECEPTIONIST		23,841	32,254	11,068				N/A				0
140.	N	RECREATION	RECEPTIONIST		23,841	32,254	27,428	354			450 2% @ 62		4,245	3,067	2,433
141.	N	RECREATION	RECREATION LEADER				10,812	803			N/A				0
142.	N	RECREATION	RECREATION LEADER				2,869				N/A				0
143.	N	RECREATION	RECREATION LEADER				7,540	24			N/A				0
144.	N	RECREATION	RECREATION LEADER				4,622				2.5% @ 55		509		0
145.	N	RECREATION	RECREATION LEADER				9,388	623			N/A				0
146.	N	RECREATION	RECREATION LEADER				2,528				N/A				0
147.	N	RECREATION	PROGRAM COORDINATOR		37,185	50,307	46,262	317	1,253		4,236 2.5% @ 55		7,618	2,986	12,314
148.	N	RECREATION	SR. RECREATION LEADER		26,975	36,494	7,362				N/A				0
149.	N	RECREATION	RECREATION LEADER				6,367				N/A				0
150.	N	RECREATION	RECREATION LEADER				2,139				N/A				0
151.	N	RECREATION	POOL MANAGER		24,437	33,061	709				N/A				0
152.	N	RECREATION - AQUATICS	LIFEGUARDS				5,037				N/A				0
153.	N	RECREATION - AQUATICS	LIFEGUARDS				6,651				N/A				0
154.	N	RECREATION - AQUATICS	LIFEGUARDS				1,774				N/A				0
155.	N	RECREATION - AQUATICS	LIFEGUARDS				1,669				N/A				0
156.	N	RECREATION - AQUATICS	LIFEGUARDS				1,413				N/A				0
157.	N	RECREATION - AQUATICS	POOL MANAGER		24,437	33,061	2,636				N/A				0
158.	N	RECREATION - AQUATICS	LIFEGUARDS				2,246				N/A				0
159.	N	RECREATION - AQUATICS	LIFEGUARDS				1,641				N/A				0
160.	N	RECREATION - AQUATICS	LIFEGUARDS				2,696				N/A				0
161.	N	RECREATION - AQUATICS	LIFEGUARDS				1,222				N/A				0
162.	N	RECREATION - AQUATICS	LIFEGUARDS				2,015				N/A				0
163.	N	RECREATION - AQUATICS	LIFEGUARDS				469				N/A				0
164.	N	RECREATION - AQUATICS	LIFEGUARDS				2,208				N/A				0
165.	N	RECREATION - AQUATICS	COMMUNITY CENTER												
166.	N	RECREATION - AQUATICS	CARETAKER		26,975	36,494	31,995	272	488		11 2.5% @ 55		5,191	6,857	8,443
167.	N	RECREATION - AQUATICS	LIFEGUARDS				13,935	597			2% @ 62		878		0
							1,692				N/A				0
168.	N	RECREATION - AQUATICS	ASSISTANT POOL MANAGER				6,492				N/A				0
169.	N	RECREATION - AQUATICS	LIFEGUARDS				1,680				N/A				0
170.	N	RECREATION - AQUATICS	ASSISTANT POOL MANAGER												
171.	N	RECREATION - AQUATICS	LIFEGUARDS				3,528				N/A				0
172.	N	RECREATION - AQUATICS	LIFEGUARDS				3,459				N/A				0
173.	N	RECREATION - AQUATICS	LIFEGUARDS				4,557				N/A				0
174.	N	RECREATION - AQUATICS	LIFEGUARDS				1,933				N/A				0
175.	N	RECREATION - AQUATICS	LIFEGUARDS				1,569				N/A				0
176.	N	RECREATION - AQUATICS	LIFEGUARDS				1,809				N/A				0
177.	N	RECREATION - AQUATICS	LIFEGUARDS				3,889				N/A				0
178.	N	RIVERSIDE COUNTY MOU	POLICE OFFICER		58,546	79,206	2,239				N/A				0
179.	N	RIVERSIDE COUNTY MOU	POLICE OFFICER		58,546	79,206	65,562	29,188	6,765		6,334 2.7% @ 57		9,015	4,178	2,174
180.	N	RIVERSIDE COUNTY MOU	POLICE OFFICER		58,546	79,206	62,220	20,234			3,120 2.7% @ 57		8,178	6,205	147
							65,031	8,176	4,469		12,186 2.7% @ 57		9,695		5,865

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Cities - Local Government Compensation Report - Calendar Year 2017

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Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-119833050000.xlsx

Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Line #	Elected Official Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary		Annual Maximum	Total Wages Subject to Medicare (Box 5 of W-2): ---			Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Defined Benefit Plan: Employer's Share	Deferred Compensation/ Defined Contribution Plan	Health, Dental, Vision
					Minimum	Maximum		Regular Pay	Overtime Pay	Lump Sum Pay					
181.	N	RIVERSIDE COUNTY MOU	POLICE OFFICER		58,546	79,206	79,206	6,438	92	10,676	306 2.7% @ 57	851	470	59	
182.	N	RIVERSIDE COUNTY MOU	POLICE OFFICER		58,546	79,206	79,206	63,464	17,451	2,491	1,618 2.7% @ 57	8,145		12,148	
183.	N	STREETS	WORK RELEASE CREW LEADER		35,393	47,882	47,629	593		1,151	1,844 2.5% @ 55	7,986	14,124	1,176	
184.	N	STREETS	MOTOR SWEEPER OPERATOR		38,114	51,564	51,283	2,342			6,222 2.5% @ 55	8,348	7,041	8,259	
185.	N	STREETS	SENIOR MAINTENANCE		38,114	51,564	51,295	3,978		2,001	9,650 2.5% @ 55	8,478	6,195	9,105	
186.	N	STREETS	WORKER		38,114	51,564	51,289	794			795 2.5% @ 55	8,448	11,381	3,919	
187.	N	T.V. GOVERNMENT ACCESS	MULTIMEDIA SPECIALIST		48,789	66,006	4,457				76 2% @ 62	379	1,088	212	
188.	N	TRANSIT - DIAL-A-RIDE	DIAL-A-RIDE DRIVER		23,841	32,254	23,851	1,600			27 2% @ 62	2,574		0	
189.	N	TRANSIT - DIAL-A-RIDE	DIAL-A-RIDE DRIVER		23,841	32,254	20,372				327 2.5% @ 55	3,336		0	
190.	N	TRANSIT - DIAL-A-RIDE	DIAL-A-RIDE DRIVER		23,841	32,254	10,758				N/A			0	
191.	N	TRANSIT - FIXED ROUTE	P.T. BUS DRIVER		30,519	41,288	2,768				N/A			0	
192.	N	TRANSIT - FIXED ROUTE	P.T. BUS DRIVER		30,519	41,288	1,189				124 2% @ 60	155		0	
193.	N	TRANSIT - FIXED ROUTE	MANAGER		60,622	82,014	71,359			87	6,300 2% @ 62	11,960	269	15,331	
194.	N	TRANSIT - FIXED ROUTE	EXECUTIVE SECRETARY		41,045	55,529	49,637	471		691	4,540 2.5% @ 55	8,455	5,273	10,027	
195.	N	TRANSIT - FIXED ROUTE	P.T. BUS DRIVER		30,519	41,288	17,644	449			17 2% @ 62	3,397	0	0	
196.	N	TRANSIT - FIXED ROUTE	P.T. BUS DRIVER		30,519	41,288	6,763				2% @ 62	1,082		0	
197.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	33,746	8,494			1,215 2% @ 60	5,462		8,100	
198.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	47,635	2,944			531 2.5% @ 55	7,766		15,300	
199.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	39,563	4,277		1,435	278 2.5% @ 55	6,419	3,852	11,448	
200.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	39,561	1,399		377	250 2% @ 62	6,419	13,354	1,946	
201.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	41,952	2,668		13,524	448 2.5% @ 55	7,278	5,777	7,923	
202.	N	TRANSIT - FIXED ROUTE	COMMUNITY SERVICES		107,520	145,461	134,011			14,960	7,800 2.5% @ 55	21,522		20,000	
203.	N	TRANSIT - FIXED ROUTE	DIRECTOR		30,519	41,288	15,358	423			N/A			0	
204.	N	TRANSIT - FIXED ROUTE	P.T. BUS DRIVER		35,393	47,882	41,345	1,562		694	2,499 2% @ 60	7,029	5,607	9,693	
205.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	9,643	392		4,324	780 2.5% @ 55	2,335	337	3,113	
206.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	41,563	3,043			4,441 2.5% @ 55	7,015	1,833	13,467	
207.	N	TRANSIT - FIXED ROUTE	TRANSIT FIELD SUPERVISOR		47,599	64,396	62,369	12,022		827	3,070 2.5% @ 55	10,038	7,118	8,182	
208.	N	TRANSIT - FIXED ROUTE	BUS DRIVER		35,393	47,882	26,971	1,460			2% @ 62	4,337		0	
209.	N	UTILITY BILLING	UTILITY BILLING REPRESENTATIVE		32,061	43,374	11,899				2% @ 62	1,013	2,232	3,268	
210.	N	UTILITY BILLING	CUSTOMER SVC & BILLING MANAGER		65,283	88,320	73,712			1,434	6,300 2% @ 60	12,366		15,300	
211.	N	UTILITY BILLING	UTILITY FINANCIAL ANALYST		73,862	99,927	68,989				2,250 2.5% @ 55	8,839	137	13,963	
212.	N	UTILITY BILLING	SR. UTILITY BILLING REPRESENTATIVE		36,277	49,079	48,815			1,881	1,818 2.5% @ 55	7,922	4,172	11,128	
213.	N	UTILITY BILLING	UTILITY BILLING REPRESENTATIVE		32,061	43,374	37,622	1,100		39	1,878 2% @ 62	6,073	530	14,770	
214.	N	UTILITY BILLING	UTILITY BILLING REPRESENTATIVE		32,061	43,374	42,794	1,969		1,665	2,183 2.5% @ 55	7,264	4,294	11,006	
215.	N	UTILITY BILLING	OFFICE SPECIALIST		32,865	44,463	44,232			1,694	1,864 2.5% @ 55	7,179		15,300	

State Controller's Office - Local Government Programs and Services Division Cities - Local Government Compensation Report - Calendar Year 2017

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Entity Name Banning

Human Resources Web Page <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>

Employees Hold more than One Position? Yes (Enter 'Yes' or 'No')
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability? Yes (Enter 'Yes' or 'No')

'Save As' Filename 2017-11983305000.xlsx

Please identify the employees holding more than one position by using the 'Multiple Positions Footnote' column.

Preparer Contact Information

Preparer Name Cheryl Stafford
Phone Number 951-849-2414
E-mail Address cstafford@ci.banning.ca.us

Retirement Plan: Employees' Share Paid by Employer

Applicable Defined Benefit Pension Formula

----- Total Wages Subject to Medicare (Box 5 of W-2) -----

Multiple Positions Footnote

Classification

Department

Elected Official Enter 'Y'

Line #

Employer Contribution: Deferred

Defined Benefit Plan: Compensation/Defined Contribution Plan

Health, Dental, Vision

Annual Salary Minimum

Annual Salary Maximum

Annual Regular Pay

Overtime Pay

Lump Sum Pay

Other Pay

2% @ 62

2.5% @ 55

2.5% @ 60

2.5% @ 62

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ATTACHMENT 3

Report Summaries and Averages for years 2010-
2016 from the State Controller's Website

Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2016 ▼

County: Riverside County

City Employees

226

Population

31,068

Total Wages

\$12,256,293

Total Retirement & Health Contribution

\$4,342,544

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 6/27/2017

Report: Summary

Regular Pay\$10,038,468

Overtime Pay\$888,705

Lump-Sum Pay\$461,590

Other Pay\$867,530

Total Wages\$12,256,293

Defined Benefit Plan Contribution\$2,269,863

Employee's Retirement Cost Covered\$0

Deferred Compensation\$490,447

Health/Dental/Vision Contribution\$1,582,234

Total Retirement & Health Contribution\$4,342,544

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If you have any questions, please contact that public employer.
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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2016

County: Riverside County

City Employees

226

Population

31,068

Total Wages

\$12,256,293

Total Retirement & Health Contribution

\$4,342,544

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 6/27/2017

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$44,418

Average Overtime Pay

\$3,932

Average Lump-Sum Pay

\$2,042

Average Other Pay

\$3,839

Average Wages

\$54,231

Average Defined Benefit Plan Contribution

\$10,044

Average Employee's Retirement Cost Covered

\$0

Average Deferred Compensation

\$2,170

Average Health/Dental/Vision Contribution

\$7,001

Average Retirement & Health Contribution

\$19,215

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2015 ▼

County: Riverside County

City Employees

225

Population

30,834

Total Wages

\$11,731,221

Total Retirement & Health Contribution

\$3,396,485

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/4/2016

Report: Summary

Regular Pay\$8,508,646

Overtime Pay\$953,417

Lump-Sum Pay\$997,561

Other Pay\$1,271,597

Total Wages\$11,731,221

Defined Benefit Plan Contribution\$2,122,977

Employee's Retirement Cost Covered\$0

Deferred Compensation\$0

Health/Dental/Vision Contribution\$1,273,508

Total Retirement & Health Contribution\$3,396,485

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year:

County: Riverside County

City Employees

225

Population

30,834

Total Wages

\$11,731,221

Total Retirement & Health Contribution

\$3,396,485

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/4/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$37,816

Average Overtime Pay

\$4,237

Average Lump-Sum Pay

\$4,434

Average Other Pay

\$5,652

Average Wages

\$52,139

Average Defined Benefit Plan Contribution

\$9,435

Average Employee's Retirement Cost Covered

\$0

Average Deferred Compensation

\$0

Average Health/Dental/Vision Contribution

\$5,660

Average Retirement & Health Contribution

\$15,095

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2014 ▼

County: Riverside County

City Employees

201

Population

30,491

Total Wages

\$11,466,657

Total Retirement & Health Contribution

\$3,685,469

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Summary

Regular Pay\$8,901,681

Overtime Pay\$1,009,614

Lump-Sum Pay\$691,708

Other Pay\$863,654

Total Wages\$11,466,657

Defined Benefit Plan Contribution\$2,433,607

Employee's Retirement Cost Covered\$0

Deferred Compensation\$0

Health/Dental/Vision Contribution\$1,251,862

Total Retirement & Health Contribution\$3,685,469

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2014

County: Riverside County

City Employees

201

Population

30,491

Total Wages

\$11,466,657

Total Retirement & Health Contribution

\$3,685,469

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$44,287

Average Overtime Pay

\$5,023

Average Lump-Sum Pay

\$3,441

Average Other Pay

\$4,297
Average Wages
\$57,048
Average Defined Benefit Plan Contribution
\$12,107
Average Employee's Retirement Cost Covered
\$0
Average Deferred Compensation
\$0
Average Health/Dental/Vision Contribution
\$6,228
Average Retirement & Health Contribution
\$18,336

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2013 ▼

County: Riverside County

City Employees

193

Population

30,325

Total Wages

\$11,792,708

Total Retirement & Health Contribution

\$3,713,089

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Summary

Regular Pay\$9,227,145

Overtime Pay\$865,581

Lump-Sum Pay\$706,485

Other Pay\$993,497

Total Wages\$11,792,708

Defined Benefit Plan Contribution\$2,332,855

Employee's Retirement Cost Covered\$143,966

Deferred Compensation\$0

Health/Dental/Vision Contribution\$1,236,268

Total Retirement & Health Contribution\$3,713,089

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2013 ☐

County: Riverside County

City Employees

193

Population

30,325

Total Wages

\$11,792,708

Total Retirement & Health Contribution

\$3,713,089

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$47,809

Average Overtime Pay

\$4,485

Average Lump-Sum Pay

\$3,661

Average Other Pay

\$5,148
Average Wages
\$61,102
Average Defined Benefit Plan Contribution
\$12,087
Average Employee's Retirement Cost Covered
\$746
Average Deferred Compensation
\$0
Average Health/Dental/Vision Contribution
\$6,406
Average Retirement & Health Contribution
\$19,239

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2012 ☐

County: Riverside County

City Employees

198

Population

30,170

Total Wages

\$10,931,107

Total Retirement & Health Contribution

\$4,258,542

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Summary

Regular Pay\$7,982,813

Overtime Pay\$798,185

Lump-Sum Pay\$333,809

Other Pay\$1,816,300

Total Wages\$10,931,107

Defined Benefit Plan Contribution\$2,101,003

Employee's Retirement Cost Covered\$748,981

Deferred Compensation\$22,008

Health/Dental/Vision Contribution\$1,386,550

Total Retirement & Health Contribution\$4,258,542

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2012 ☐

County: Riverside County

City Employees

198

Population

30,170

Total Wages

\$10,931,107

Total Retirement & Health Contribution

\$4,258,542

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$40,317

Average Overtime Pay

\$4,031

Average Lump-Sum Pay

\$1,686

Average Other Pay

\$9,173

Average Wages

\$55,208

Average Defined Benefit Plan Contribution

\$10,611

Average Employee's Retirement Cost Covered

\$3,783

Average Deferred Compensation

\$111

Average Health/Dental/Vision Contribution

\$7,003

Average Retirement & Health Contribution

\$21,508

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2011

County: Riverside County

City Employees

192

Population

30,051

Total Wages

\$9,726,408

Total Retirement & Health Contribution

\$4,056,947

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Summary

Regular Pay\$7,966,928

Overtime Pay\$784,542

Lump-Sum Pay\$254,638

Other Pay\$720,300

Total Wages\$9,726,408

Defined Benefit Plan Contribution\$1,923,229

Employee's Retirement Cost Covered\$742,980

Deferred Compensation\$20,222

Health/Dental/Vision Contribution\$1,370,516

Total Retirement & Health Contribution\$4,056,947

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2011

County: Riverside County

City Employees

192

Population

30,051

Total Wages

\$9,726,408

Total Retirement & Health Contribution

\$4,056,947

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Regular Pay

\$41,494

Average Overtime Pay

\$4,086

Average Lump-Sum Pay

\$1,326

Average Other Pay

\$3,752

Average Wages

\$50,658

Average Defined Benefit Plan Contribution

\$10,017

Average Employee's Retirement Cost Covered

\$3,870

Average Deferred Compensation

\$105

Average Health/Dental/Vision Contribution

\$7,138

Average Retirement & Health Contribution

\$21,130

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year: 2010 ☐

County: Riverside County

City Employees

183

Population

29,723

Total Wages

\$11,722,527

Total Retirement & Health Contribution

\$1,860,902

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Summary

Total Wages\$11,722,527

Employee's Retirement Cost Covered\$760,953

Deferred Compensation\$0

Health/Dental/Vision Contribution\$1,099,949

Total Retirement & Health Contribution\$1,860,902

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Government Compensation in California

Betty T. Yee, California State Controller

City Detail

Banning

Year:

County: Riverside County

City Employees

183

Population

29,723

Total Wages

\$11,722,527

Total Retirement & Health Contribution

\$1,860,902

For more information visit <http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>
(<http://www.ci.banning.ca.us/18/Human-ResourcesRisk-Management>)

Last Updated: 8/3/2016

Report: Averages

The averages values are based on all W-2 employees and board members (paid or unpaid) reported for the calendar year. Employees who work partial year and/or part-time are counted as full time employees in the averages calculations. Some employees included in the averages calculations do not receive retirement and/or health benefits.

Average Wages

\$64,058

Average Employee's Retirement Cost Covered

\$4,158

Average Deferred Compensation

\$0

Average Health/Dental/Vision Contribution

\$6,011

Average Retirement & Health Contribution

\$10,169

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ATTACHMENT 4

Summaries for years 2013-2017 from Transparent
California Website



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Summary for Banning

2017 ▾

Total number of city employees 239

Total number of full-time, year-round city employees 141

Median pay for full-time, year-round city employees \$76,968

Median pay and benefits for full-time, year-round city employees \$100,448

Total city employee compensation \$17,571,160

Notes:

- Full-time, year-round employees defined as those receiving a base salary equal or greater to their "annual salary minimum." In the event this information is not provided, full-time employees are defined as those receiving at least \$25,000 in base pay and receiving employer-paid benefits.

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Summary for Banning

2016 -

Total population	30,643
Total number of city employees	226
Total number of full-time, year-round city employees	130
Median pay for full-time, year-round city employees	\$72,867
Median pay and benefits for full-time, year-round city employees	\$101,274
Total city employee compensation	\$16,598,814
Total city employee compensation cost per resident	\$541
Median earnings for full-time, year-round private workers	\$31,058

Notes:

- Full-time, year-round employees defined as those receiving a base salary equal or greater to their "annual salary minimum." In the event this information is not provided, full-time employees are defined as those receiving at least \$25,000 in base pay and receiving employer-paid benefits.
- The values for total population and median earnings for full-time, year-round employed residents are from the most recent [American Community Survey \(http://www.census.gov/acs/www/\)](http://www.census.gov/acs/www/) results as conducted by the United States Census Bureau.

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Summary for Banning

2015 ▾

Total population	30,515
Total number of city employees	225
Total number of full-time, year-round city employees	127
Median pay for full-time, year-round city employees	\$69,965
Median pay and benefits for full-time, year-round city employees	\$93,650
Total city employee compensation	\$15,127,683
Total city employee compensation cost per resident	\$495
Median earnings for full-time, year-round private workers	\$31,308

Notes:

- Full-time, year-round employees defined as those receiving a base salary equal or greater to their "annual salary minimum." In the event this information is not provided, full-time employees are defined as those receiving at least \$25,000 in base pay and receiving employer-paid benefits.
- The values for total population and median earnings for full-time, year-round employed residents are from the most recent [American Community Survey \(http://www.census.gov/acs/www/\)](http://www.census.gov/acs/www/) results as conducted by the United States Census Bureau.

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Summary for Banning

2014 ▾

Total population	30,281
Total number of city employees	201
Total number of full-time, year-round city employees	119
Median pay for full-time, year-round city employees	\$72,630
Median pay and benefits for full-time, year-round city employees	\$94,305
Total city employee compensation	\$15,152,106
Total city employee compensation cost per resident	\$500
Median earnings for full-time, year-round private workers	\$31,570

Notes:

- Full-time, year-round employees defined as those receiving a base salary equal or greater to their "annual salary minimum." In the event this information is not provided, full-time employees are defined as those receiving at least \$25,000 in base pay and receiving employer-paid benefits.
- The values for total population and median earnings for full-time, year-round employed residents are from the most recent [American Community Survey \(http://www.census.gov/acs/www/\)](http://www.census.gov/acs/www/) results as conducted by the United States Census Bureau.

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Summary for Banning

2013 ▾

Total population	29,968
Total number of city employees	193
Total number of full-time, year-round city employees	131
Median pay for full-time, year-round city employees	\$70,638
Median pay and benefits for full-time, year-round city employees	\$92,494
Total city employee compensation	\$15,505,772
Total city employee compensation cost per resident	\$517
Median earnings for full-time, year-round private workers	\$32,039

Notes:

- Full-time, year-round employees defined as those receiving a base salary equal or greater to their "annual salary minimum." In the event this information is not provided, full-time employees are defined as those receiving at least \$25,000 in base pay and receiving employer-paid benefits.
- The values for total population and median earnings for full-time, year-round employed residents are from the most recent *American Community Survey* (<http://www.census.gov/acs/www/>) results as conducted by the United States Census Bureau.

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Does Social Security Owe You Thousands? Income Loopholes

ATTACHMENT 5

City of Banning Employee Count and
Average Salaries & Benefits

1.

City of Banning
Employee Count and Average Salaries Benefits

Description	Employees Employed as of 12/31	Employees Resigned / Terminated During Year	Total # of Employees during the Year (W2s)	Total Salary	Average Salary Per Employee	Total Benefits	Average Benefits Per Employee	Total Salary & Benefits	Average Salary & Benefits
Calendar Year 2017									
Elected	7		7	25,800.00	3,686	71,622.00	10,232	97,422.00	13,917
Full-Time	154	29	183	13,058,164.00	71,356	4,117,370.00	22,499	17,175,534.00	93,855
Part-time/Seasonal/Temporary	44	5	49	290,480.00	5,928	7,725.00	158	298,205.00	6,086
Total Calendar Year 2017	205	34	239	13,374,444.00	55,960	4,196,717.00	17,559	17,571,161.00	73,520
Calendar Year 2016									
Elected	6	1	7	24613	3,516	55699	7,957	80,312.00	11,473
Full-Time	164	13	177	12027956	67,955	4275402	24,155	16,303,358.00	92,109
Part-time/Seasonal/Temporary	32	10	42	203724	4,851	11443	272	215,167.00	5,123
Total Calendar Year 2016	202	24	226	12,256,293	54,231	4,342,544	19,215	16,598,837	73,446

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director
Sandra Calderon, Development Project Coordinator

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-83, Approving a one-year extension to the existing professional services agreement for environmental peer review services with Aspen Environmental Group

RECOMMENDED ACTION:

That the City Council adopt Resolution 2018-83, approving a one-year extension to the existing Professional Services Agreement between the City of Banning and Aspen Environmental Group to extend the term of the agreement through June 30, 2019.

BACKGROUND:

A Request for Qualifications (RFQ) for environmental peer review services was published in April of 2017. On June 27, 2017, City Council approved Resolution 2017-64, awarding an agreement for professional environmental services to Aspen Environmental Group to provide peer review of environmental documents in connection with the proposed Banning Distribution Center.

The original agreement was for a twelve (12) month period ending June 30, 2018. Under the approval of Resolution 2017-64, the agreement has a renewal option for an additional four (4) single years or contract modifications.

JUSTIFICATION:

Currently, the Planning Department is processing the Banning Distribution Center development application and Environmental Impact Report, and Aspen continues to provide the peer review services to the City as requested. The services include peer

review of environmental documents as well as the preparation of environmental recommendations, notices, staff reports and resolutions for Planning Commission and City Council hearings on the project, and printing of environmental documents. As of the writing of this report, it is anticipated that the Draft Environmental Impact Report will be released for public review in June 2018, and that development applications will be considered by the Planning Commission and City Council around October/November of 2018. Thus, there is a continued need for the peer review services.

Staff recommends amending the agreement to extend the Agreement for one (1) additional year. No additional funding is being requested.

FISCAL IMPACT:

The Developer is responsible for the reimbursement of the peer review services provided by Aspen. The contract amount is \$49,581.00 and a deposit/reimbursement agreement was executed with Banning Industrial LP and a full deposit check in the amount of \$49,581 was received on June 28, 2017. Remaining funds are expected to cover review of any comments received on the Draft Environmental Impact Report, the Final Environmental Impact Report, with draft staff reports, resolutions, and notices related to the environmental document.

This is a request for an extension of time only. There is no fiscal impact to the City as a result of this request.

ATTACHMENTS:

1. Resolution 2018-83
2. Original Resolution 2017-64 and Contract
3. Proposed First Amendment

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-83

RESOLUTION 2018-83

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ASPEN ENVIRONMENTAL GROUP FOR ENVIRONMENTAL PEER REVIEW SERVICES

WHEREAS, on June 27, 2017, City Council approved Resolution 2017-64, awarding an agreement ("Original Agreement") for consultant services agreement to Aspen Environmental Group for professional environmental services in connection with environmental documents for the proposed Banning Distribution Center. As a result, Aspen Environmental Group has provided environmental peer review services for an approximately one (1) year period; and

WHEREAS, City and Consultant now desire to further amend the Agreement to extend the Agreement for one (1) additional year.

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

SECTION I: Action. The Banning City Council hereby approves Amendment No. 1 to the 2017 Professional Services Agreement between the City and Aspen Environmental Group, a copy of which is attached to the Staff Report for this item. This authorization will be rescinded if the Contract Services Agreement is not executed by both parties within sixty (60) days of the date of this Resolution.

Section II: Authorization. The City Council hereby authorizes the Interim City Manager to execute Amendment No. 1 to the Professional Services Agreement with Aspen Environmental Group in the form that is approved by the City Attorney.

PASSED, APPROVED AND ADOPTED this 26nd day of June, 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 2018-83, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 2

Original Resolution 2017-64 and Contract

RESOLUTION NO. 2017-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO APPROVE THE SERVICES AGREEMENT IN CONNECTION WITH THE BANNING DISTRIBUTION CENTER.

WHEREAS, on April 24, 2017 the Community Development Department released a Request for Proposal seeking a professional consulting firm in accordance with the terms and conditions of the On-Call Environmental Services request for proposals adopted by City Council on May 10, 2016 to prepare peer review of environmental documents associated with project modifications and amendments for an EIR addressing the project in accordance with the California Environmental Quality Act (CEQA), and best professional practice; and

WHEREAS, on May 12, 2017, Aspen Environmental Group provided a proposal to provide California Environmental Quality Act (CEQA) Peer review services to the City for the review of environmental documents associated with the Environmental Impact Report (EIR) that will be prepared for the proposed project that includes the development of a 1,000,000 square feet warehouse distribution facility, as well as preparation of recommendations, staff reports and resolutions for Planning Commission and City Council hearings on the project; and

WHEREAS, the Developer is responsible for the fee amount of the proposed professional services for the total contract amount "not to exceed" \$49,581.

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

SECTION 1. The Council approves the Agreement for Professional Services with Aspen Environmental Group to provide Consulting Services to provide professional environmental services in connection with the Banning Distribution Center in the amount of \$49,581 as provided in the proposal for CEQA Peer Review Services as shown in Exhibit "A".


SECTION 2. The City Manager is authorized to execute the agreement, make the necessary appropriations and account transfers to fund this agreement, and appropriate funds deposited by Banning Industrial, LP for the purpose of funding the said Professional Services Agreement in a form approved by the City Attorney.

PASSED, APPROVED AND ADOPTED this 27th day of June, 2017.



George Moyer, Mayor
City of Banning

ATTEST:


Marie A. Calderon, City Clerk
City of Banning


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


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

CERTIFICATION:

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2017-64 was duly adopted by the City Council of the City of Banning at a regular meeting thereof held on the 27th day of June, 2017, by the following vote, to wit:

AYES: Councilmembers Andrade, Franklin, Peterson, Welch, Mayor Moyer
NOES: None
ABSENT: None
ABSTAIN: None


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

**CONTRACT FOR PROFESSIONAL SERVICES
BETWEEN
THE CITY OF BANNING
AND
ASPEN ENVIRONMENTAL GROUP**

This AGREEMENT is entered into this 6th day of July, 2017, by and between the CITY OF BANNING, a general law city a municipal corporation ("CITY") and ASPEN ENVIRONMENTAL GROUP, a California corporation ("CONSULTANT").

RECITALS

- A. The City does not have the personnel able and/or available to perform the services required under this agreement.
- B. Therefore, the City desires to contract out for consulting services for certain projects relating to preparation of documents in connection with a design project.
- C. The Consultant warrants to the City that it has the qualifications, experience and facilities to perform properly and timely the services under this Agreement.
- D. The City desires to contract with the Consultant to perform the services as described in Exhibit A of this Agreement.

NOW, THEREFORE, based on the foregoing recitals, the City and the Consultant agree as follows:

1. CONSIDERATION AND COMPENSATION

- A. As partial consideration, CONSULTANT agrees to perform the work listed in the SCOPE OF SERVICES, attached as EXHIBIT A;
- B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement;
- C. As additional consideration, CITY agrees to pay CONSULTANT a total of Forty-Nine Thousand Five-Hundred Eighty-One Dollars, (\$49,581.00), for CONSULTANT's services, unless otherwise specified by written amendment to this Agreement.
- D. No additional compensation shall be paid for any other expenses incurred, unless first approved by the City Manager or his designee.
- E. CONSULTANT shall submit to CITY, by not later than the 10th day of each month, its bill for services itemizing the fees and costs incurred during the previous month. The City shall pay the Consultant all uncontested amounts set

forth in the Consultant's bill within 30 days after it is received.

2. SCOPE OF SERVICES.

- A. CONSULTANT will perform the services and activities set forth in the SCOPE OF SERVICE attached hereto as Exhibit A and incorporated herein by this reference.
- B. Except as herein otherwise expressly specified to be furnished by CITY, CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space, and facilities necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. PAYMENTS. For CITY to pay CONSULTANT as specified by this Agreement, CONSULTANT must submit an invoice to CITY which lists the reimbursable costs, the specific tasks performed, and, for work that includes deliverables, the percentage of the task completed during the billing period.

4. TIME OF PERFORMANCE. The services of the CONSULTANT are to commence upon receipt of a notice to proceed from the CITY and shall continue until all authorized work is completed to the CITY's reasonable satisfaction, in accordance with the schedule incorporated in "Exhibit A," unless extended in writing by the CITY.

5. FAMILIARITY WITH WORK. By executing this Agreement, CONSULTANT represents that CONSULTANT has (a) thoroughly investigated and considered the scope of services to be performed; (b) carefully considered how the services should be performed; and (c) understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

6. KEY PERSONNEL. CONSULTANT's key person assigned to perform work under this Agreement is Stanley Yeh. CONSULTANT shall not assign another person to be in charge of the work contemplated by this Agreement without the prior written authorization of the City.

7. TERM OF AGREEMENT. The term of this Agreement shall commence upon execution by both parties and shall expire on July 5, 2018 unless earlier termination occurs under Section 11 of this Agreement, or extended in writing in advance by both parties. Maximum term and any subsequent amendment or modification shall not exceed five (5) years.

8. CHANGES. CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.

9. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a Taxpayer Identification Number.

10. PERMITS AND LICENSES. CONSULTANT will obtain and maintain during the term of this Agreement all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

11. TERMINATION.

- A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause. Notice of termination shall be in writing.
- B. CONSULTANT may terminate this Agreement. Notice will be in writing at least 30 days before the effective termination date.
- C. In the event of such termination, the CONSULTANT shall cease services as of the date of termination, all finished or unfinished documents, data, drawings, maps, and other materials prepared by CONSULTANT shall, at CITY's option, become CITY's property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination.
- D. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.

12. INDEMNIFICATION.

- A. CONSULTANT shall indemnify, defend with counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONSULTANT's performance of work hereunder or its failure to comply with any of its obligations contained in this AGREEMENT. Should CITY in its sole discretion find CONSULTANT'S legal counsel unacceptable, then CONSULTANT shall reimburse the CITY its costs of defense, including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation. The CONSULTANT shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.
- B. The requirements as to the types and limits of insurance coverage to be maintained by CONSULTANT as required by Section 17, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities

and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

13. ASSIGNABILITY. This Agreement is for CONSULTANT's professional services. CONSULTANT's attempts to assign the benefits or burdens of this Agreement without CITY's written approval are prohibited and will be null and void.

14. INDEPENDENT CONTRACTOR. CITY and CONSULTANT agree that CONSULTANT will act as an independent contractor and will have control of all work and the manner in which it is performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. CONSULTANT is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.

15. AUDIT OF RECORDS.

- A. CONSULTANT agrees that CITY, or designee, has the right to review, obtain, and copy all records pertaining to the performance of this Agreement. CONSULTANT agrees to provide CITY, or designee, with any relevant information requested and will permit CITY, or designee, access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this Agreement. CONSULTANT further agrees to maintain such records for a period of three (3) years following final payment under this Agreement.
- B. CONSULTANT will keep all books, records, accounts and documents pertaining to this Agreement separate from other activities unrelated to this Agreement.

16. CORRECTIVE MEASURES. CONSULTANT will promptly implement any corrective measures required by CITY regarding the requirements and obligations of this Agreement. CONSULTANT will be given a reasonable amount of time as determined by the City to implement said corrective measures. Failure of CONSULTANT to implement required corrective measures shall result in immediate termination of this Agreement.

17. INSURANCE REQUIREMENTS.

- A. The CONSULTANT, at the CONSULTANT's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies:
 - 1. Workers Compensation Insurance as required by law. The Consultant shall require all subcontractors similarly to provide such compensation insurance for their respective employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the CITY at least thirty (30) days prior to such change.

The insurer shall agree to waive all rights of subrogation against the CITY, its officers, agents, employees, and volunteers for losses arising from work performed by the CONSULTANT for City.

2. General Liability Coverage. The CONSULTANT shall maintain commercial general liability insurance in an amount of not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.
 3. Automobile Liability Coverage. The CONSULTANT shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the CONSULTANT arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired, and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence.
 4. Professional Liability Coverage. The CONSULTANT shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from the CONSULTANT'S operations under this Agreement, whether such operations be by the CONSULTANT or by its employees, subcontractors, or subconsultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit-per-occurrence basis. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.
- B. Endorsements. Each general liability, automobile liability and professional liability insurance policy shall be issued by a financially responsible insurance company or companies admitted and authorized to do business in the State of California, or which is approved in writing by City, and shall be endorsed as follows. CONSULTANT also agrees to require all contractors, and subcontractors to do likewise.
1. "The CITY, its elected or appointed officers, officials, employees, agents, and volunteers are to be covered as additional insureds with respect to liability arising out of work performed by or on behalf of the CONSULTANT, including materials, parts, or equipment furnished in connection with such work or operations."
 2. This policy shall be considered primary insurance as respects the CITY, its elected or appointed officers, officials, employees, agents, and volunteers. Any insurance maintained by the CITY, including any self-insured retention the CITY may have, shall be considered excess insurance only and shall not contribute with this policy.

3. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
 4. The insurer waives all rights of subrogation against the CITY, its elected or appointed officers, officials, employees, or agents.
 5. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents, or volunteers.
 6. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days' written notice has been received by the CITY.
- C. CONSULTANT agrees to provide immediate notice to CITY of any claim or loss against Consultant arising out of the work performed under this agreement. CITY assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve CITY.
 - D. Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the CITY's option, the CONSULTANT shall demonstrate financial capability for payment of such deductibles or self-insured retentions.
 - E. The CONSULTANT shall provide certificates of insurance with original endorsements to the CITY as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the CITY on or before commencement of performance of this Agreement. Current certification of insurance shall be kept on file with the CITY at all times during the term of this Agreement.
 - F. Failure on the part of the CONSULTANT to procure or maintain required insurance shall constitute a material breach of contract under which the CITY may terminate this Agreement pursuant to Section 11 above.

18. USE OF OTHER CONSULTANTS. CONSULTANT must obtain CITY's prior written approval to use any consultants while performing any portion of this Agreement. Such approval must include approval of the proposed consultant and the terms of compensation.

19. FINAL PAYMENT ACCEPTANCE CONSTITUTES RELEASE. The acceptance by the CONSULTANT of the final payment made under this Agreement shall operate as and be a release of the CITY from all claims and liabilities for compensation to the CONSULTANT for anything done, furnished or relating to the CONSULTANT'S work or services. Acceptance of payment shall be any negotiation of the CITY'S check or the failure to make a written extra compensation claim within ten (10) calendar days of the receipt of that check. However, approval or payment by the CITY shall not constitute, nor be deemed, a release of the responsibility and liability of the CONSULTANT, its employees, sub-consultants and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be

an assumption of such responsibility or liability by the CITY for any defect or error in the work prepared by the Consultant, its employees, sub-consultants and agents.

20. CORRECTIONS. In addition to the above indemnification obligations, the CONSULTANT shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the CITY, and the cost thereof shall be charged to the CONSULTANT. In addition to all other available remedies, the City may deduct the cost of such correction from any retention amount held by the City or may withhold payment otherwise owed CONSULTANT under this Agreement up to the amount of the cost of correction.

21. NON-APPROPRIATION OF FUNDS. Payments to be made to CONSULTANT by CITY for services preformed within the current fiscal year are within the current fiscal budget and within an available, unexhausted fund. In the event that CITY does not appropriate sufficient funds for payment of CONSULTANT'S services beyond the current fiscal year, the Agreement shall cover payment for CONSULTANT'S only to the conclusion of the last fiscal year in which CITY appropriates sufficient funds and shall automatically terminate at the conclusion of such fiscal year.

22. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

CITY	CONSULTANT
<u>City of Banning</u> <u>99 East Ramsey Street</u> <u>Banning, CA 92220</u> <u>ATTN: City Manager</u>	<u>Aspen Environmental Group</u> <u>5020 Chesebro Rd., Ste. 200</u> <u>Augora Hills, CA 91301</u> <u>ATTN: Jon Davidson</u>

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph. Courtesy copies of notices may be sent via electronic mail, provided that the original notice is deposited in the U.S. mail or personally delivered as specified in this Section.

23. SOLICITATION. CONSULTANT maintains and warrants that it has not employed nor retained any company or person, other than CONSULTANT's bona fide employee, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than CONSULTANT's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should CONSULTANT breach or violate this warranty, CITY may rescind this Agreement without liability.

24. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party.

There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.

25. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

26. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written.

27. RULES OF CONSTRUCTION. Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.

28. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment with signatures of all parties to this Agreement. CITY's city administrator, or designee, may execute any such amendment on behalf of CITY.

29. ACCEPTANCE OF FACSIMILE OR ELECTRONIC SIGNATURES. The Parties agree that this Contract, agreements ancillary to this Contract, and related documents to be entered into in connection with this Contract will be considered signed when the signature of a party is delivered by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.

30. FORCE MAJEURE. Should performance of this Agreement be impossible due to fire, flood, explosion, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' control, then the Agreement will immediately terminate without obligation of either party to the other.

31. TIME IS OF ESSENCE. Time is of the essence to comply with dates and schedules to be provided.

32. ATTORNEY'S FEES. The parties hereto acknowledge and agree that each will bear his or its own costs, expenses and attorneys' fees arising out of and/or connected with the negotiation, drafting and execution of the Agreement, and all matters arising out of or connected therewith except that, in the event any action is brought by any party hereto to enforce this Agreement, the prevailing party in such action shall be entitled to reasonable attorneys' fees and costs in addition to all other relief to which that party or those parties may be entitled.

33. STATEMENT OF EXPERIENCE. By executing this Agreement, CONSULTANT represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CITY. CONSULTANT represents that its financial resources, surety and insurance experience, service experience, completion ability,

personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that CONSULTANT is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

34. DISCLOSURE REQUIRED. (City and Consultant initials required at one of the following paragraphs)

By their respective initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is a "consultant" for the purposes of the California Political Reform Act because Consultant's duties would require him or her to make one or more of the governmental decisions set forth in Fair Political Practices Commission Regulation 18701(a)(2) or otherwise serves in a staff capacity for which disclosure would otherwise be required were Consultant employed by the City. Consultant hereby acknowledges his or her assuming-office, annual, and leaving-office financial reporting obligations under the California Political Reform Act and the City's Conflict of Interest Code and agrees to comply with those obligations at his or her expense. Prior to consultant commencing services hereunder, the City's Manager shall prepare and deliver to consultant a memorandum detailing the extent of Consultant's disclosure obligations in accordance with the City's Conflict of Interest Code.

City Initials _____
Consultant Initials _____

OR


By their initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is not a "consultant" for the purpose of the California Political Reform Act because Consultant's duties and responsibilities are not within the scope of the definition of consultant in Fair Political Practice Commission Regulation 18701(a)(2)(A) and is otherwise not serving in staff capacity in accordance with the City's Conflict of Interest Code.

City Initials JD
Consultant Initials CH

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

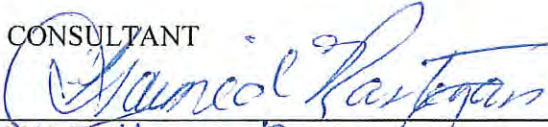
IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF BANNING

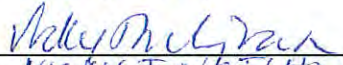

ALEJANDRO DIAZ, INTERIM CITY
MANAGER

CONSULTANT

By:


NAME: HAMID RASTE~~GAR~~
TITLE: PRESIDENT

By:


NAME: VICKY TINKITHAN
TITLE: CFO

ATTEST:


Marie A. Calderon, City Clerk

95-4337914
Tax ID No.

APPROVED AS TO FORM:


John C. Cotti, Interim City Attorney

Two signatures are required if a corporation

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Los Angeles)

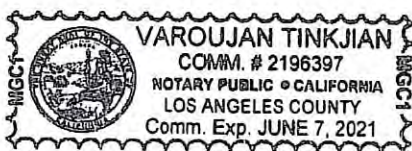
On 7/13/17 before me, VAROUJAN TINKJIAN, a Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Hamid Pastegian and Vicky Tinkjian
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Contract for Prof. Services bet. City of Banning & Aspen Env. Group

Document Date: 7/6/17 Number of Pages: 10

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

EXHIBIT A



May 12, 2017

5020 Chesebro Road, Suite 200, Agoura Hills, CA 91301-2285
Tel. 818-597-3407, Fax 818-597-8001, www.aspeneg.com

Patty Nevins, Senior Planner
City of Banning
Community Development Department
pnevins@ci.banning.ca.us
(951) 922-3152

**Subject: Response to the City of Banning Community Development Department's
Project Specific Request for Quote (RFQ) for CEQA Peer Review Services**

Dear Ms. Nevins,

Aspen Environmental Group (Aspen) is pleased to submit this quote to provide California Environmental Quality Act (CEQA) peer review services for a warehouse project (proposed project) in response to the City of Banning's (City) Project Specific RFQ received on April 27, 2017. This quote has been prepared in accordance with the terms and conditions of the on-call environmental services request for proposals reviewed and approved by the City Council on May 10, 2016, per Resolution No. 2016-38.

1. Introduction

Aspen is an expert interdisciplinary environmental services firm, specializing in the management of environmental assessment efforts for infrastructure and public works projects under CEQA and National Environmental Policy Act (NEPA). Over the past 25 years, Aspen has conducted environmental analysis and permitting for numerous projects that are often characterized by highly visible and controversial issues, extensive public participation programs, and require coordination with numerous local, state, and federal agencies. Since its inception, Aspen has served as prime contractor for some of California's largest environmental review efforts and continues to serve in this role on major CEQA and NEPA projects, as well as similar large environmental assessment efforts, such as the California Energy Commission's (CEC's) CEQA-equivalent process for reviewing proposed thermal power plant projects. In its role as prime contractor, Aspen continually reviews environmental and technical documents produced by others, including the work products of subcontractor teams. For example, Aspen is currently managing multiple contracts for the California Public Utilities Commission (CPUC) and CEC that involve the management of dozens of technical subcontractors, each responsible for producing environmental and technical documents that Aspen must direct, review, revise, and edit for adequacy, accuracy, completeness, conformance with stipulated guidance and style guides, and overall quality. Aspen must also regularly review environmental and technical documents submitted by applicants to regulatory agencies and, on behalf of those agencies, provide comments on the adequacy and completeness of those submittals. This includes Proponent's Environmental Assessments submitted to the CPUC and Applications for Certifications submitted to the CEC, as well as other supporting documentation.

Aspen is trusted by resource and regulatory agencies to provide objective independent reviews of environmental documents and has been contracted by multiple agencies specifically to review EIR and EIS documents and technical reports prepared by others. Aspen is recognized not only for objective judgment, but also for its technical knowledge of environmental issues and in-depth working knowledge of environmental regulations and procedures. Examples of projects where Aspen has provided critical review include:

- **Newhall Ranch Resource Management and Development Plan & Spineflower Conservation Plan.**
Aspen helped the California Department of Fish and Wildlife (CDFW) guide the organization, content, and analysis for this major EIR/Environmental Impact Statement (EIS), and conducted a thorough,

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comprehensive, and critical review of EIR/EIS sections prepared by the applicant as well as supporting technical studies and surveys. Aspen also critically reviewed the applicant's resource management and conservation plans and provided detailed comments for revision and refinement of the plans.

- **San Diego Gas & Electric East County Substation, Tule Wind, and Energía Suarez Gen-Tie Projects.** Aspen was selected by the Bureau of Land Management (BLM) to serve as its independent third-party reviewer for the Administrative Draft EIR/EIS and Final EIR/EIS. In this role, Aspen reviewed the documents for thoroughness of impact analysis, technical accuracy, and compliance with BLM's NEPA Handbook. We prepared detailed comments on each technical section, and BLM used these comments to ensure the completeness and legal adequacy of the EIS.
- **Desert Sunlight EIS.** For the CPUC, Aspen reviewed and provided comments on the Desert Sunlight Solar Project EIS prepared by the BLM Palm Springs - South Coast Field Office. Aspen's work for the CPUC ensured that the EIS was adequate under CEQA so the CPUC could make a decision on Southern California Edison's application for a Permit to Construct the Red Bluff Substation. The EIS included impact analysis for the substation and an alternative site, and it included Aspen-recommended formatting and content that met the CPUC's CEQA obligations by use of CEQA Section 15221.
- **Long Beach LNG Import Project.** Aspen assisted the City of Long Beach in reviewing the Draft EIS/EIR and providing comments on the completeness, accuracy, and technical adequacy of the document.
- **Cabrillo Port LNG Deepwater Port Project.** Aspen assisted the City of Oxnard by providing expert EIS/EIR review services; prepared a report summarizing the review and presented findings regarding deficiencies in the Draft EIR/EIS to the Oxnard City Council.
- **Donlon Road Realignment Project.** On behalf of the Ventura County Public Works Agency, Aspen provided independent third-party review of an Administrative Draft EIR prepared by another consultant. Aspen recommended changes to the document to improve the analysis, better comply with CEQA, and make the document more understandable to the reader.
- **Digital 395 Middle Mile Project.** Working the CPUC and state and federal resource agencies, Aspen reviewed CEQA/NEPA documents and technical studies prepared by another consultant for a 593-mile fiber-optic telecommunications project in eastern California. Aspen's review focused on the legal and technical adequacy of the documents. Aspen also provided guidance on the CEQA compliance approach for the project.
- **Graton Rancheria Casino and Hotel.** Assisted Sonoma County (a cooperating agency) in its review of this EIS; prepared comments; collected and rewrote comments from all county agencies.
- **Tule Wind Project (including the East County Substation Project and the Energía Sierra Juárez U.S. Generator-Tie Project).** Assisted the BLM in reviewing the Draft and Final EIS/EIR for the proposed wind project to meet BLM and NEPA requirements.
- **Baldwin Hills Community Standards District and Preparation of a City Drilling Ordinance.** Assisted the City of Culver City in reviewing and commenting on the Draft EIR for the proposed Baldwin Hills Community Standards District; prepared a presentation summarizing the review and presented findings regarding deficiencies in the Draft EIR to the City Council of Culver City.

In addition to the examples above, Aspen has provided third-party review of various technical studies on behalf of clients, including air quality, noise, cultural resource, and biological resource studies. For example, on multiple occasions, the Port of Long Beach has tasked Aspen with the peer review of technical studies used to support CEQA analysis. Kern County has also asked Aspen to peer review a wide range of technical studies prepared by applicant consultants, including biological, cultural, visual, geotechnical, noise, and air quality studies. In addition, Aspen has been called upon on multiple occasions to take over and complete

the work of other consultants when lead agencies had lost confidence in the performance of the original consultant.

This quote includes a proposed scope, team, project schedule, and fee schedule in accordance with the scope of work included in the RFQ. Aspen will work closely with the City so that we have a full understanding of the project before we move forward with peer review services.

2. Work Approach

Aspen understands that the proposed project includes the development of a 1,000,000 square feet warehouse distribution facility, the extension of John Street to the subject site, secondary emergency access road through the Banning Airport to the southwest portion of the subject site, and installation offsite water, sewer, and drainage improvements. The City is requesting peer review of environmental documents associated with the Environmental Impact Report (EIR) that will be prepared for the proposed project, including technical studies, notices, and the document itself. The City is also requesting assistance with the production of environmental documents and the preparation of all required public notices, draft Planning Commission staff report, and resolutions required for the environmental documentation subject to review and approval of the City Attorney.

Aspen also understands that the City will provide Aspen with access to the project application, approval documents and Mitigated Negative Declaration (previously prepared for the project), staff reports, approved ordinances and resolutions, the City's General Plan and Zoning Ordinance, General Plan Land Use and Zoning Maps, and any other relevant documents and studies.

Aspen will provide a thorough review all documents and technical studies related to the EIR for the proposed project and ensure that analyses are conducted to industry standards. Aspen will not attempt to reconduct any of the performed analyses, but rather provide suggestions or recommendations on potentially inadequate or deficient analyses. Aspen will also confirm adequate analyses if no recommendations are required.

Task 1: Technical Study Peer Review

Technical studies will include a current or updated air quality and greenhouse gases technical report, updated biological assessment and Determination of Biological Equivalent or Superior Preservation (DBESP), jurisdictional delineation, cultural, noise, and traffic report. Existing/previous studies include a geotechnical report, hydrology report, Preliminary Water Quality Management Plan, and Phase I Environmental Assessment.

Aspen will review all updated and existing technical studies and provide to the City, a memorandum discussing staff confirmation or suggested revisions to the analyses.

Task 2: Initial Study (IS) Peer Review

Aspen will conduct a peer review of the IS, including one round of revisions to the Screencheck IS and review of the final IS. Aspen will prepare and provide three (3) memorandums (Draft IS, Revised IS, Final IS) to the City documenting staff confirmation or suggested revisions to the IS.

Task 3: Notice of Preparation (NOP)

Aspen will review comments received on the NOP and will be available to attend one meeting (Task 8) to discuss response to comments approach, if necessary.



Task 4: Draft EIR Peer Review

Aspen understands that it is anticipated that all topics except the following can be determined to be less than significant or less than significant with mitigation in the IS and therefore not included in the Draft EIR: Air Quality/Global Climate Change, Energy Conservation, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Transportation/Traffic, Utilities/Service Systems. Aspen also understands that the Draft EIR will include a discussion on cumulative impacts and alternatives.

Aspen will conduct one review of the screencheck Draft EIR and one review of the "final" draft. Aspen will ensure that the Draft EIR prepared reflects the independent judgment of the City. Aspen will provide input on the Notice of Availability list. Aspen will prepare and provide to the City, two (2) memorandums discussing staff confirmation or suggested revisions to the Draft EIR analysis.

Task 5: Response to Draft EIR Comments and Final EIR Peer Review

Aspen will review Draft EIR comments (up to 50), and provide peer review of the response to comments and Final EIR including statements of overriding considerations and findings (if applicable), changes to the Draft EIR necessitated by the Response to Comments, and the Mitigation Monitoring and Reporting Program.

Aspen will prepare and provide to the City, two (2) memorandums discussing staff confirmation or suggested revisions to the Final EIR analysis [including statements of overriding considerations and findings (if applicable), changes to the Draft EIR necessitated by the Response to Comments, and the Mitigation Monitoring and Reporting Program].

Task 6: Printing

As requested in the RFQ, Aspen will provide 15 bound copies (a total of 30 documents) of the Draft EIR (during Task 4) and Final EIR (during Task 5) to the City.

Aspen assumes production of up to 100 double-sided pages for the Draft EIR and up to 150 double-sided pages for the Final EIR.

Task 7: Preparation of Staff Documents

Aspen will prepare all required public notices, including the following:

- Notice of Preparation
- Notice of Availability
- Notice of Determination

Aspen will also assist the City with the preparation of the draft Planning Commission staff report (as it relates to the environmental document), and resolutions (as they relate to the environmental document) required for the environmental documentation subject to review and approval of the City Attorney. Aspen assumes one (1) round of City review for the submitted documents.

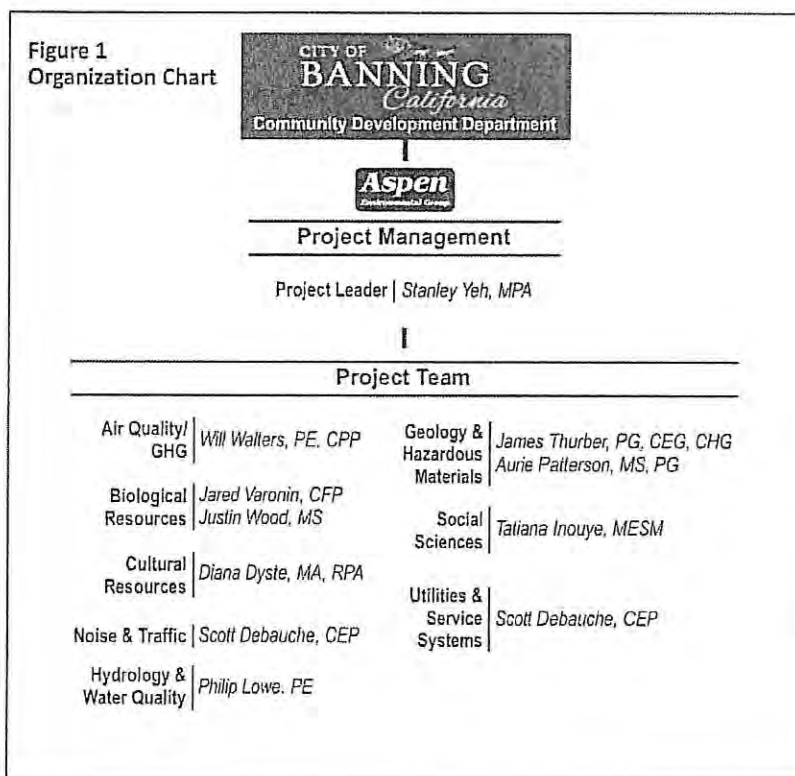
Task 8: Coordination Meetings

The City's Project Manager will assist Aspen with scheduling any necessary coordination meetings with the Applicant to gather information to ensure that the environmental documents address issues of concern and project impacts as required by CEQA. The Aspen Team, if requested, will be available to attend two coordination meetings with the City and Applicant.

Aspen assumes the attendance of two staff members at the coordination meetings. Other technical specialists can be available by conference call, if necessary. *To further reduce costs for this task, all Aspen staff members can be available by phone.*

3. Organization and Staffing

Aspen will serve as prime contractor for this project. Aspen has assembled a team of experts with specific experience in the preparation and review of CEQA projects, including public facilities, public works, and development projects. We have carefully selected environmental engineers, scientists, and planners with demonstrated experience to cover all of the issue areas identified in the RFQ. In order to provide the City with the best possible service, we have augmented our team with a highly qualified and recognized subcontractor, Geotechnical Consultants, Inc. (GTC). All team members have recent and relevant local experience and are among the most noted experts in their respective fields. Figure 1 depicts the organization of the Aspen Team to be assigned for this project.



Stanley Yeh will be the proposed Project Leader for this project. He has over 19 years of experience in the preparation and management of environment documents, including CEQA/National Environmental Policy Act (NEPA) documentation, CEQA technical studies, and environmental hazard assessments. His recent CEQA experience includes numerous public works projects for the Los Angeles County and San Bernardino County Departments of Public Works.

Key Aspen Team staff members and experience are presented in Table 1, including subcontractor GTC.



Table 1. Summary of Qualifications and Experience of Key Aspen Team Staff Members

Credentials	Project Experience Highlights
Will Walters, PE, CPP <i>Education</i> BS Chemical Engineering <i>Experience</i> 31 years	Air Quality/GHG <ul style="list-style-type: none"> ■ Expertise in CEQA and NEPA air quality and greenhouse gas (GHG) analyses, developing construction equipment and vehicle trip assumptions, monitoring compliance with air quality mitigation requirements, and air pollutant and GHG emissions estimation and air dispersion modeling. ■ Completed air quality and GHG emissions estimates and technical analyses for dozens of small and large infrastructure, energy, transportation, institutional, and industrial projects.
Justin Wood <i>Education</i> MS Biological Sciences BS Biology <i>Experience</i> 16 years	Biological Resources <ul style="list-style-type: none"> ■ Extensive experience conducting focused plant and wildlife surveys for special-status species within Los Angeles County and throughout southern California, including arroyo chub, southern steelhead, LBV, burrowing owl, and many others. ■ Certified Field Botanist with extensive experience surveying for endangered, rare, and special-status plants throughout southern California.
Jared Varonin, CFP <i>Education</i> BS Ecology and Systematic Biology <i>Experience</i> 16 years	Biological Resources <ul style="list-style-type: none"> ■ Over 15 years of experience as a biologist, 8 years with Aspen, managing environmental projects, conducting biological surveys, preparing habitat mitigation and monitoring plans, obtaining CESA/ESA, CWA 401/404, and CDFW Section 1600 permits, and conducting or overseeing construction monitoring. ■ Completed over 35 wetland and jurisdictional waters delineations ranging from freshwater marsh to ephemeral desert washes for both linear and large scale projects. ■ Over fifteen years' experience preparing CEQA/NEPA documents, obtaining regulatory permits, conducting biological surveys, CESA/NEPA consultation, and monitoring construction projects.
Diana Dyste, RPA <i>Education</i> MA California Archaeology BA Anthropology (Archaeology) <i>Experience</i> 17 years	Cultural Resources <ul style="list-style-type: none"> ■ Expert knowledge of cultural resources laws and regulations, including but not limited to CEQA, AB 52, NHPA (Section 106), NEPA, NAGPRA, and the Ventura County General Plan and local City Ordinances pertaining to Cultural Heritage sites. ■ Experience in providing outstanding support services in fulfillment of tribal and public outreach requirements under AB 52, SB 18, Section 106 and NEPA. ■ Extensive experience in conducting Class I research with the California Historical Resources Information System (CHRIS) and Native American Heritage Commission (NAHC) for searches of the Sacred Lands File (SLF) and in compliance with AB 52 tribal outreach.
Scott Debauche, CEP <i>Education</i> BS Urban Planning & Design <i>Experience</i> 20 years	Noise & Traffic, Utilities/Service Systems <ul style="list-style-type: none"> ■ 20 years of experience preparing environmental analyses under CEQA and NEPA, including relevant experience preparing noise, transportation/traffic, and physical sciences analyses for recreation projects. ■ Technical analyst on over 135 environmental impact studies, including many projects within the Los Angeles area. ■ Noise and transportation/traffic expert witness and senior technical specialist under contract to the California Energy Commission and California Public Utilities Commission. analyst on several EAs prepared for flood control projects with the USACE as the NEPA Lead Agency.
Philip Lowe, PE <i>Education</i> Master in Watershed Management BA Wildlife Management <i>Experience</i> 35 years	Hydrology/Water Quality <ul style="list-style-type: none"> ■ More than 30 years of experience in preparing water resource environmental impact analysis for large scale complex projects. ■ Experience preparing and reviewing hydrology studies and water quality plans for public agency clients. ■ Drainage concept design and environmental impact analysis (CEQA and NEPA) experience with county public works projects.
James Thurber, PG, CEG, CHG <i>Education</i> MS Geology BS Geology BA Geography <i>Experience</i> 30 years	Geology & Hazardous Materials <ul style="list-style-type: none"> ■ 30 years of experience and a deep knowledge of the wide range of geologic issues that pertain to southern California. ■ Performed geologic and geohazard analyses in many geologic settings, conducting reconnaissance, detailed mapping, and trench logging to assess slope stability, landslides, fault activity, and seismic risk. ■ Prepared geohazards analyses for CEQA/NEPA documents for industrial and infrastructure projects, such as long linear pipelines and transmission lines, reservoirs, dams, power plants, and highways. ■ Performed Phase I Environmental Site Assessments (ESA/ISA) for major transmission lines, pipelines, solar projects, and transportation projects.



Table 1. Summary of Qualifications and Experience of Key Aspen Team Staff Members

Credentials	Project Experience Highlights
Aurie Patterson, PG	Geology & Hazardous Materials
<i>Education</i> BA Geology	■ 20 years of experience in management of documents and preparation of sections for CEQA and NEPA environmental projects, groundwater studies/management of well construction for municipal water supplies and groundwater monitoring, and geotechnical logging/geologic hazard mapping.
<i>Experience</i> 20 years	■ CEQA/NEPA environmental documents prepared have included geology, hazardous materials, and paleontological resources sections for MNDs, and EIRs and EISs for transmission lines, public facilities and buildings, power plants, schools, and pipelines.
	■ Phase I Environmental Site Assessments for California facilities, large solar facilities, and long linear transmission projects.
Tatiana Inouye	Social Sciences
<i>Education</i> Master of Environmental Science and Management	■ Prepared numerous social science impact analyses for IS/MNDs and EIRs with a particular focus on recreation and land use, agricultural resources, public services and utilities.
B.S. Biology	■ Experience with restoration and public works projects including adaptive recreation management, reservoir restoration, road reconstruction, bridge retrofit, water pump station improvements and sediment removal.
<i>Experience</i> 11 years	■ Coordinated with stakeholders to gather community input on city- and county-level planning efforts, and facilitated public scoping and public review periods for multiple CEQA projects.

4. Project Schedule

Aspen has an excellent record of meeting deliverable dates for all products. Our experience allows us to develop internal schedules that are consistent with agency timelines and then mobilize resources needed to meet the schedules. Aspen only finds it acceptable to extend schedules for reasons beyond our control (such as project suspensions or schedule extensions initiated by the client). However, if the need arises, Aspen will quickly and efficiently put projects on hold in order to preserve the budget, and will remobilize immediately when needed to meet new schedule demands.

Our proposed Project Leader, Mr. Stanley Yeh, will ensure resource availability and schedule compliance, and will maintain regular contact with the City. Based on Aspen's experience in providing peer review services and preparing environmental documents, we are confident that our Team can provide peer review services and assist the City in the preparation of staff documents within the timeframes presented, below.

Task 1: Technical Study Peer Review

Aspen will conduct a peer review of all technical studies and prepare and provide to the City, a memorandum documenting peer review results within 14 days from the time all documents are provided to Aspen.

Task 2: Initial Study Peer Review

Aspen will conduct a peer review of the IS and prepare and provide to the City, three (3) memorandums documenting peer review results within the following timeframe:

- Screencheck IS – 14 days
- Revised IS – 7 days
- Final IS – 5 days

Task 3: Notice of Preparation

Aspen will review comments received on the NOP within seven (7) days and will be available to discuss response to comments approach, if necessary.

Task 4: Draft EIR Peer Review



Aspen will conduct one review of the screencheck Draft EIR and one review of the “final” draft, and provide input on the Notice of Availability list. Aspen will prepare and provide to the City, two (2) memorandums documenting peer review results within the following timeframe:

- Screencheck Draft EIR – 21 days
- Final Draft EIR – 10 days

Task 5: Response to Draft EIR Comments and Final EIR Peer Review

Aspen will prepare and provide to the City, two (2) memorandums discussing staff confirmation or suggested revisions to the Final EIR analysis [including statements of overriding considerations and findings (if applicable), changes to the Draft EIR necessitated by the Response to Comments, and the Mitigation Monitoring and Reporting Program] within the following timeframe:

- Screencheck Final EIR – 21 days
- Final EIR – 10 days

Task 6: Printing

Aspen will provide 15 bound copies (a total of 30 documents) of the Draft EIR (during Task 4) and Final EIR (during Task 5) to the City within the following timeframe:

- Draft EIR – 1 day
- Final EIR – 1 day

Task 7: Preparation of Staff Documents

Aspen will prepare all required public notices, draft Planning Commission staff report (as it relates to the environmental document), and resolutions (as they relate to the environmental document) required for the environmental documentation subject to review and approval of the City Attorney, within the following timeframe:

- Notice of Preparation (NOP) – 3 days
 - Revised NOP – 1 day
- Notice of Availability (NOA) – 3 days
 - Revised NOA – 1 day
- Notice of Determination (NOD) – 3 days
 - Revised NOD – 1 day
- Draft Planning Commission Staff Report – 3 days
 - Revised Draft Planning Commission Staff Report – 1 day
- Resolutions – 7 days
 - Revised Resolutions – 3 days

5. Proposed Fee Schedule

Aspen’s proposed cost to complete the Peer Review and supporting documentation for the proposed project’s EIR is provided in the following cost spreadsheet. Total proposed labor costs are \$39,351 and total proposed non-labor costs are \$10,230. The total proposed cost is **\$49,581**. As mentioned earlier, it would be possible to reduce costs by as much as \$4,200 if coordination meetings are conducted by phone.



Proposal for: CEQA Peer Review Services
 Proposal Cost for: City of Banning, Community Development Department

		Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Total
		Technical Study Peer Review	Initial Study Peer Review	Notice of Preparation	Draft EIR Peer Review	Response to Draft EIR Comments and Final EIR Peer Review	Printing	Preparation of Staff Documents	Coordination Meetings	
Aspen Labor Hours										
Key Personnel/Category	Hourly Rate*									
Stanley Yeh, Senior Scientist	\$165.00	4	8	2	10	8	1	10	16	59
Will Waters, Senior Air Quality Engineer	\$195.00	12	1		8	4			2	27
Jared Varonin, Biologist	\$136.00	8	4							12
Justin Wood, Environmental Scientist	\$125.00	1								1
Diana Oysie, Senior Archaeologist	\$127.00	10	8		10	8			2	36
Scott Debauche, Social Scientist	\$135.00	12	16	2	14	8			16	68
Philip Lowe, Senior Water Specialist	\$175.00	8	3		8	4			2	25
Tatiana Inouye, Social Scientist	\$136.00		8		4	4				16
Maral Koshkarian, Accountant	\$85.00	1	1	1	1	1		1		6
Kelle Keefe, Maps/Graphics	\$75.00							1		1
Kati Simpson, GIS/CADD	\$115.00						8			8
Emily Chinea, Document Editor	\$85.00	1	1				4	2		8
Administrative/Clerical	\$87.00						2			2
TOTAL		57	50	5	55	35	15	14	38	269
LABOR COST (\$)										
Key Personnel/Category										
Stanley Yeh, Senior Scientist	\$660	\$1,320	\$330	\$1,650	\$1,320	\$165	\$1,650	\$2,640	\$9,735	
Will Waters, Senior Air Quality Engineer	\$2,340	\$195		\$1,560	\$780			\$390	\$5,285	
Jared Varonin, Biologist	\$1,080	\$540							\$1,620	
Justin Wood, Environmental Scientist	\$125								\$125	
Diana Oysie, Senior Archaeologist	\$1,270	\$1,016		\$1,270	\$782			\$254	\$4,572	
Scott Debauche, Social Scientist	\$1,620	\$2,160	\$270	\$1,880	\$1,080			\$2,160	\$9,180	
Philip Lowe, Senior Water Specialist	\$1,400	\$525		\$1,400	\$700			\$350	\$4,375	
Tatiana Inouye, Social Scientist		\$1,080		\$540	\$540				\$2,160	
Maral Koshkarian, Accountant	\$85	\$85	\$85	\$85	\$85		\$85		\$510	
Kelle Keefe, Maps/Graphics							\$75		\$75	
Kati Simpson, GIS/CADD							\$920		\$920	
Emily Chinea, Document Editor	\$85	\$85					\$340	\$170	\$680	
Administrative/Clerical							\$134		\$134	
Total Labor Cost		\$8,665	\$7,006	\$605	\$8,395	\$5,267	\$1,559	\$1,080	\$5,794	\$39,351
Aspen Non-Labor Costs										
Direct Project Cost Item	Unit Cost									
Subconsultant: Geotechnical Consultants, Inc.		\$4,980	\$2,720							\$7,680
Outside Copies/Printing	cost						\$1,000			\$1,000
Mileage - 2 Wheel Drive (per mile)	\$0.535								\$500	\$560
Postage/Delivery	cost						\$100			\$100
Telephone (conference calls only)	cost								\$20	\$20
Subtotal		\$4,960	\$2,720				\$1,100		\$520	\$9,300
Aspen Fee on Direct Costs @ 10%		\$496	\$272				\$110		\$52	\$930
Subtotal Non-Labor Costs		\$5,456	\$2,992				\$1,210		\$572	\$10,230
Total Aspen Cost by Task with Options		\$14,121	\$9,998	\$685	\$8,395	\$5,267	\$2,769	\$1,930	\$6,366	\$49,581
Note: Hourly rates include fringe benefits, overhead, and fee.										

6. Conclusion

We have proposed a project team with extensive experience in the preparation and review of CEQA documents, including supporting technical studies. Mr. Stanley Yeh (Project Manager) will be assisted by a seasoned group of experienced technical experts with experience throughout Southern California, including significant experience with public agencies. We have selected a subcontractor (GTC) who brings tremendous expertise, experience, and capacity to the Aspen Team.

I will represent Aspen during the selection process and any contract negotiations that may result. Should you need any further information regarding our Team, please do not hesitate to contact me at (818) 338-6665 or by e-mail at jdavidson@aspeneg.com.

Sincerely yours,

ASPEN ENVIRONMENTAL GROUP



Jon Davidson
Vice President



ATTACHMENT 3

Proposed First Amendment

AMENDMENT NO. 1 TO AGREEMENT FOR
PEER REVIEW SERVICES FOR ENVIRONMENTAL DOCUMENTS

THIS AMENDMENT NO. 1 TO THE AGREEMENT FOR PEER REVIEW SERVICES FOR ENVIRONMENTAL DOCUMENTS (“Amendment No. 1”) by and between the **CITY OF BANNING** (“CITY”) and **ASPEN ENVIRONMENTAL GROUP, a California Corporation** (“Consultant”) is effective as of the 6th day of July, 2018.

RECITALS

A. On June 27, 2017, CITY adopted City Council Resolution No. 2017-64, which authorized CITY and Consultant to enter into that certain Agreement for Peer Review Services for Environmental Documents dated July 6, 2017 (“Agreement”). The Agreement provided that Consultant would to provide those services specified in the Scope of Work attached to the Agreement as Exhibit “A” (hereafter, “Peer Review Services for Environmental Documents”) in connection with the CEQA project. 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. CITY and Consultant now desire to amend the Agreement to extend the contract period to July 5, 2019.

C. On June 26, 2018, CITY adopted City Council Resolution No. 2018-83, which authorized the exercise of the first option to renew the Agreement for an additional one-year term, ending on July 5, 2019.

TERMS

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

(a) Section 3.5, “Term” of the Agreement is hereby amended to exercise the first renewal option extending the contract period to July 5, 2019.

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

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** CITY and Consultant 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.

Consultant 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 Consultant that, as of the date of this Amendment, Consultant 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

CONSULTANT:

By: _____
Name:
Title:

By: _____
Name:
Title:
Address:

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 _____, 2018 before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal,

Signature: _____

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



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Ted Shove, Economic Development Manager
Sandra Calderon, Development Project Coordinator

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-89, Approving a one-year extension to the existing professional services agreement for real estate appraisal services between the City of Banning and Capital Realty Analysts, Inc.

RECOMMENDED ACTION:

That City Council Adopt Resolution 2018-89 approving a one-year extension to the existing Professional Services Agreement between the City of Banning and Capital Realty Analyst, Inc. to extend the term of the agreement through June 30, 2019.

BACKGROUND:

On July 1, 2017, the City initially entered into a professional services agreement with Capital Realty Analysts, Inc. for real estate appraisals services, in an amount not to exceed \$25,000. The original intent for securing these services was to provide valuations of City-owned real property that may be considered for future sale. The original agreement was for a twelve (12) month period ending June 30, 2018 with renewal option for an additional four (4) single years or contract modifications.

The 2017 Agreement with Capital Realty Analysts, Inc., has been amended one (1) time; on December 12, 2017 Amendment No. 1 was approved to include an additional \$93,600 to the contract amount for work on the Hathaway Ramsey Street Widening and the Joshua Palmer Way Realignment projects.

The original agreement was for a twelve (12) month period ending June 30, 2018 with renewal option for an additional four (4) single years or contract modifications.

JUSTIFICATION:

The extension of time for the contracted services is required to complete determinations of fair market valuations for acquisition of right of way dedications to support commencement of construction.

Staff recommends amending the agreement to extend the Agreement for one (1) additional year. No additional funding is being requested.

FISCAL IMPACT:

Remaining funding is anticipated to be adequate for the cost of remaining work. No additional funding is requested; thus, there is no fiscal impact.

ATTACHMENTS:

1. Resolution 2018-89
2. Original Contract
3. Resolution 2017-110 Approving Amendment #1 and Amendment 1
4. Proposed Second Amendment

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-89

RESOLUTION 2018-89

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAPITAL REALTY ANALYSTS, INC. FOR REAL ESTATE APPRAISAL SERVICES

WHEREAS, on July 1, 2017, City Council approved Resolution 2017-110 awarding an agreement ("Original Agreement") for professional series to Capital Realty Analysts Inc. (CRA) of La Quinta, California for Real Estate Appraisal Services. As a result, Capital Realty Analysts, Inc. have provided real estate appraisal services for an approximately one (1) year period; and

WHEREAS, on December 12, 2017, City Council approved Amendment No. 1 for additional funding of \$93,600 to the contract amount for work on the Ramsey and Hathaway Street Widening and the Joshua Palmer Way Realignment project; and

WHEREAS, City and Consultant now desire to further amend the Agreement to: extend the Agreement for one (1) additional year.

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

SECTION I: Action. The Banning City Council hereby approves Amendment No. 2 to the 2017 Professional Services Agreement between the City and Capital Realty Analysts, Inc., a copy of which is attached to the Staff Report for this item. This authorization will be rescinded if the Contract Services Agreement is not executed by both parties within sixty (60) days of the date of this Resolution.

Section II: Authorization. The City Council hereby authorizes the Interim City Manager to execute Amendment No. 2 to the Professional Services Agreement with Capital Realty Analysts, Inc., in the form that is approved by the City Attorney.

PASSED, APPROVED AND ADOPTED this 26nd day of June, 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 2018-89, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 2

Original Contract

**CONTRACT FOR PROFESSIONAL SERVICES
BETWEEN
THE CITY OF BANNING
AND
CAPITAL REALTY ANALYSTS, INC.**

This AGREEMENT is entered into this 1st day of July, 2017, by and between the CITY OF BANNING, a general law city a municipal corporation ("CITY") and CAPITAL REALTY ANALYSTS, INC., a California corporation ("CONSULTANT").

RECITALS

- A. The City does not have the personnel able and/or available to perform the services required under this agreement.
- B. Therefore, the City desires to contract out for consulting services for certain projects relating to preparation of documents in connection with a design project.
- C. The Consultant warrants to the City that it has the qualifications, experience and facilities to perform properly and timely the services under this Agreement.
- D. The City desires to contract with the Consultant to perform the services as described in Exhibit A of this Agreement.

NOW, THEREFORE, based on the foregoing recitals, the City and the Consultant agree as follows:

1. **CONSIDERATION AND COMPENSATION**

- A. As partial consideration, CONSULTANT agrees to perform the work listed in the SCOPE OF SERVICES, attached as EXHIBIT A;
- B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement;
- C. As additional consideration, CITY agrees to pay CONSULTANT a total of Twenty-Five Thousand Dollars, (\$25,000.00), for CONSULTANT's services, unless otherwise specified by written amendment to this Agreement.
- D. No additional compensation shall be paid for any other expenses incurred, unless first approved by the City Manager or his designee.
- E. CONSULTANT shall submit to CITY, by not later than the 10th day of each month, its bill for services itemizing the fees and costs incurred during the previous month. The City shall pay the Consultant all uncontested amounts set forth in the Consultant's bill within 30 days after it is received.

2. SCOPE OF SERVICES.

- A. CONSULTANT will perform the services and activities set forth in the SCOPE OF SERVICE attached hereto as Exhibit A and incorporated herein by this reference.
- B. Except as herein otherwise expressly specified to be furnished by CITY, CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space, and facilities necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. PAYMENTS. For CITY to pay CONSULTANT as specified by this Agreement, CONSULTANT must submit an invoice to CITY which lists the reimbursable costs, the specific tasks performed, and, for work that includes deliverables, the percentage of the task completed during the billing period.

4. TIME OF PERFORMANCE. The services of the CONSULTANT are to commence upon receipt of a notice to proceed from the CITY and shall continue until all authorized work is completed to the CITY's reasonable satisfaction, in accordance with the schedule incorporated in "Exhibit A," unless extended in writing by the CITY.

5. FAMILIARITY WITH WORK. By executing this Agreement, CONSULTANT represents that CONSULTANT has (a) thoroughly investigated and considered the scope of services to be performed; (b) carefully considered how the services should be performed; and (c) understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

6. KEY PERSONNEL. CONSULTANT's key person assigned to perform work under this Agreement is James Dingman. CONSULTANT shall not assign another person to be in charge of the work contemplated by this Agreement without the prior written authorization of the City.

7. TERM OF AGREEMENT. The term of this Agreement shall commence upon execution by both parties and shall expire on June 30, 2018 unless earlier termination occurs under Section 11 of this Agreement, or extended in writing in advance by both parties. Maximum term and any subsequent amendment or modification shall not exceed five (5) years.

8. CHANGES. CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.

9. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a Taxpayer Identification Number.

10. PERMITS AND LICENSES. CONSULTANT will obtain and maintain during the term of this Agreement all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

11. TERMINATION.

- A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause. Notice of termination shall be in writing.
- B. CONSULTANT may terminate this Agreement. Notice will be in writing at least 30 days before the effective termination date.
- C. In the event of such termination, the CONSULTANT shall cease services as of the date of termination, all finished or unfinished documents, data, drawings, maps, and other materials prepared by CONSULTANT shall, at CITY's option, become CITY's property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination.
- D. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.

12. INDEMNIFICATION.

- A. CONSULTANT shall indemnify, defend with counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONSULTANT's performance of work hereunder or its failure to comply with any of its obligations contained in this AGREEMENT, regardless of CITY'S passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the CITY. Should CITY in its sole discretion find CONSULTANT'S legal counsel unacceptable, then CONSULTANT shall reimburse the CITY its costs of defense, including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation. The CONSULTANT shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.
- B. The requirements as to the types and limits of insurance coverage to be maintained by CONSULTANT as required by Section 17, and any approval of said insurance by

CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

13. ASSIGNABILITY. This Agreement is for CONSULTANT's professional services. CONSULTANT's attempts to assign the benefits or burdens of this Agreement without CITY's written approval are prohibited and will be null and void.

14. INDEPENDENT CONTRACTOR. CITY and CONSULTANT agree that CONSULTANT will act as an independent contractor and will have control of all work and the manner in which it is performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. CONSULTANT is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.

15. AUDIT OF RECORDS.

- A. CONSULTANT agrees that CITY, or designee, has the right to review, obtain, and copy all records pertaining to the performance of this Agreement. CONSULTANT agrees to provide CITY, or designee, with any relevant information requested and will permit CITY, or designee, access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this Agreement. CONSULTANT further agrees to maintain such records for a period of three (3) years following final payment under this Agreement.
- B. CONSULTANT will keep all books, records, accounts and documents pertaining to this Agreement separate from other activities unrelated to this Agreement.

16. CORRECTIVE MEASURES. CONSULTANT will promptly implement any corrective measures required by CITY regarding the requirements and obligations of this Agreement. CONSULTANT will be given a reasonable amount of time as determined by the City to implement said corrective measures. Failure of CONSULTANT to implement required corrective measures shall result in immediate termination of this Agreement.

17. INSURANCE REQUIREMENTS.

- A. The CONSULTANT, at the CONSULTANT's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies:
 - 1. Workers Compensation Insurance as required by law. The Consultant shall require all subcontractors similarly to provide such compensation insurance for their respective employees. Any notice of cancellation or non-renewal of all Workers' Compensation

policies must be received by the CITY at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against the CITY, its officers, agents, employees, and volunteers for losses arising from work performed by the CONSULTANT for City.

2. General Liability Coverage. The CONSULTANT shall maintain commercial general liability insurance in an amount of not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.
 3. Automobile Liability Coverage. The CONSULTANT shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the CONSULTANT arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired, and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence.
 4. Professional Liability Coverage. The CONSULTANT shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from the CONSULTANT'S operations under this Agreement, whether such operations be by the CONSULTANT or by its employees, subcontractors, or subconsultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit-per-occurrence basis. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.
- B. Endorsements. Each general liability, automobile liability and professional liability insurance policy shall be issued by a financially responsible insurance company or companies admitted and authorized to do business in the State of California, or which is approved in writing by City, and shall be endorsed as follows. CONSULTANT also agrees to require all contractors, and subcontractors to do likewise.
1. "The CITY, its elected or appointed officers, officials, employees, agents, and volunteers are to be covered as additional insureds with respect to liability arising out of work performed by or on behalf of the CONSULTANT, including materials, parts, or equipment furnished in connection with such work or operations."
 2. This policy shall be considered primary insurance as respects the CITY, its elected or appointed officers, officials, employees, agents, and volunteers. Any insurance maintained by the CITY, including any self-insured retention the CITY may have,

shall be considered excess insurance only and shall not contribute with this policy.

3. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
 4. The insurer waives all rights of subrogation against the CITY, its elected or appointed officers, officials, employees, or agents.
 5. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents, or volunteers.
 6. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days' written notice has been received by the CITY.
- C. CONSULTANT agrees to provide immediate notice to CITY of any claim or loss against Consultant arising out of the work performed under this agreement. CITY assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve CITY.
 - D. Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the CITY's option, the CONSULTANT shall demonstrate financial capability for payment of such deductibles or self-insured retentions.
 - E. The CONSULTANT shall provide certificates of insurance with original endorsements to the CITY as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the CITY on or before commencement of performance of this Agreement. Current certification of insurance shall be kept on file with the CITY at all times during the term of this Agreement.
 - F. Failure on the part of the CONSULTANT to procure or maintain required insurance shall constitute a material breach of contract under which the CITY may terminate this Agreement pursuant to Section 11 above.

18. USE OF OTHER CONSULTANTS. CONSULTANT must obtain CITY's prior written approval to use any consultants while performing any portion of this Agreement. Such approval must include approval of the proposed consultant and the terms of compensation.

19. FINAL PAYMENT ACCEPTANCE CONSTITUTES RELEASE. The acceptance by the CONSULTANT of the final payment made under this Agreement shall operate as and be a release of the CITY from all claims and liabilities for compensation to the CONSULTANT for anything done, furnished or relating to the CONSULTANT'S work or services. Acceptance of payment shall be any negotiation of the CITY'S check or the failure to make a written extra compensation claim within ten (10) calendar days of the receipt of that check. However, approval or payment by the CITY shall not constitute, nor be deemed, a release of the responsibility and liability of the CONSULTANT, its employees, sub-consultants and agents for the accuracy and competency of the

information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by the CITY for any defect or error in the work prepared by the Consultant, its employees, sub-consultants and agents.

20. CORRECTIONS. In addition to the above indemnification obligations, the CONSULTANT shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the CITY, and the cost thereof shall be charged to the CONSULTANT. In addition to all other available remedies, the City may deduct the cost of such correction from any retention amount held by the City or may withhold payment otherwise owed CONSULTANT under this Agreement up to the amount of the cost of correction.

21. NON-APPROPRIATION OF FUNDS. Payments to be made to CONSULTANT by CITY for services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted fund. In the event that CITY does not appropriate sufficient funds for payment of CONSULTANT'S services beyond the current fiscal year, the Agreement shall cover payment for CONSULTANT'S only to the conclusion of the last fiscal year in which CITY appropriates sufficient funds and shall automatically terminate at the conclusion of such fiscal year.

22. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

CITY	CONSULTANT
<u>City of Banning</u> <u>99 East Ramsey Street</u> <u>Banning, CA 92220</u>	<u>Capital Realty Analysts, Inc.</u> <u>78100 Main Street, Ste. 202</u> <u>La Quinta, CA 92253</u>
ATTN: City Manager	ATTN: James Dingman

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph. Courtesy copies of notices may be sent via electronic mail, provided that the original notice is deposited in the U.S. mail or personally delivered as specified in this Section.

23. SOLICITATION. CONSULTANT maintains and warrants that it has not employed nor retained any company or person, other than CONSULTANT's bona fide employee, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than CONSULTANT's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should CONSULTANT breach or violate this warranty, CITY may rescind this Agreement without liability.

24. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party.

There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.

25. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

26. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written.

27. RULES OF CONSTRUCTION. Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.

28. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment with signatures of all parties to this Agreement. CITY's city administrator, or designee, may execute any such amendment on behalf of CITY.

29. ACCEPTANCE OF FACSIMILE OR ELECTRONIC SIGNATURES. The Parties agree that this Contract, agreements ancillary to this Contract, and related documents to be entered into in connection with this Contract will be considered signed when the signature of a party is delivered by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.

30. FORCE MAJEURE. Should performance of this Agreement be impossible due to fire, flood, explosion, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' control, then the Agreement will immediately terminate without obligation of either party to the other.

31. TIME IS OF ESSENCE. Time is of the essence to comply with dates and schedules to be provided.

32. ATTORNEY'S FEES. The parties hereto acknowledge and agree that each will bear his or its own costs, expenses and attorneys' fees arising out of and/or connected with the negotiation, drafting and execution of the Agreement, and all matters arising out of or connected therewith except that, in the event any action is brought by any party hereto to enforce this Agreement, the prevailing party in such action shall be entitled to reasonable attorneys' fees and costs in addition to all other relief to which that party or those parties may be entitled.

33. STATEMENT OF EXPERIENCE. By executing this Agreement, CONSULTANT represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CITY. CONSULTANT represents that its financial resources, surety and insurance experience, service experience, completion ability,

personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that CONSULTANT is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

34. DISCLOSURE REQUIRED. (City and Consultant initials required at one of the following paragraphs)

By their respective initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is a "consultant" for the purposes of the California Political Reform Act because Consultant's duties would require him or her to make one or more of the governmental decisions set forth in Fair Political Practices Commission Regulation 18701(a)(2) or otherwise serves in a staff capacity for which disclosure would otherwise be required were Consultant employed by the City. Consultant hereby acknowledges his or her assuming-office, annual, and leaving-office financial reporting obligations under the California Political Reform Act and the City's Conflict of Interest Code and agrees to comply with those obligations at his or her expense. Prior to consultant commencing services hereunder, the City's Manager shall prepare and deliver to consultant a memorandum detailing the extent of Consultant's disclosure obligations in accordance with the City's Conflict of Interest Code.

City Initials _____
Consultant Initials _____

OR

By their initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is not a "consultant" for the purpose of the California Political Reform Act because Consultant's duties and responsibilities are not within the scope of the definition of consultant in Fair Political Practice Commission Regulation 18701(a)(2)(A) and is otherwise not serving in staff capacity in accordance with the City's Conflict of Interest Code.

City Initials _____
Consultant Initials _____

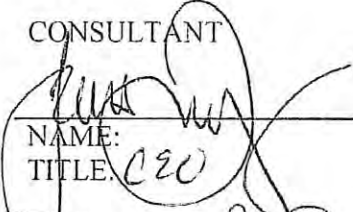
IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF BANNING



MICHAEL ROCK, CITY MANAGER

CONSULTANT


By:


NAME:
TITLE: CEO

By:



NAME:
TITLE: secretary

ATTEST:


Marie A. Calderon, City Clerk

33-0750928
Tax ID No.

APPROVED AS TO FORM:


John C. Cotti, Interim City Attorney

Two signatures are required if a corporation

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 SANTA BARBARA)
 On JUNE 21, 2017 before me, CATHERINE A. PARR, NOTARY PUBLIC
 Date Here Insert Name and Title of the Officer
 personally appeared JAMES DINGMAN AND PHOEBE A. SMITH
 Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature Catherine A. Parr
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

EXHIBIT A



CITY OF BANNING
CALIFORNIA
REQUEST FOR QUOTATION

This is not an order

QUOTE NUMBER

RFQ #17-021

INSTRUCTIONS:

1. Quotation must be on this form.
2. Complete and sign all pages of the quotation.
3. Return this form plus all Attachments.
4. Quote on each item separately; all or none bids may not be accepted unless otherwise specified.
5. Price alone may not be the final determining factor.
6. Declination - in the event you elect not to quote, please inform us on this form and return by the bid due date indicated.
7. Out of state vendors must include California sales tax permit number.

Date: April 26, 2017

TO

Capital Realty Analysts

QUOTES WILL BE RECEIVED UNTIL

10:00 A.M., May 15, 2017

AT THE PURCHASING DIVISION

99 E. RAMSEY STREET

P.O. BOX 998

BANNING, CA 92220

(951) 922-3181

VENDOR MAY EMAIL QUOTE TO:

tshove@ci.banning.ca.us

QUOTATIONS ARE REQUESTED FOR FURNISHING THE ITEMS DESCRIBED HEREIN IN ACCORDANCE WITH STATED TERMS AND CONDITIONS.

ALL QUOTATIONS MUST BE F.O.B. DESTINATION AND INCLUDE COST OF BOXING AND CARTAGE TO DELIVERY POINT STATED BELOW. BID PRICES ARE TO INCLUDE ANY FREIGHT AND DELIVERY CHARGES.

QUOTE YOUR MOST COMPETITIVE PRICES

FOR: Real Estate Appraisal Services

CONTACT PERSON: Ted Shove (951) 922-3181

THE CITY OF BANNING RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.
LOWEST QUALIFIED BID MAY BE SUBJECT TO FURTHER NEGOTIATIONS.

THE CITY OF BANNING WILL ACCEPT CASH DISCOUNTS FOR PROMPT PAYMENT OF INVOICES IF THE LONGER TERM OFFERED IS FOR TWENTY (20) WORKING DAYS OR LONGER.

TERMS % 30 DAYS

PLEASE QUOTE YOUR BEST DELIVERY IN
CALENDAR DAYS: 30

The undersigned, as bidder, declares that all documents regarding this quote have been examined and accepted and that, if awarded, will enter into a price agreement with the City of Banning.

Capital Realty Analysts

Company name as it appears on your invoices

78100 Main Street - Suite 202

760-219-2126

Address

Telephone

La Quinta
City

CA
State

92253
Zip

[Signature]
Authorized Signature

CEO

Title

83-0750428

Federal ID Number

5/11/2017

Date

RETAIN ONE COPY FOR YOUR FILES

ALL QUOTATIONS MUST BE SIGNED

City of Banning RFQ #17-021
Real Estate Appraisal Services
Scope of Work/Bid Sheet

Dear Bidders:

The City of Banning (hereinafter referred to as the "City") is requesting bids from a qualified public entity or private firm, for the real estate appraisal services. This is an informal Request for Quote for the Scope of Work indicated below. To be considered, please respond fully and promptly. The City has several prospective sites that immediately require real estate appraisals. All responses to this RFQ are to be submitted by email, tshove@ci.banning.ca.us, no later than 10:00 a.m. on May 15, 2017.

Project Management

The Consultant will manage the entire appraisal assignment and coordinate with the City. Appraisal services will be performed by a Certified General Appraiser and/or a staff appraiser under the direction of a Certified General Appraiser. The firm will be required (independent of the City) to determine the value of real estate for acquisition purposes. Appraiser must specialize in determining the value of specific vacant land types of real estate. It is highly desirable for the lead appraiser to have five years' experience.

Technical Analyses and Technical Report Preparation

Prepare the appropriate appraisal reports as requested by the City. All reports must comply with Uniform Standards of Professional Appraisal Practice (USPAP).

Timelines

Provide estimated time necessary to complete various appraisal assignments, for example (vacant land, commercial buildings, residential, etc.). Completion of the assignment should be two to three weeks from time of engagement and not exceed four weeks. Please identify your capability to accept and complete rush assignments (including additional cost).

Final Reporting

Three (3) paper copies of complete appraisal report should be bound and presented to the City. At the City's request, an electronic copy of the final report shall be made available to the City.

Appraisals shall include all required components as defined by USPAP and elaborate on any departures from USPAP.

Project Team Qualifications, Experience and Roles

Including but not limited to:

- Describe your firm's experience and area of expertise. Include supporting materials.
- Provide the names and contact person(s) for which your firm has provided this type of service.
- List specific services provided for each.
- Provide a minimum of three (3) references, (include email addresses for contacts).
- Designate the individual who will be responsible for managing this agreement.
- Provide resumes of all appraisers that will be party to this agreement.
- Provide a brief description of their experience and their roles.
- Provide copies of current appraiser's license(s) and professional certifications including MAI certification.
- Tell us about the most complicated appraisal assignment you have completed.
- Explain if you have ever been required to defend your appraisal in court or provide expert testimony and the outcome of it.
- Submit copy of Errors and Omissions Insurance (E&O).
- Proof of good standing letter from Office of Real Estate Appraisers (OREA).
- Explain if you have ever been disciplined by OREA for any reason.

Project Budget and Fee Schedule

Provide a proposed fee schedule specifying rates for appraisals. The City understands that actual fees will be determined on a case-by-case basis, however, submit a line item pricing matrix using the example below for standard services provided, including any expedited processing fees/charges.

RESIDENTIAL APPRAISALS

Standard Single-family dwelling & Lot	\$ <u>375.00</u>
Additional cost per single-family dwelling on same lot	\$ <u>150.00</u>
Vacant/Unimproved Residential Lots	\$ <u>300.00</u>
The proposed time to complete a Residential Real Estate Appraisal Project:	<u>2 weeks</u>
Expedited (additional cost/time reduction)	\$ <u>150</u> / <u>Week</u>

COMMERCIAL APPRAISALS

Appraisal (Sales Comparables)	\$ <u>1500</u>
Appraisal (Income Capitalization)	\$ <u>1500</u>
Appraisal (Cost Approach)	\$ <u>1500</u>
Appraisal (Vacant Land)	\$ <u>2200</u>
The proposed time to complete a Commercial Real Estate Appraisal Project:	<u>Four weeks</u>
Expedited (additional cost/time reduction)	\$ <u>1500</u> / <u>Week</u>

OTHER SERVICES

Appraisal reviews	\$ <u>200/1000</u> (Res/Commercial)
Court Appearance and/or Testimony	
Per hour Rate (Up to 4 hrs)	\$ <u>\$375.</u>
Flat Rate (4+ hrs)	\$ <u>1500.00</u>
Per Hour Rate/Court Preparation	\$ <u>275.00</u>

Bidder acknowledges by signing below that bidder has read, understands, and agrees to the conditions contained herein and on all of the attachments and addenda.

TO THE CITY OF BANNING:

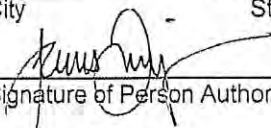
The Undersigned hereby offers and shall furnish the material or service in compliance with all terms, scope of work, conditions, specifications, and amendments in the Request for Quotes which is incorporated by reference as if fully set forth herein.

For clarification of this offer, contact:

Capital Realty Analysts
Company Name

78100 Main Street - Suite 202
Address

La Quinta CA 92253
City State Zip


Signature of Person Authorized to Sign

James Dingman
Printed Name

CEO
Title

Name: James Dingman

Title: CEO

Phone: (760) 219-2126

Fax: 866-979-3888

E-mail: jim@realtyadvisor.com

ATTACHMENT 3

Resolution 2017-110 Amendment #1

RESOLUTION 2017-110

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAPITAL REALTY ANALYSTS, INC. FOR A TOTAL CONTRACT AMOUNT OF \$118,600 THROUGH FISCAL YEAR 2017/2018 FOR REAL ESTATE APPRAISAL SERVICES

WHEREAS, on July 1, 2017, City Council approved an agreement with Capital Realty Analysts Inc. (CRA) of La Quinta, California for Real Estate Appraisal Services in an amount not to exceed \$25,000 for the 2017/18 Fiscal Year; and

WHEREAS, the Community Development Department is responsible for CRA contract management and has received requests from other departments for CRA's services that exceed the current authorized appropriation; and

WHEREAS, the services requested are required to determine fair market valuations to acquire right of way dedications, so construction can commence; and

WHEREAS, the First Amendment includes the addition of \$93,600 to the contract amount, which requires an appropriation from Account No. 480-9500-490.93-15 (Ramsey and Hathaway Street Widening) and from the Joshua Palmer Way Realignment TUMF Reimbursement Agreement.

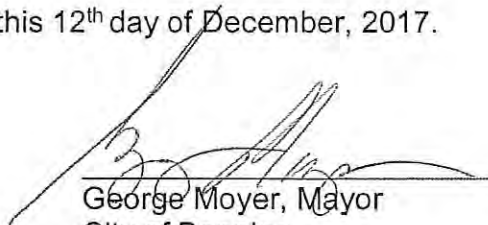
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning as follows:

SECTION 1. The Banning City Council adopts Resolution 2017-110 approving the First Amendment to the Professional Services Agreement with Capital Realty Analysts, Inc. of La Quinta, California for an additional amount of \$93,600 for the remainder of Fiscal Year 2017/2018.

SECTION 2. The Administrative Services Director is authorized to make necessary budget adjustments, appropriations and transfers related to this amendment.

SECTION 3. The City Manager is authorized to execute the First Amendment to the Professional Services Agreement with Capital Realty Analysts, Inc. of La Quinta, California, in a form approved by the City Attorney.

PASSED, APPROVED AND ADOPTED this 12th day of December, 2017.


George Moyer, Mayor
City of Banning

ATTEST:

A handwritten signature in blue ink, appearing to read 'Sonja De La Fuente', written over a horizontal line.

Sonja De La Fuente, Deputy City Clerk
City of Banning

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

A handwritten signature in blue ink, appearing to read 'Kevin G. Ennis', written over a horizontal line.

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 2017-110, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 12th day of December, 2017, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

A handwritten signature in black ink, appearing to read 'Sonja De La Fuente', written over a horizontal line.

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

**FIRST AMENDMENT TO AGREEMENT FOR
PROFESSIONAL SERVICES BETWEEN THE CITY OF
BANNING AND CAPITAL REALTY ANALYSTS, INC.**

THIS FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES ("Amendment") is effective as of the 12th day of December 2017 and is an amendment to that AGREEMENT by and between the CITY OF BANNING ("City") and CAPITAL REALTY ANALYSTS, a California corporation ("Consultant") that was entered into on July 1, 2017.

RECITALS

A. City and Consultant entered into that certain Agreement for Professional Services dated July 1, 2017 ("Agreement") whereby Consultant agreed to perform the real estate appraisal services in connection with acquisition of real property by the City.

B. City and Consultant now desire to amend the Agreement, to add additional services related to real estate appraisal work for the Hathaway Ramsey Street Widening Project and the Joshua Palmer Way Realignment Project and to include additional compensation to Consultant for this additional work.

C. City and Consultant now desire to amend the Agreement, to include additional compensation for the additional services in the amount of Ninety Three Thousand, Six Hundred Dollars (\$93,600.00) for the total contract amount not to exceed ONE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED DOLLARS (\$118,600.00).

TERMS

1. **Contract Changes.** The Agreement is amended as provided herein.

(a) **Scope of Services:** Paragraph A of Section 1 of the Agreement is hereby amended to add a new second sentence to read as follows:

"In addition, Consultant shall perform real estate appraisal work, as directed by the Public Works Director and the Economic Development Manager, in connection with the Hathaway Ramsey Street Widening Project and the Joshua Palmer Way Realignment Project."

(b) **Compensation:** Paragraph B of Section 1 of the Agreement is hereby amended to read as follows:

"As additional consideration, CITY agrees to pay CONSULTANT a total of One Hundred Eighteen Thousand Six Hundred Dollars (\$118,600.00), for CONSULTANT'S services, unless otherwise specified by written amendment to this Agreement."

2. **Continuing Effect of Agreement.** Except as amended by this Amendment, 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 Professional Services Agreement.

3. Affirmation of Agreement; Warranty Re Absence of Defaults. City and Consultant 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.

Consultant 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 Consultant that, as of the date of this Amendment, Consultant 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.


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

CITY:

CITY OF BANNING, a municipal corporation


Alejandro Diaz, Interim City Manager

ATTEST:


Marie Calderon, City Clerk
Sonja DeLaFuente, Deputy City Clerk
APPROVED AS TO FORM:
RICHARDS, WATSON & GERSHON

Kevin G. Ennis, City Attorney

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** City and Consultant 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.

Consultant 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 Consultant that, as of the date of this Amendment, Consultant 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.


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

CITY:

CITY OF BANNING, a municipal corporation


Alejandro Diaz, Interim City Manager

ATTEST


Marie Calderon, City Clerk
Sonja DeLaFuente, Deputy City Clerk
APPROVED AS TO FORM:
RICHARDS, WATSON & GERSHON


Kevin G. Ennis, City Attorney

CONSULTANT:

By: _____

James Dingman
Chief Executive Officer

By: _____

Phoebe A. Smith
Secretary

Two signatures are required if a corporation

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 SANTA BARBARA

On JANUARY 3, 2018 before me, Notary Public, CATHERINE A. PARR
personally appeared JAMES DINGMAN AND PHOEBE A. SMITH

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) 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.



Place Notary Seal Above

Catherine A. Parr
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partner – ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

ATTACHMENT 4

Proposed First Amendment

AMENDMENT NO. 2 TO AGREEMENT FOR
REAL ESTATE APPRAISAL SERVICES

THIS AMENDMENT NO. 2 TO THE AGREEMENT FOR REAL ESTATE APPRAISAL SERVICES (“Amendment No. 2”) by and between the **CITY OF BANNING** (“CITY”) and **CAPITAL REALTY ANALYSTS, INC., a California Corporation** (“Consultant”) is effective as of the 1st day of July, 2018.

RECITALS

A. CITY and Consultant entered into that certain Agreement for Professional Services for real estate appraisal services in connection with acquisition of real property by the City dated July 1, 2017 (“Agreement”). The Agreement provided that Consultant would provide those services specified in the Scope of Work attached to the Agreement as Exhibit “A” (hereafter, “Real Estate Appraisal 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 December 12, 2017, CITY adopted City Council Resolution No. 2017-110, which authorized additional services related to real estate appraisal work for the Hathaway Ramsey Street Widening Project and the Joshua Palmer Way Realignment Project and to include additional compensation to Consultant for this additional work, in the amount of Ninety Three Thousand, Six Hundred Dollar (\$93,600.00) for the total contract amount not to exceed One Hundred Eighteen Thousand Six Hundred Dollars (\$118,600.00).

C. CITY and Consultant now desire to amend the Agreement to extend the contract period to June 30, 2019.

D. On June 26, 2018, CITY adopted City Council Resolution No. 2018-89, which authorized the exercise of the first option to renew the Agreement for an additional one-year term, ending on June 30, 2019.

TERMS

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

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

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

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** CITY and Consultant 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.

Consultant 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 Consultant that, as of the date of this Amendment, Consultant 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

CONSULTANT:

By: _____
Name:
Title:

By: _____
Name:
Title:
Address:

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 _____, 2018 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.

<p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="checkbox"/> INDIVIDUAL</p> <p><input type="checkbox"/> CORPORATE OFFICER</p> <p>_____</p> <p style="text-align: center;">TITLE(S)</p> <p><input type="checkbox"/> PARTNER(S) <input type="checkbox"/> LIMITED</p> <p style="padding-left: 150px;"><input type="checkbox"/> GENERAL</p> <p><input type="checkbox"/> ATTORNEY-IN-FACT</p> <p><input type="checkbox"/> TRUSTEE(S)</p> <p><input type="checkbox"/> GUARDIAN/CONSERVATOR</p> <p><input type="checkbox"/> OTHER _____</p> <p>SIGNER IS REPRESENTING: (NAME OF PERSON(S) OR ENTITY(IES))</p> <p>_____</p> <p>_____</p>	<p>DESCRIPTION OF ATTACHED DOCUMENT</p> <p>_____</p> <p style="text-align: center;">TITLE OR TYPE OF DOCUMENT</p> <p>_____</p> <p style="text-align: center;">NUMBER OF PAGES</p> <p>_____</p> <p style="text-align: center;">DATE OF DOCUMENT</p> <p>_____</p> <p style="text-align: center;">SIGNER(S) OTHER THAN NAMED ABOVE</p>
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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Ted Shove, Economic Development Manager

MEETING DATE: June 26, 2018

SUBJECT: Receive and File – Update on Lease Agreement Documents By and Between the City of Banning and the California National Guard

RECOMMENDED ACTION:

Receive and file update on lease by and between the City of Banning and the California National Guard.

BACKGROUND:

In November 2017, Mark McGuire from California's Department of General Services sent non-negotiable documents that included a Ground Lease Amendment (#3) and Building Space Sublease. The purpose for the ground lease document was to provide for amending a provision in the original lease with the City to sublet the facility. The second document, Building Space Sublease was for a five year term for \$1,500.00/month assigned to the Banning Police Activities League ("BPAL") to commence on December 1, 2017. The sublease was written in such a way to allow for the City to make improvements to the facility in exchange for rent (subject to prior approval by the State).

Staff communicated concerns with the amount of monthly rent, specifically citing the community rehabilitation efforts in the past, condition of the facility, continued deferred maintenance, and how the lease rate was determined.

The State determined (but were unable to explain the rationale for the determination) that the building shall be leased at \$1,500.00/month in line with local area comparable leases, regardless of past community rehabilitation efforts, condition of facility, and continued deferred maintenance.

The State was only willing to consider BPAL as a non-profit organization and subsidiary to the City as a sublease. In discussing the possibility of maintaining access to the facility by the City's Community Services Department, the option of the monthly lease was the only one that would be considered. In addition, upon intended use of the facility, the State would condition the City to inform the State with which groups would utilize the facility, in addition to the City paying the lease and maintaining the premises.

The other option discussed, for occasional use (i.e. City events 1-2 times per month), would be to gain approval for a day use license. The day use would be considered by contacting the Military Department, with approval granted on a case by case basis. The facility could then be used at a standard rate of \$75/hour. Additionally, a soldier would need to unlock and then secure the facility and may also be required to supervise any events held at the Banning Armory (an additional \$150/day). The approval process is more informal with communications through email (no formal application) and the approximate approval timeframe is 30 days. All parties responsible for using the Armory would also be required to provide \$2M in insurance.

Since January 2018, the State's stance on compensation for use of the Armory has not changed, thus no further discussion of use by staff has occurred.

FISCAL IMPACT:

None.

OPTIONS:

1. Receive and file.
2. Provide staff alternate direction.

Approved by:



Rochelle Clayton
Interim City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Robert Fisher, Interim Police Chief
Daniele Savard, Executive Assistant

MEETING DATE: June 26, 2018

SUBJECT: Resolution No. 2018-79, Approving payment in the amount of \$31,068 for Riverside County's California Identification System (CAL-ID) Member Agency Assessment FY2018/2019 to provide the Banning Police Department with local agency access to the CAL-ID system maintained by the Department of Justice for retaining fingerprint files and identifying latent fingerprints.

RECOMMENDED ACTION:

Staff recommends that the City Council adopt Resolution No. 2018-79, approving payment in the amount of \$31,068 to the Riverside County Sheriff's Department for the Banning Police Department's FY2018/2019 Member Agency Assessment.

BACKGROUND:

The California Identification System (CAL-ID) is the automated system maintained by the Department of Justice for retaining fingerprint files and identifying latent fingerprints. Each year, participating local agencies are required to contribute to CAL-ID. The amount is based upon a use-based sharing methodology derived from population data from the previous year which is used to compute the current fiscal year's member agency assessment. Our member agency assessment for FY2018/2019 is \$31,068.

JUSTIFICATION:

CAL-ID is the clearinghouse used for identification of persons throughout the State of California. Through this system, local agencies can submit fingerprint identifications for comparison with data supplied by other law enforcement agencies in the State. Access to the CAL-ID system is vital for the identification of suspects.

FISCAL IMPACT:

Funding is available in the City budget; Ref: Account # 001-2200-421.41-26 CAL-ID SYSTEM.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2018-79
2. Member Agency Assessment for Cal ID (5 Year Lookback)
3. CAL-ID webpage informational printout

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-79

RESOLUTION 2018-79

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE FY2018/2017 MEMBER AGENCY ASSESSMENT IN THE AMOUNT OF \$31,068 TO PROVIDE THE BANNING POLICE DEPARTMENT WITH LOCAL AGENCY ACCESS TO THE CAL-ID SYSTEM FOR RETAINING FINGERPRINT FILES AND IDENTIFYING LATENT FINGERPRINTS

WHEREAS, California Identification System (CAL-ID) is the automated system maintained by the Department of Justice for retaining fingerprint files and identifying latent fingerprints; and

WHEREAS, Each year, participating local agencies are required to contribute to CAL-ID; the amount is based upon a use-based sharing methodology derived from population data from the previous year which is used to compute the current fiscal year's member agency assessment ; and

WHEREAS, Access to the CAL-ID system is vital for the identification of suspects; and

WHEREAS, Funding is available in the City's Budget; Account No. 001-2200-421.41-26 CAL-ID SYSTEM.

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

SECTION 1. The Banning City Council adopts Resolution 2018-79 approving the FY2018/2019 Member Agency Assessment in the amount of \$31,068 for the Banning Police Department's contribution for assessing the system maintained by the Department of Justice for retaining fingerprint files and identifying latent fingerprints.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-79, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

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

ATTACHMENT 2

Member Agency Assessment for Cal ID
(5 Year Lookback)

**RIVERSIDE COUNTY SHERIFF'S DEPARTMENT
VENDOR# 1642
ACCT# 001-2200-421.41.26 CAL-ID SYSTEM**

**RIVERSIDE CAL-ID ANNUAL MEMBER AGENCY ASSESSMENT
PAYMENTS BY FISCAL YEAR**

FISCAL YEAR	AMOUNT	DESCRIPTION
FY19	\$ 31,068.00	FY18-19 MEMBER AGENCY ASSESSMENT
FY18	\$ 30,834.00	FY17-18 MEMBER AGENCY ASSESSMENT
FY17	\$ 30,491.00	FY16-17 MEMBER AGENCY ASSESSMENT
FY16	\$ 30,325.00	FY15-16 MEMBER AGENCY ASSESSMENT
FY15	\$ 30,170.00	FY14-15 MEMBER AGENCY ASSESSMENT

Population data taken from the California Department of Finance Report issued in May 1, 2017 City/County Population Estimates with Annual Percentage Change, January 1, 2016 and 2017.

Population data from the previous year is used to compute the current fiscal year's member agency assessment.

ATTACHMENT 3

California Identification System (CAL-ID)

California Identification System (CAL-ID) is the automated system maintained by the Department of Justice for retaining fingerprint files and identifying latent fingerprints.

Riverside County's CAL-ID began in California in 1985 under SB190 and its function is described in [Penal Code 11112.1 - 11112.7](#). In order for a county to receive funding and operate as a Full Use Access Agency with their own CAL-ID, a population of 1.5 million was required. At the time, neither Riverside or San Bernardino was able to meet the population requirement on their own and a regional CAL-ID was formed between the two counties.

Per 11112.4 PC, each CAL-ID formed a Remote Access Network (RAN) board and the section specifies how the members are selected. The RAN board consists of the Sheriff, the Chief of Police from the largest police agency, the District Attorney, a member of the Board of Supervisors, a second Chief of Police selected by all other chiefs (usually through RCLEAA), a mayor, and a member-at-large. The current Riverside CAL-ID RAN Board members are:

- Stan Sniff (Chairman)
Sheriff, Riverside County
- Mike Hestrin
District Attorney, Riverside County
- Manuel Perez
Supervisor, Riverside County
- Sergio Diaz
Chief of Police, City of Riverside
- Bryan Reyes
Chief of Police, City of Palm Springs
- Sean Hadden
Chief of Police, City of Murrieta

- Stanley Henry
Mayor, Cathedral City

As of today, the Riverside/San Bernardino CAL-ID is one of the largest in the state and viewed as the most progressive and innovative. Our Automated Fingerprint Identification System (AFIS) and Cal-Photo repository is combined with San Bernardino and is currently the fastest and most efficient in the country.

Mobile ID



The Riverside – San Bernardino Mobile ID project is operating with great successes and it's the only one in the entire state to search the California Department of Justice (DOJ) database.

Our Mobile ID program is known nationwide and agencies from around the country (even one from Great Britain) have come to us seeking advice in order to start their own program. From virtually anywhere, deputies and police officers can capture thumbprints from an individual and check their identity against our local criminal database and the state's criminal and applicant database.

Project Manager

Cal-ID Projects

Riverside Cal-ID

Lieutenant Mark Rigali

P.O. Box 512

Riverside, CA 92501

951-955-2740

- Live Scan
- Fast ID
- DNA Live Scan (DOJ Project/CAL-ID assist only)
- Facial Recognition
- Technical Advisory Committee (TAC)
- Business Manager's Alliance (BMA)
- AFIS
- Grants
- Palm Print Database
- Homeland Security Database Access
- DNA Lab

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Rochelle Clayton, Interim City Manager

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-93, Authorizing a Letter of Opposition to Assembly Bill 1912 (Rodriguez)

RECOMMENDED ACTION:

That the City Council approve Resolution 2018-93, authorizing an opposition letter to Assembly Bill 1912 (Rodriguez).

BACKGROUND:

Current law establishes various public agency retirement systems where each system provide defined pension benefits to public employees based on age, service credit, and amount of final compensation. The partnership between two or more local or state agencies allows Joint Powers Authorities ("JPAs") to jointly address public needs and provide services by combining resources and reducing costs. JPAs are particularly useful for rural counties, as they allow for economies of scale and regional solutions for our communities.

AB 1912, among other provisions, specifies that if an agency to an existing or future JPA participates in a public retirement system, all parties, both current and former to the agreement, would be jointly and severally liable for all obligations to the retirement system. By applying joint several liability, debts would rise dramatically, and in many cases will exceed a county's annual revenue. AB 1912 could have dire financial consequences for California's rural counties that are already struggling to meet spiraling pension obligations. AB 1912 would open the door to significant liability on local governments, threaten the ability to use JPAs, and put hundreds JPAs over their debt limit.

The League of California Cities has written a letter in opposition to AB 1912 (attached).

JUSTIFICATION:

This item was requested by Council on May 22, 2018.

FISCAL IMPACT:

The pending legislation could result in negative impacts to the City's General Fund due to the potential pension obligation by the City.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2018-93
2. Letters of Opposition – Draft
3. League of California Cities Letter
4. Current Legislation Text.

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-93

RESOLUTION 2018-93

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, OPPOSING CALIFORNIA ASSEMBLY BILL 1912 (RODRIGUEZ)

WHEREAS, on March 19, 2018 Assembly Bill 1912 (Rodriguez) was introduced;
and

WHEREAS, Assembly Bill 1912 (Rodriguez), seeks to introduce additional onerous requirements on local agencies in connection with public agency retirement system pension benefits based on partnerships with other agencies by way Joint Powers Authorities; and

WHEREAS, the California constitutional debt limit prohibits an agency from incurring indebtedness beyond the agency's ability to pay the debt back from revenues received in the same fiscal year without the approval of two-thirds of its voters; and

WHEREAS, Joint Powers Authorities are tools state and local government agencies use to address service demands and infrastructure needs in a cost effective manner; and

WHEREAS, Assembly Bill 1912 (Rodriguez) provides vague and ambiguous direction that demonstrates a fundamental misunderstanding of the formation, management and purpose of a JPA which will inevitably lead to a perpetual cycle of protracted and costly litigation contesting the retirement agency's discretion of proportional liability; and

WHEREAS, Assembly Bill 1912 (Rodriguez) further places undue hardship on local agencies.

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

SECTION 1. The Banning City Council adopts Resolution 2018-93 opposing California Assembly Bill 1912 (Rodriguez).

SECTION 2. The Mayor is authorized to execute an opposition letter to AB 1912 and transmit it to the Bill's author.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-93, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26TH day of June, 2018, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch, Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

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

ATTACHMENT 2

Letter of Opposition - Draft



CITY OF BANNING

99 E. Ramsey Street • P.O. Box 998 • Banning, CA 92220 • (951) 849-2414

OFFICE OF THE CITY COUNCIL

June 26, 2018

The Honorable Freddie Rodriguez
State Capitol Building, Room 2188
Sacramento, CA 95814
Via Fax: 916-319-2152

RE: AB 1912 (Rodriguez) Public Employees' Retirement: Joint Powers Agreements: Liability. Notice of Opposition (as Amended 4/19/18)

Dear Assembly member Rodriguez:

The City of Banning must respectfully oppose your Assembly Bill (AB) 1912 relating to retirement liabilities of Joint Powers Authorities (JPA).

JPA's play a vital role in addressing public needs that cannot be effectively achieved by a local agency acting on its own. Our city faces unique local challenges and a limited budget, but we continue to innovate in order to obtain expertise and provide high quality services through the use of JPAs.

City of Banning is deeply concerned that JPAs will no longer be a viable tool should AB 1912 become law.

As amended, AB 1912 places substantial burdens and new unworkable requirements on cities by applying retroactive as well as prospective joint and several liability for all retirement related obligations to any current or former member of a JPA throughout its existence. Such obligations include active employee normal pension costs, retiree unfunded accrued liabilities (UAL) as well as both active and retiree healthcare and other post-employment retirement benefits (OPEB). According to the State Controller's Office most recently available data, the unfunded liability of California's 130 state and local government pension plans stand at \$241.3 billion and 125 billion for retiree healthcare costs. These costs and their impact on local governments cannot be overstated.

Additionally, the measure would mandate that a public retirement agency file suit against all agencies that have ever been a member of a terminated JPA for all retirement related obligations and prohibits any retirement system from approving a new JPA without express joint and several liability provisions. The provisions in AB 1912 create constitutional, fiscal and operational challenges, which would effectively eliminate the ability for use to create or maintain the use of most JPA's.

Specifically AB 1912:

Conflicts with Provisions of the California State Constitution:

The California constitutional debt limit prohibits an agency from incurring indebtedness beyond the agency's ability to pay the debt back from revenues received in the same fiscal year without the approval of two-thirds of its voters (Cal Const. art XVI, §18). These safeguards were placed in the State's constitution to avoid a situation in which bond issuers might compel an increase in taxes or foreclose on local government assets (City of Redondo Beach v Taxpayers, Property Owners, Citizens & Electors (1960) 54 C2d 126, 131; County of Shasta v County of Trinity (1980) 106 CA3d 30, 35).

By applying retroactive joint and several liability to existing contracts, we have strong concerns that City of Banning will incur significant debts that may exceed our annual revenue without receiving voter approval—thus violating the sighted provision.

Further, it can be argued that retroactively incurring debts of another agency violates article XVI, §6 of the California Constitution which prohibits an agency from giving or lending public funds to any person, public or private entity. A JPA is an independent governmental body whereby the City of Banning has no legal, statutory oversight or managing authority. Liabilities from such entities retroactively applied to each member agency would constitute a gift of public funds to an individual(s) and/or public entity.

Gives Retirement Agency Authority to Increase the Amount Owed Through Assumption Changes and/or Investment Losses:

Retirement obligations are unlike other forms of traditional debts and liabilities. Unfunded retirement liabilities are particularly volatile and can grow to insurmountable costs based on no fault of the agencies who contract with a retirement system for health and pension benefits. It is estimated that in fiscal year 2008-2009 the California Public Employee Retirement System (CalPERS) lost approximately \$100 billion dollars in assets resulting in a gross loss of 34.75 percent of the fund's total value. According to CalPERS (CL#200-004-17) employer contributions are projected to double by fiscal year 24-25. Additionally, those numbers are poised to grow even more in the short term when factoring CalPERS recent decision to modify its amortization schedule from 30 years to 20.

The measure would hold all agencies of a JPA accountable for the investment shortfalls, future discount rate reductions, and other assumptions changes made by the retirement agencies even if the agencies are able to pay the lump sum amount of the current unfunded liability from the JPA.

Gives Exclusive Authority to the Retirement Agency to Assign Liability:

As stated in SEC 6 subsection (d), AB 1912 would grant exclusive authority to the public retirement agency to unilaterally assign liabilities to all current and former agencies of a JPA "in an equitable manner". JPA's have been in existence in California for nearly 100 years with state and local agencies—some as many as 500 entering and exiting these governmental bodies as service demands shift and evolve. It would be virtually impossible for the JPA's governmental body, let alone a retirement agency, to retroactively assign "equitable" retirement specific liabilities to potentially hundreds of agencies. This is especially concerning when you factor in the various assumptions changes outlined in the section above.

This vague and ambiguous direction demonstrates a fundamental misunderstanding of the formation, management and purpose of a JPA which will inevitably lead to a perpetual cycle of protracted and costly litigation contesting the retirement agency's discretion of proportional liability.

Creates Funding and Operational Impairments:

The Governmental Accounting Standards Board (GASB) issued regulations (GASB 68, 2012 and 76, 2015) that require each state and local agency to report all financial liabilities associated with public pension and OPEB liabilities. These reporting standards play a vital role in assessing the fiscal health and viability of an agency. Incurring retroactive debt would require each originating agency of a JPA to report these liabilities as debts impacting an agency's net financial position. A drastic spike in liability could contribute to the downgrading of an agency's credit rating, which in turn would make issuing and servicing future bonds more costly through higher interest costs and additional required insurance.

JPA's are tools state and local government agencies use to address service demands and infrastructure needs in a cost effective manner. Removing this tool makes it that much more problematic to address statewide critical issues such as housing, transportation, water, air quality, workforce development, public safety, and much more. While the intended goals of your measure are laudable, for the reasons stated above the City of Banning must strongly Oppose Assembly Bill 1912.

For these reasons, the City of Banning opposes SB 1302.

Sincerely,

George Moyer, Mayor
CITY of BANNING

cc. Los Angeles County Legislative Delegation, Asm. Gonzalez-Fletcher, Appropriation
Chair, FAX 916-319-2180
Jay Dickenson Asm. Appropriations, FAX 916-319-2181

ATTACHMENT 3

League of California Cities Letters



May 1, 2018

The Honorable Freddie Rodriguez
State Capitol Building, Room 2188
Sacramento, CA 95814
Via Fax: 916-319-2152

RE: AB 1912 (Rodriguez). Public Employees' Retirement: Joint Powers Agreements: Liability. Notice of Opposition (as amended 04/19/2018)

Dear Assembly Member Rodriguez:

The Los Angeles County Division of the League of California Cities® (Division), representing 86 cities in the County, must respectfully oppose your Assembly Bill (AB) 1912 relating to retirement liabilities of Joint Powers Authorities (JPA).

We are mindful that no public employee should face the loss of their pension benefits. We also recognize that the multiplicity of factors that left LA Works employees vulnerable were very unique. JPA's, however, play a vital role in addressing public needs that cannot be effectively achieved by a local agency acting on its own. The Division is deeply concerned that JPAs will no longer be a viable tool should AB 1912 become law.

As amended, AB 1912 places substantial burdens and new unworkable requirements on cities by applying retroactive as well as prospective joint and several liability for all retirement related obligations to any current or former member of a JPA throughout its existence. Such obligations include active employee normal pension costs, retiree unfunded accrued liabilities (UAL) as well as both active and retiree healthcare and other post-employment retirement benefits (OPEB). According to the State Controller's Office most recently available data, the unfunded liability of California's 130 state and local government pension plans stand at \$241.3 billion and 125 billion for retiree healthcare costs. These costs and their impact on local governments cannot be overstated.

Additionally, the measure would mandate that a public retirement agency file suit against all agencies that have ever been a member of a terminated JPA for all retirement related obligations and prohibits any retirement system from approving a new JPA without express joint and several liability provisions. The provisions in AB 1912 create constitutional, fiscal and operational challenges, which would effectively eliminate the ability for use to create or maintain the use of most JPA's.

Specifically AB 1912:

Conflicts with Provisions of the California State Constitution:

The California constitutional debt limit prohibits an agency from incurring indebtedness beyond the agency's ability to pay the debt back from revenues received in the same fiscal

**2017-18 OFFICERS AND
BOARD OF DIRECTORS**

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WEST HOLLYWOOD

CITY OF LOS ANGELES
JOHN WICKHAM
LOS ANGELES

EXECUTIVE DIRECTOR
JENNIFER QUAN

year without the approval of two-thirds of its voters (Cal Const. art XVI, §18). These safeguards were placed in the State's constitution to avoid a situation in which bond issuers might compel an

increase in taxes or foreclose on local government assets (*City of Redondo Beach v Taxpayers, Property Owners, Citizens & Electors* (1960) 54 C2d 126, 131; *County of Shasta v County of Trinity* (1980) 106 CA3d 30, 35).

By applying retroactive joint and several liability to existing contracts, we have strong concerns that our member cities that participate in JPA's will incur significant debts that may exceed our annual revenue without receiving voter approval—thus violating the sighted provision.

Further, it can be argued that retroactively incurring debts of another agency violates article XVI, §6 of the California Constitution which prohibits an agency from giving or lending public funds to any person, public or private entity. A JPA is an independent governmental body whereby an individual city has no legal, statutory oversight or managing authority. Liabilities from such entities retroactively applied to each member agency would constitute a gift of public funds to an individual(s) and/or public entity.

Gives Retirement Agency Authority to Increase the Amount Owed Through Assumption Changes and/or Investment Losses:

Retirement obligations are unlike other forms of traditional debts and liabilities. Unfunded retirement liabilities are particularly volatile and can grow to insurmountable costs based on no fault of the agencies who contract with a retirement system for health and pension benefits. It is estimated that in fiscal year 2008-2009 the California Public Employee Retirement System (CalPERS) lost approximately \$100 billion dollars in assets resulting in a gross loss of 34.75 percent of the fund's total value. According to CalPERS (CL#200-004-17) employer contributions are projected to double by fiscal year 24-25. Additionally, those numbers are poised to grow even more in the short term when factoring CalPERS recent decision to modify its amortization schedule from 30 years to 20.

The measure would hold all agencies of a JPA accountable for the investment shortfalls, future discount rate reductions, and other assumptions changes made by the retirement agencies even if the agencies are able to pay the lump sum amount of the current unfunded liability from the JPA.

Gives Exclusive Authority to the Retirement Agency to Assign Liability:

As stated in SEC 6 subsection (d), AB 1912 would grant exclusive authority to the public retirement agency to unilaterally assign liabilities to all current and former agencies of a JPA "*in an equitable manner*". JPA's have been in existence in California for nearly 100 years with state and local agencies—some as many as 500 entering and exiting these governmental bodies as service demands shift and evolve. It would be virtually impossible for the JPA's governmental body, let alone a retirement agency, to retroactively assign "equitable" retirement specific liabilities to potentially hundreds of agencies. This is especially concerning when you factor in the various assumptions changes outlined in the section above.

This vague and ambiguous direction demonstrates a fundamental misunderstanding of the formation, management and purpose of a JPA which will inevitably lead to a perpetual cycle of protracted and costly litigation contesting the retirement agency's discretion of proportional liability.

Creates Funding and Operational Impairments:

The Governmental Accounting Standards Board (GASB) issued regulations (GASB 68, 2012 and 76, 2015) that require each state and local agency to report all financial liabilities associated with public pension and OPEB liabilities. These reporting standards play a vital role in assessing the fiscal health and viability of an agency. Incurring retroactive debt would require each originating agency of a JPA to report these liabilities as debts impacting an agency's net financial position. A drastic spike in liability could contribute to the downgrading of an agency's credit rating, which in turn would make issuing and servicing future bonds more costly through higher interest costs and additional required insurance.

JPA's are tools state and local government agencies use to address service demands and infrastructure needs in a cost effective manner. Removing this tool makes it that much more problematic to address statewide critical

issues such as housing, transportation, water, air quality, workforce development, public safety, and much more. While the intended goals of your measure are laudable, for the reasons stated above the Los Angeles County Division must **Strongly Oppose** Assembly Bill 1912.

Sincerely,

A handwritten signature in black ink that reads "Miguel Canales". The signature is written in a cursive, slightly slanted style.

Miguel Canales
President, Los Angeles County Division
League of California Cities®

cc: Los Angeles County Legislative Delegation,
Asm. Gonzalez-Fletcher, Appropriations Chair, FAX (916) 319-2180
Jay Dickenson Asm. Appropriations, FAX (916) 319-2181
[Joshua White](#), Consultant, Assembly Republican Caucus

ATTACHMENT 4

Current Legislative Text



California

LEGISLATIVE INFORMATION

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AB-1912 Public employees' retirement: joint powers agreements: liability. (2017-2018)

SHARE THIS:



Date Published: 06/21/2018 04:00 AM

AMENDED IN SENATE JUNE 20, 2018

AMENDED IN ASSEMBLY MAY 09, 2018

AMENDED IN ASSEMBLY APRIL 19, 2018

AMENDED IN ASSEMBLY MARCH 19, 2018

CALIFORNIA LEGISLATURE— 2017-2018 REGULAR SESSION

ASSEMBLY BILL

No. 1912

Introduced by Assembly Member Rodriguez

January 23, 2018

An act to amend Section 6508.1 of, to add Sections 6508.2, ~~20461.1~~, 20574.1, and 20575.1 to, and to repeal and add Section 20577.5 of, the Government Code, relating to public agencies, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1912, as amended, Rodriguez. Public employees' retirement: joint powers agreements: liability.

(1) Existing law establishes various public agency retirement systems, including, among others, the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937. These systems provide defined pension benefits to public employees based on age, service credit, and amount of final compensation.

The Joint Exercise of Powers Act generally authorizes 2 or more public agencies, by agreement, to jointly exercise any common power. Under the act, if an agency is not one or more of the parties to the agreement but is a public entity, commission, or board constituted pursuant to the agreement, the debts, liabilities, and

obligations of the agency are the debts, liabilities, and obligations of the parties to the agreement, unless the agreement specifies otherwise. The act also authorizes a party to a joint powers agreement to separately contract for, or assume responsibilities for, specific debts, liabilities, or obligations of the agency.

This bill would eliminate that authorization, and would specify that if an agency established by a joint powers agreement participates in, or contracts with, a public retirement system, member agencies, both current and former to the agreement, would be ~~required~~ *required, upon termination or a decision to dissolve or cease operations of the agency*, to mutually agree as to the apportionment of the agency's retirement obligations among themselves, *within 60 calendar days*, provided that the agreement equals the total retirement liability of the agency. ~~The bill would require the board, in cases in which the member agencies are unable to mutually agree to apportionment, to apportion the retirement liability of the agency to each member agency, as specified. If the member agencies are unable to mutually agree to the apportionment, the bill would require them to be jointly and severally liable for the retirement liability of the agency.~~ The bill would also provide that if a judgment is rendered against an agency or a party to the agreement for a breach of its obligations to the retirement system, the time within which a claim for injury may be presented or an action commenced against the other party that is subject to the liability determined by the judgment begins to run when the judgment is rendered. The bill would specify that those provisions apply retroactively to all parties, both current and former, to the joint powers agreement.

(2) The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations. PERL vests management and control of PERS in its Board of Administration. ~~Under PERL, the board may refuse to contract with, or to agree to an amendment proposed by, any public agency for any benefit provisions that are not specifically authorized by that law and that the board determines would adversely affect the administration of the retirement system.~~

~~This bill would prohibit the board, on and after January 1, 2019, from contracting with any public agency formed under the Joint Exercise of Powers Act unless all the parties to that agreement are jointly and severally liable for all of the public agency's obligation to the system.~~

(3) Existing law authorizes the governing board of a contracting agency to terminate its membership with PERS, subject to specified criteria. Existing law requires the PERS board to enter into a specified agreement with the governing body of a terminating agency, upon request of that agency, to ensure that final compensation is calculated in the same manner as benefits of nonterminating agencies, and that related necessary adjustments in the employer's contribution rate are made and benefits adequately funded, including a lump-sum payment at termination, if agreed to by the terminating agency and the board. Existing law requires a terminating agency to notify the PERS board of its intention to enter into this agreement within a specified period of time. Existing law authorizes the PERS board to choose not to enter into an agreement to terminate if the board determines that it is not in the best interests of PERS. Existing law requires all plan assets and liabilities of a terminating agency to be deposited in a single pooled account, the terminated agency pool subaccount within the Public Employees' Retirement Fund, a continuously appropriated fund.

This bill would also require the PERS board to enter into the above-described agreement upon request of a member agency of a terminating agency formed under the Joint Exercise of Powers Act, and would require a member agency to notify the PERS board of its intention to enter into this agreement within a specified period of time. The bill would authorize the board, if it determines that it is not in the best interests of the retirement system, to choose not to enter into that agreement. To the extent that the bill would increase any lump-sum payments made by a terminating agency and deposited into a subaccount within the Public Employees' Retirement Fund, the bill would make an appropriation. The bill would also provide that if the governing body of a terminating agency or the governing bodies of its member agencies do not enter into an agreement, the member agencies would then assume the retirement obligations for their retirement systems.

(4) Existing law makes a terminated agency liable to the system for any deficit in funding for earned benefits, interest, and for reasonable and necessary costs of collection, including attorney's fees. Existing law provides

that the board has a lien on the assets of a terminated contracting agency, as specified, and that assets shall also be available to pay actual costs, including attorney's fees necessarily expended for collection on the lien.

This bill would extend that liability and lien to all of the parties of a terminating agency that was formed under the Joint Exercise of Powers Act. To the extent that these changes would increase deposits in the Public Employees' Retirement Fund, the bill would make an appropriation.

(5) Existing law authorizes the board of PERS to elect not to impose a reduction, or to impose a lesser reduction, on a terminated plan if the board has made all reasonable efforts to collect the amount necessary to fully fund the liabilities of the plan and the board finds that not reducing the benefits, or imposing a lesser reduction, will not impact the actuarial soundness of the terminated agency pool.

This bill would eliminate that provision. The bill would require the board, prior to exercising its authority to reduce benefits, to consider and exhaust all options and necessary actions, including evaluating whether to bring a civil action against any member agencies to a terminated agency formed by an agreement under the Joint Exercise of Powers Act to compel payment of the terminated public agency's pension obligations. The bill would also specify that the board is entitled to reasonable attorney's fees in addition to other costs. The bill would also set forth related legislative findings.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

(a) Retirement security is important to families, workers, and communities, as well as to the local, regional, and statewide economies, and provides financial security and dignity to those who retire.

(b) A defined benefit plan offers, among other types of retirement plans, a guarantee of financial security in retirement.

(c) A Joint Power Authority (JPA) created pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code) provides important services and benefits to its geographical areas and communities.

(d) A JPA may offer a defined benefit plan to attract, recruit, and retain highly skilled employees toward providing services and fulfilling its purpose.

(e) Employees who have been promised a retirement allowance and the other benefits of a defined benefit plan by their employer should be provided those benefits after reaching the requisite age, based on years of service and an established benefit formula, as promised by that employer.

(f) Further, an employee who accepts employment with a JPA employer that promises a defined benefit plan may detrimentally rely on the retirement benefit, as committed by the employer, during his or her employment and retirement from that employer.

(g) Moreover, a JPA might have limited sources of revenue, and an inability to increase, or secure additional sources of revenue, that may lead to financial distress or insolvency of the JPA, absent the financial surety of its member agencies and for the retirement benefits of the JPA's employees.

~~(h) Additionally, employees who rely on a promise by a JPA employer to provide retirement benefits by accepting and maintaining employment with the employer based partly on the employer's promise may do so to their own retirement detriment.~~

~~(i)~~

~~(h) Thus, member agencies of a JPA should not be permitted to absolve themselves of financial liability, in whole or in part, of the financial distress or insolvency of a JPA that results in reductions in a defined benefit plan~~

~~retirement allowance of a retired JPA employee, of which the agencies are members. that may result in a reduction of a retirement benefit to an employee or retiree of a JPA of which the agencies are, or were, members.~~

~~(j)~~

(i) Therefore, in order to ensure that the board of a public retirement system is meeting its fiduciary duties and responsibilities to its members and the system, the board should be *required to consider and exhaust all options and necessary actions and be* permitted to seek legal redress on behalf of its members ~~as a result of the financial insolvency of a JPA that contracts with the retirement system if the financial distress or insolvency of the JPA may result in a reduction of retirement benefits to its members. if an action by the governing body of the JPA may result in a reduction of retirement benefits to the employees or retirees of a JPA.~~

~~(k)~~

(j) Further, to ensure that the board is meeting its fiduciary duties and responsibilities, contracts with the retirement system by a JPA must protect present and future retirees of the JPA.

~~(l)~~

(k) For purposes of this section, "public retirement system" means any pension or retirement system of a public employer, including, but not limited to, an independent retirement plan offered by a public employer that the public employer participates in or offers to its employees for the purpose of providing retirement benefits, or a system of benefits for public employees that is governed by Section 401(a) of Title 26 of the United States Code.

SEC. 2. Section 6508.1 of the Government Code is amended to read:

6508.1. (a) If the agency is not one or more of the parties to the agreement but is a public entity, commission, or board constituted pursuant to the agreement, the debts, liabilities, and obligations of the agency shall be debts, liabilities, and obligations of the parties to the agreement, unless the agreement specifies otherwise. However, the parties to the agreement may not agree otherwise with respect to the retirement liabilities of the agency if the agency contracts with a public retirement system.

(b) For purposes of this section, "public retirement system" means any pension or retirement system of a public employer, including, but not limited to, an independent retirement plan offered by a public employer that the public employer participates in or offers to its employees for the purpose of providing retirement benefits, or a system of benefits for public employees that is governed by Section 401(a) of Title 26 of the United States Code.

SEC. 3. Section 6508.2 is added to the Government Code, to read:

6508.2. (a) (1) ~~An~~ *Upon termination pursuant to Section 20570, 20571, or 20572, or a decision by the governing body of the agency to dissolve or cease operations of the agency, an* agency established by agreement under this chapter that participates in, or contracts with, a public retirement system, ~~and~~ member agencies, both current and former, to the agreement, including all amendments thereto, shall mutually agree as to the apportionment of the agency's retirement obligations among themselves, *within 60 calendar days*, provided that the agreement equals the total retirement liability of the agency. A copy of this mutual agreement, signed by all parties thereto, shall be provided to the board, which shall be reflected in the agreement with the board. If the member agencies are unable to mutually agree to apportionment of the total retirement liability of the ~~agency,~~ ~~the board shall apportion the retirement liability of the agency to each member agency based on the share of service received from the joint power authority by the agency, or population of each member agency, such that the apportionment equals the total retirement liability of the agency, which shall be reflected in the agreement with the board. However, if, after the board apportions the retirement liability, the member agencies mutually agree to apportionment that equals the total retirement liability of the agency, a copy of that agreement signed by all parties thereto shall be provided to the board, which shall supersede the apportionment made by the board, and be reflected in the agreement with the board.~~ *agency, pursuant to this section, the member agencies shall be jointly and severally liable for the retirement liability of the agency.*

(2) This section also applies to an agency that merges or reforms and continues an agreement with the public retirement system.

~~(2)~~

(3) For purposes of this section, "board" means the board of any pension or retirement system of a public employer, including, but not limited to, an independent retirement plan offered by a public employer that the public employer participates in or offers to its employees for the purpose of providing retirement benefits, or a system of benefits for public employees that is governed by Section 401(a) of Title 26 of the United States Code.

(b) Notwithstanding any other law, if a judgment is rendered against an agency or a party to the agreement for a breach to its obligations to the public retirement system, the time within which a claim for injury may be presented or an action commenced against any other party that is subject to the liability determined by the judgment begins to run when the judgment is rendered.

(c) This section shall apply retroactively to all parties, both current and former, to the agreement.

~~SEC. 4. Section 20461.1 is added to the Government Code, to read:~~

~~20461.1. On and after January 1, 2019, the board shall not contract with any public agency formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 unless all the parties to that agreement, including all amendments thereto, are jointly and severally liable for all of the public agency's obligations to this system.~~

~~SEC. 5.~~ **SEC. 4.** Section 20574.1 is added to the Government Code, to read:

20574.1. In lieu of the procedure set forth in Section 20574, all parties to a terminating agency that was formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 shall be liable to the system for any deficit in funding for earned benefits, as determined pursuant to Section 20577, interest at the actuarial rate from the date of termination to the date the agency pays the system, and reasonable and necessary costs of collection, including ~~attorneys'~~ *attorney's* fees. The board shall have a lien on the assets of a terminated contracting agency and on the assets of all parties to the terminating contracting agency, subject only to a prior lien for wages, in an amount equal to the actuarially determined deficit in funding for earned benefits of the employee members of the agency, interest, and collection costs. The assets shall also be available to pay actual costs, including attorney's fees, necessarily expended for collection of the lien.

~~SEC. 6.~~ **SEC. 5.** Section 20575.1 is added to the Government Code, to read:

20575.1. (a) Notwithstanding any other provision of this part to the contrary, upon request of a terminating agency formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 or of any member agency to the agreement, the board shall enter into an agreement with the governing body of a terminating agency or the governing body of the member agency in order to ensure that (1) the final compensation used in the calculation of benefits of its employees shall be calculated in the same manner as the benefits of employees of agencies that are not terminating, regardless of whether they retire directly from employment with the terminating agency or continue in other public service; and (2) related necessary adjustments in the employer's contribution rate are made, from time to time, by the board prior to the date of termination to ensure that benefits are adequately funded or any other actuarially sound payment technique, including a lump-sum payment at termination, is agreed to by the governing body of the terminating agency and the board.

(b) A terminating agency formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 that will cease to exist or its member agency shall notify the board not sooner than three years nor later than one year prior to the terminating agency's termination date of its intention to enter into agreement pursuant to this section. The terms of the agreement shall be reflected in an amendment to the agency's contract with the board.

(c) If the board, itself, determines that it is not in the best interests of the system, it may choose not to enter into an agreement pursuant to this section.

(d) If the governing body of a terminating agency formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 or the governing bodies of its member agencies do not enter into an agreement pursuant to this section, the member agencies shall assume the retirement obligations on their retirement systems.

SEC. 7. SEC. 6. Section 20577.5 of the Government Code is repealed.

SEC. 8. SEC. 7. Section 20577.5 is added to the Government Code, to read:

20577.5. The board shall, prior to exercising authority granted pursuant to Section 20577, consider and exhaust all options and necessary actions, including evaluating whether to bring a civil action against any and all of the member agencies that are parties to a terminated agency formed by an agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 to compel payment of the terminated agency's retirement obligations pursuant to Section 20575.1, and shall be entitled to reasonable attorney's fees in addition to other costs.

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director

MEETING DATE: June 26, 2018

SUBJECT: Commercial Cannabis Ordinances and Proposed Ballot Measures to Impose Taxes on Commercial Cannabis Businesses

A. Proposed Ballot Measure to Impose a Municipal Tax for General Municipal Purposes on Commercial Cannabis Cultivation, Manufacturing Level 1, and Testing Laboratories; and

B. Proposed Ballot Measure to Impose a Municipal Tax for General Municipal Purposes on Cannabis Retailers

C. Public Hearing to Consider the Adoption of Zoning Code Amendments to Allow, Regulate and Zone for Certain Commercial Cannabis Uses: Indoor Commercial Cultivation, Manufacturing Level 1, and Testing Laboratories, contingent upon the adoption of a tax measure on such uses;

D. Municipal Code Amendments to Establish Procedures for the Issuance of Cannabis Regulatory Permits For These Commercial Cannabis Uses;

RECOMMENDED ACTION:

Staff recommends that the City Council:

1. Adopt Resolution No. 2018-82 calling for the placement of the following two tax measures on the November 6, 2018 ballot: (1) a measure to impose an annual general tax initially set at \$15 per square foot of canopy space for commercial cannabis cultivation (with the potential to increase to \$25 per square foot of canopy space), and

up to 10% tax on the gross receipts of cannabis manufacturing and testing laboratory facilities, and (2) a measure to impose an annual general tax of 10% of the gross receipts of cannabis retailers with the potential to increase to 15% of gross receipts of those businesses.

2. Make a determination under CEQA Guidelines Section 15060(c)(3) that the Zoning and Municipal Code Amendments are not subject to CEQA and further that under CEQA Guidelines Section 15061(b)(1) the project is exempt from CEQA as it is exempt by statute (Business and Professions Code section 26055(h)).
3. Hold a public hearing to consider the adoption of Ordinance No. 1523 approving Zoning Text Amendment 18-97501 to amend Title 17 of the Banning Municipal Code to add Chapter 17.53 "Cannabis Conditional Use Permits" to allow Indoor Commercial Cannabis Cultivation, Manufacturing Level 1, and Testing Laboratory facilities in the Industrial Zoning District with approval of a Cannabis Conditional Use Permit and making other amendments related to cannabis businesses, which Chapter would only become effective if the voters approve a companion tax measure.
4. Adopt Ordinance No. 1524 approving Municipal Code Amendment 18-9501 to amend Title 5 of the Banning Municipal Code to add Chapter 5.35 "Cannabis Regulatory Permits" establishing procedures for the issuance of a cannabis regulatory permits, which Chapter would only be effective if the voters approve a companion tax measure.

PROJECT/APPLICANT INFORMATION:

Project Applicant: City of Banning
 99 E. Ramsey Street
 Banning, CA 92220

SUMMARY

This agenda item is for the City Council to consider a series of documents that would allow the voters of the City of Banning to decide if they want to allow and tax certain limited types of commercial cannabis businesses to operate in the City, and if they do, to have the City Council put in place certain zoning and regulatory permit restrictions on those businesses. More specifically, the City Council is being asked to review and adopt certain proposed zoning and regulatory restrictions that would be put in place to regulate commercial cannabis cultivation, manufacturing level 1 and laboratory testing of cannabis provided that the voters of the City approve the imposition of municipal taxes on those uses. This agenda item will also allow the City Council to provide the voters the option of also allowing cannabis retailers, subject to the development of zoning and regulatory permit restrictions on those uses that would come back to the City Council at a future meeting.

BACKGROUND:

A. Cannabis Cultivation, Manufacturing, and Testing Laboratory Facilities

At its June 27, 2017 meeting, the City Council appointed a Cannabis Ad Hoc Committee to consider potential changes to the City's current ordinances related to cannabis. At the December 12, 2017 City Council meeting, the Cannabis Ad Hoc Committee provided an oral report recommending that commercial cannabis cultivation activities be considered as allowable uses within the City. Subsequent to that, the Cannabis Ad Hoc Committee met several times to develop recommended regulatory and land use regulations and the City Council discussed the topic of cannabis at the January 9, 2018 City Council meeting, a workshop on April 10, 2018, and the City Council meeting of May 8, 2018. At the May 8, 2018 meeting, the City Council directed staff to prepare an ordinance to allow the operation of certain commercial cannabis uses – indoor commercial cultivation, manufacturing level 1, and testing laboratories - in the Industrial Zoning District in the City, and to prepare a ballot measure to tax these uses.

At its June 6, 2018 meeting, the Planning Commission considered proposed Zoning Code amendments to allow the operation of indoor commercial cultivation, manufacturing level 1, and testing laboratories in the Industrial Zoning District, and establishing a cannabis conditional use permit to process these applications. The Planning Commission voted unanimously (4-0) to recommend approval of the draft ordinance presented, subject to certain modifications including a 600-foot separation between the proposed commercial cannabis uses and any residential zoning district.

B. Retail Cannabis Businesses

In response to a private citizen filing a notice of intent to circulate a ballot measure to allow for the operation of commercial cannabis uses, including cannabis retailers, the Cannabis Ad Hoc Committee recommended that the City Council should consider allowing cannabis retailers to operate in the City.

Although it is unclear whether the private citizen is collecting or will be able to collect sufficient signatures to qualify for placement of the cannabis initiative on the November 6, 2018 ballot, adopting a City ordinance, to become effective only upon approval of a corresponding tax measure by the voters, provides the benefit of allowing the City control over the regulations and ensuring consistency with related Municipal Code sections. Further, there is a belief that creating regulations to allow for the operation of cannabis retailers will provide an avenue for the City to appropriately regulate, and thus stem illegal cannabis sales in the City. Further, the City could receive financial benefit from these type of uses through the tax measure.

At the June 12, 2018 City Council meeting, the City Council directed staff to research and prepare regulatory and land use ordinances to allow for cannabis retailers to operate in certain commercial districts in the City. Staff, in consultation with the Cannabis Ad Hoc Committee, and with the assistance of the City Attorney's office, will be drafting these ordinances and presenting them to the City Council for consideration at a later date. The overall approach for the regulation of cannabis retailers has not been adopted, but is anticipated to be similar to the approach for commercial indoor cultivation, manufacturing level one, and laboratory testing uses.

At the June 12, 2018 meeting, a public comment was made that the concept of allowing and taxing retail cannabis businesses was being rushed given the limited time available between now and the election. Staff feels that this viewpoint should be considered, noting that development of the regulations for indoor cultivation, manufacturing, and testing laboratories have taken place over a six month period with multiple discussions with the Cannabis Ad Hoc Committee and at City Council meetings providing opportunity for public input.

The City Council directed staff to draft a ballot measure to tax cannabis retailers. Pursuant to State law, August 10, 2018 is the last day that a measure can be placed on the ballot for the November 6, 2018 election. Due to these time constraints, the ballot measure taxing cannabis retailers is part of this agenda despite the fact that the regulatory and land use ordinances for cannabis retailers have not yet been drafted. Should the City Council decide to place the retail cannabis business tax on the November 6, 2018 ballot, the regulatory and land use ordinances will be processed before January 1, 2019, the date the tax will take effect if it is approved by the voters.

C. Conflict Between State and Federal Law

The Federal Controlled Substances Act, 21 U.S.C. § 801, et seq., classifies cannabis as a Schedule 1 Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense cannabis, or to possess with intent to manufacture, distribute or dispense cannabis. Because cannabis remains illegal under Federal law this means that any ordinance regulating, rather than prohibiting commercial cannabis activity, while consistent with State law, would conflict with Federal law. It is unclear what, if any, action the federal government will take against cannabis businesses or cities that allow cannabis businesses to operate within their jurisdiction.

ANALYSIS:

A. Overview

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 6, 2018 ballot. The overall approach for commercial cannabis regulation includes:

- 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 allow and regulate indoor commercial cultivation, limited cannabis manufacturing uses, and cannabis testing laboratories in the Industrial Zoning District, subject to certain limitations and requirements.

- 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 cannabis 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 Banning voters would need to approve a tax measure imposing a tax on commercial cannabis activity.

B. Land Use Ordinance - Ordinance No. 1523

Draft Ordinance No. 1523 amends Title 17 (Zoning) of the Banning Municipal Code to add a new Chapter 17.53 to establish a cannabis conditional use permit process to allow the operation of certain commercial cannabis uses in the City. A Cannabis Conditional Use Permit could be issued upon the recommendation of the Planning Commission and final approval by the City Council. The proposed allowable uses are described as follows:

1. Indoor Commercial Cultivation. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. The cultivation facility would be required to be a minimum of 10,000 and a maximum of 22,000 square feet in the size.
2. Manufacturing Level 1: Includes sites that manufacture cannabis products using nonvolatile solvents, or no solvents.
 - a. Manufacturing means to compound, blend, extract or otherwise make or prepare cannabis. Manufacture includes the following processes: extraction, infusion, packaging and repackaging and labeling or relabeling.
 - b. "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.
3. "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:
 - a. Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the State.
 - b. Licensed by the Bureau of Cannabis Control.

Commercial Cannabis Locations

Commercial cannabis indoor cultivation, limited manufacturing, and testing laboratory uses would only be permitted within the Industrial Zoning District. Commercial cannabis facilities are prohibited in all other land use districts within the City.

The Industrial Zoning District areas within the City are depicted within the dark shaded areas circled within the map below:



Regulations

Proposed regulations applicable to each of the three commercial cannabis uses include, but are not limited to:

- Application requirements. In addition to business descriptions and site and floor plans, applications will be required to include:
 - a business plan
 - water and energy demand information
 - a list of all owners, employees, contractors, and volunteers
 - a security plan and lighting plan
 - a designated community relations representative
- Required personnel identification;
- Security measures;
- Signage requirements;
- Waste management and odor regulations; and
- A minimum landscaped setback of twenty-five feet, solid wall, or other buffer/screen as deemed appropriate, shall be provided for all property lines adjacent to, or across a street or alley from, residential uses or residentially designated properties.

Use-specific regulations include:

- Indoor Cultivation: Indoor cultivation facilities would be required to be between 10,000 square feet and 22,000 square feet in size. Seed to sale tracking through the State's Track and Trace Program, and other requirements would be imposed.

- Manufacturing Level 1: Edible cannabis products are required to be manufactured and packaged in compliance with State regulations, products must be child-resistant and tamper-evident, and persons involved must be state certified food handlers. The use of volatile solvents in the manufacturing process is prohibited.
- Cannabis Testing Laboratory: Testing laboratories must maintain ISO/EIC accreditation, adopt and adhere to standard operating procedures, and use statistically valid methodology.

Modifications to Draft Ordinance No. 1523

Since the most recent City Council discussions, staff conferred with the Cannabis Ad Hoc Committee and subsequently made two modifications to the proposed regulations. These modifications include: (1) requiring ventilation systems for each of the applicable commercial cannabis uses (rather than just for cultivation); and (2) making any required buffers between cannabis uses and residential uses discretionary to the decision makers. These modifications were incorporated into the draft ordinance that was considered by the Planning Commission.

The Planning Commission made further modifications to the draft ordinance as follows:

- (1) Adding a 600-foot separation requirement between commercial cannabis uses and residential zoning districts (if approved, this would supersede the proposed regulation related to a buffer between commercial cannabis uses and residential land use districts);
- (2) Requiring that security cameras record areas with trash containers;
- (3) Requiring that the storage device on which surveillance recordings are stored shall be secured to protect the recording from fire; and
- (4) Requiring battery backup for required video surveillance.

With respect to the Planning Commission's recommendation to include a 600 foot separation between commercial cannabis uses and residential zoning districts, such a restriction would severely limit the number of parcels within the Industrial Zoning District that would be permitted to operate commercial cannabis uses. Staff estimates that there are approximately 173 parcels located within the Industrial Zoning District that are located at least 600 feet from a school, day care center, or youth center. If the City requires a 600 foot separation between commercial cannabis uses located in the Industrial Zoning District and residentially zoned property, 65 parcels would be eligible to have commercial cannabis uses. If the City requires a 200 foot separation between commercial cannabis uses located in the Industrial Zoning District and residentially zoned property, staff estimates that 46 parcels would be eligible to have commercial cannabis uses.

Furthermore, staff has made some additional clean up revisions to the draft ordinance to make it clear that no cannabis business shall be located within 600 feet of any day care center, youth center, public or private school providing instruction in kindergarten or any grades 1 through 12 that was in existence at the time a cannabis conditional use permit

was issued, which was the intention of the City Council, and is consistent with State law. The draft ordinance was also revised to clarify that the 600-foot distancing requirement does not include any public or private school in which education is primarily conducted in a private home.

The State recently readopted and amended the temporary regulations that govern commercial cannabis uses. Additionally, there are a number of pending State bills pertaining to cannabis. Staff anticipates that based on the recently amended State regulations and the potential amendments to State law, staff will need to further revise both the land use and regulatory ordinances and bring them back to the City Council for its consideration before the end of the year.

C. Regulatory Permit Ordinance - Draft Ordinance No. 1527

Draft Ordinance No. 1527 amends Title 5 (Business Licenses and Regulation) of the Banning Municipal Code to add a new Chapter 5.35 to establish a process for issuing cannabis regulatory permits. Chapter 5.35 sets forth the application requirements including, but not limited to, the following:

- Payment of a non-refundable fee;
- Fingerprinting and background check for all owners of the business;
- Written consent from the property owner if the business does not own the property where the business will be operated;
- Agreement to release and indemnify the City from all liability associated with approving the application
- Information regarding the type of business that will be operated on the property; and
- Description of the statutory entity or business form that will serve as the legal structure for the applicant, including providing a copy of the its formation and organizing documents such as articles of incorporation.

The draft ordinance provides that the City Manager, in consultation with the Chief of Police will determine whether to issue the regulatory permit. The regulatory permit may be denied for a number of reasons including, but not limited to, the following:

- The applicant, owner, or any person with a financial interest in the cannabis business has unpaid or overdue administrative penalties or a civil judgment owed to the City;
- The applicant, owner, or any person with a financial interest in the cannabis business has, within the last five years, been convicted of engaging in unlawful commercial cannabis activity, been issued an uncontested administrative citation by the city or county for engaging in unlawful commercial cannabis activity, or been the subject of a lawsuit for engaging in unlawful commercial cannabis activity where the applicant or owner was not the prevailing party; and
- The applicant, owner, or any person with a financial interest in the cannabis business has been convicted of certain crimes.

The draft ordinance requires the annual renewal of the regulatory permit, a process for suspending, modifying or revoking the permit, and a process for appeals. The 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.

D. Proposed Ballot Measures to Impose Commercial Cannabis Taxes

Staff has drafted two separate ballot measures taxing commercial cannabis activity. Potential positive fiscal impact could be derived from taxing allowed uses depending on the number of cannabis businesses that will operate in the City, and the tax rate imposed.

Commercial Cultivation, Manufacturing and Testing Laboratory Facilities

The first ballot measure adds a new Chapter 3.17 to tax commercial cannabis cultivation, manufacturing, and testing laboratory facilities. If approved by the voters, this ballot measure would impose an annual tax on commercial cultivation facilities in the amount of \$15 per square foot of canopy space. The City Council would have the ability to increase this tax amount up to \$25 per square foot of canopy space without needing further voter approval. The first ballot measure also imposes an annual tax on manufacturing and testing laboratory facilities in an amount equal to ten percent (10%) of the facility's gross receipts. The City Council would have the ability to increase the cultivation tax or decrease each of these tax rates so long as the tax rate does not exceed the amounts set forth above.

Elections Code Section 13119 requires that when a ballot measure is submitted to the voters to impose or increase a tax "the ballot shall include in the statement of the measure to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied." Therefore, the City is required to address the issue of the expected amount of the tax to be collected annually.

It is extremely difficult to adequately estimate the amount of tax revenue from commercial cannabis activity expected to be collected annually if the proposed ballot measures are approved by the voters, as the City has limited information on the demand for commercial cannabis and the expected size of such businesses. Despite these considerable uncertainties, staff does anticipate that much of the area in which various commercial cannabis activities would be permitted is unlikely to be available for such activities. First, most of the non-vacant lots in these applicable zones are already utilized for other purposes by the property owner or tenant, and most owners and tenants will likely continue to use such lots for non-cannabis activities even if the proposed ballot measures are approved by the voters. Second, the lease agreements for many of these lots are likely to prohibit any illegal activity on the premises, and this restriction would proscribe commercial cannabis activity (which remains illegal under federal law) regardless of whether the ballot measures are approved by the voters.

Staff estimates that the local tax of \$15 per square foot of canopy space devoted to commercial cannabis cultivation would generate roughly \$450,000 to 900,000 per year in tax revenue. This amount is based on the following assumptions and

calculations. The amount of canopy space devoted to commercial cannabis cultivation can vary widely, but staff estimates that the average canopy space will be roughly 15,000 square feet. Given the limited parcels available for commercial cannabis activity and the number of similar businesses operating in nearby Riverside County cities such as Palm Spring, Desert Hot Springs, and Cathedral City, staff estimates that approximately two (2) to four (4) cannabis cultivation facilities will open if the voters approve the proposed taxes on cannabis activities and the City Council adopts the proposed regulations of such entities. Two to four cannabis cultivation facilities multiplied by 15,000 square feet equals 30,000 to 60,000 square feet of such facilities. Thirty thousand (30,000) to sixty (60,000) square feet multiplied by \$15 equals \$450,000 to \$900,000 in annual tax revenue.

Staff estimates that the local tax of 10 percent of gross receipts from cannabis manufacturing and testing laboratory facilities would generate roughly \$194,800 to \$389,600 per year in tax revenue. This amount is based on the following assumptions and calculations. The 2016 Marijuana Business Factbook found that medical and recreational cannabis dispensaries produce an average annual revenue of \$974 per square foot; the City anticipates that revenue from cannabis manufacturing and testing laboratory facilities would yield roughly half of this amount, or \$487 per square foot. The size of cannabis manufacturing and testing laboratory facilities can vary widely, but staff estimates that the average manufacturing and testing laboratory facilities will be roughly 2,000 square feet. Finally, given the limited parcels available for these activities and the number of similar businesses operating in nearby Riverside County cities such as Palm Spring, Desert Hot Springs, and Cathedral City, staff anticipates that approximately two (2) to four (4) cannabis manufacturing and testing laboratory facilities may open if the voters approve the proposed taxes on cannabis activities and the City Council adopts the proposed regulations of such entities. Two (2) to four (4) cannabis manufacturing and testing laboratory facilities multiplied by 2,000 square feet equals 4,000 to 8,000 square feet of cannabis manufacturing and testing laboratory facilities. Four thousand (4,000) to eight thousand (8,000) square feet multiplied by \$487 equals \$1,948,000 to \$3,896,000 per year in gross receipts. A local tax of ten (10%) percent on these receipts would yield \$194,800 to \$389,600 in annual tax revenue.

Retail Cannabis Businesses

The second ballot measure adds a new Chapter 3.15 to tax retail cannabis businesses. If approved by the voters, this ballot measure would impose an annual tax on retail cannabis businesses in an amount equal to ten percent (10%) of the businesses' gross receipts. The City Council would have the ability to increase this tax up to fifteen percent (15%) of the businesses' gross receipts. The City Council would have the ability to increase or decrease this tax rate so long as the tax rate does not exceed fifteen percent (15%).

Staff estimates that the local tax of 10 percent of gross receipts from retail cannabis sales would generate roughly \$1,168,800 to \$1,558,400 per year in tax revenue. This amount is based on the following assumptions and calculations. The 2016 Marijuana Business Factbook found that medical and recreational cannabis dispensaries produce an average annual revenue of \$974 per square foot. The size of cannabis dispensaries can vary

widely, but staff estimates that the average dispensary will be roughly 2,000 square feet. Finally, given the limited parcels available for retail cannabis sales and the number of similar businesses operating in nearby Riverside County cities such as Palm Spring, Desert Hot Springs, and Cathedral City, staff anticipates that approximately 6 to 8 dispensaries may open if the voters approve the proposed taxes on cannabis retailers and the City Council adopts the proposed regulations of such retailers. Six to eight retailers multiplied by 2,000 square feet equals 12,000 to 16,000 square feet of retail cannabis facilities. Twelve thousand to sixteen thousand square feet multiplied by \$974 equals \$11,688,000 to \$15,584,000 per year in gross receipts. A local tax of ten percent on these receipts would yield \$1,168,800 to \$1,558,400 in annual tax revenue. Should separation standards be instituted, the estimated number of eligible properties and the estimated tax would be expected to be reduced.

Altogether, the City might receive \$1,813,600 to \$2,848,000 in the new local taxes authorized by the two proposed cannabis tax measures subject to the substantial unknowns and contingencies described in this section. These local taxes are in addition to taxes collected by the State.

ENVIRONMENTAL DETERMINATION:

California Environmental Quality Act

Staff finds that the Zoning Code and Municipal Code Ordinances are not subject to the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Section 15060(c)(3), because the actions are not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Ordinances 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 ordinances will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

Staff further finds and determines that these Ordinances are 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.

Multiple Species Habitat Conservation Plan (MSHCP)

The Zoning Ordinance and Municipal Code amendments do not relate to any one physical project and are not subject to the MSHCP. Further, projects that may be subject to these ordinances will trigger individual project analysis and documentation related to the

requirements of MSHCP including mitigation through payment of the MSHCP Mitigation Fee.

REQUIRED FINDINGS FOR ZONING TEXT AMENDMENT:

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. Unregulated 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 currently bans all commercial cannabis uses within the City. It is in the public interest to regulate cannabis, to allow for responsible and lawful commercial 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 commercial 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 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 this Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with 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 this 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.

ATTACHMENTS:

1. Ordinance 1523, Zoning Text Amendment (Cannabis Conditional Use Permit)
2. Ordinance 1524, Municipal Code Amendment (Regulatory Permit)
3. Resolution 2018-82 Calling for Placement of Two Tax Measures on the Ballot
 - 3a. Ordinance 1527, Municipal Code Amendment (General Purpose Tax on Commercial Cannabis Cultivation, Manufacturing, and Testing Laboratory Facilities)
 - 3b. Ordinance 1528, Municipal Code Amendment (General Purpose Tax on Cannabis Retailers)
4. Resolution 2018-09, Planning Commission
5. Correspondence Received
6. Public Hearing Notice

APPROVED BY:



Rochelle Clayton
City Manager

ATTACHMENT 1

Ordinance 1523, Zoning Text Amendment
(Conditional Use Permit)

ORDINANCE 1523

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, AND MAKING THE ALLOWANCE FOR, AND REGULATION OF, THESE BUSINESSES CONTINGENT UPON THE VOTER'S APPROVAL OF A TAX MEASURE ON THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION BALLOT

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 activity 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 indoor 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. 2018-09 recommending that the City Council adopt this Ordinance to allow cannabis cultivation facilities, manufacturing facilities, and testing laboratory facilities as conditionally permitted uses 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 this 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 introduced Ordinance No. 1527 establishing a regulatory permitting process for commercial indoor cannabis cultivation, manufacturing, and testing laboratory facilities to operate in industrial zones.

WHEREAS, this Ordinance and Ordinance No. 1527 will only go into effect if the Banning voters approve a tax measure imposing taxes on these facilities at the November 6, 2018 municipal election.

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.

The City Council hereby adopts a categorical exemption for this Ordinance and directs staff to file a Notice of Exemption.

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 Text 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 Text 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 currently bans all commercial cannabis uses within the City. It is in the public interest to regulate cannabis, to allow for responsible and lawful commercial 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 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 this 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 this Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with 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 this 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.

SECTION 3. 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 delete the definition of "Marijuana Dispensary" and to add and/or modify the following definitions:

Canopy space means a cultivation facility, manufacturing facility, or a testing laboratory facility.

Cannabis Commercial Indoor Cultivation means the indoor planting, growing, harvesting, drying, curing, grading, or trimming of one or more cannabis plants or any part thereof for commercial purposes. The canopy space within a Cannabis Commercial

Indoor Cultivation facility shall not be less than 10,000 square feet nor exceed 22,000 square feet 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.

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.

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.

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.

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 per primary residence, and shall comply with the regulations set forth in Chapter 5.34.

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 17.08.020 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 ⁶	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

⁶ ~~Marijuana Cultivation requires a Marijuana Cultivation License. See Chapter 5.34 for provisions.~~ Cannabis Personal Cultivation must comply with the provisions of Chapter 5.34.

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
Resource and Open Space Uses								
Cannabis Personal Cultivation ⁸	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 otherwise complies with Chapter 5.34 of this Code.

D. 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

E. Table 17.16.020 (Permitted, conditional and prohibited public facilities uses.) of Section 17.16.020 (Permitted, conditional, and prohibited 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

F. Table 17.20.020 (Permitted, conditional and prohibited open space uses.) of Section 17.20.020 (Permitted, conditional and prohibited 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

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 Conditional Use 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.

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, and any residentially zoned parcel located within 600 feet of 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, as measured in a straight line without regard to intervening structures.

17.53.050 Additional Application Requirements.

A. Each cannabis business shall obtain a separate conditional use permit.

B. The applicant shall submit proof that the applicant is, or will be, entitled to possession of the premises for which application is made.

C. The applicant shall submit 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, restrictions relating to the deployment or use of the types of equipment used on the premises, and set back requirements.

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 businesses shall comply with all cannabis state laws and regulations.

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 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 residential zoning district, park, day care center, or youth center, or public or private school providing instruction in kindergarten or any of grades 1-12, that is in existence at the time the cannabis conditional use permit is issued. The 600-foot distance requirement does not include any private school in which education is primarily conducted in a private home or a family day care home. 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. Outdoor storage on the premises shall be prohibited.

C. Loading areas and loading docks shall be located on the side or rear of the lot, and shall be screened by solid, decorative walls.

D. Hours of operation shall be as approved with the Conditional Use Permit.

E. 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.

F. 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.

G. All entrances into the premises shall be locked at all times with entry controlled by the permittee's managers and staff.

H. 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.

I. 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.

J. 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.

K. A permittee shall not sublet the premises.

L. 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' 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, or 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.

e) Entrances and exits to the premises.

f) Waste containers.

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, fire, 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 24 hours 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.

13. The video surveillance system shall be equipped with a battery backup system capable of sustaining system operations in the case of an energy failure.

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 (12) inches wide and twelve (12) 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. A cannabis business 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 requirements.

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 contain not less than 10,000 square feet of canopy space nor exceed 22,000 square feet of canopy space 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.

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. 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.

D. Permittees must comply with all state laws and regulations that pertain to cannabis businesses including, but not limited to, the MAUCRSA, and any regulations promulgated by a licensing authority.

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 4. 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 5. PUBLICATION

The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a record 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. The Ordinance shall go into effect thirty (30) days after its adoption, except for Section 3 of this Ordinance which shall have an effective date provided in Section 6 below.

SECTION 6. EFFECTIVE DATE OF SECTION 3 OF THIS ORDINANCE AND CONTINGENCY ON TAX MEASURE APPROVAL BY THE VOTERS

Section 3 of this Ordinance shall not take effect until January 1, 2019, and shall only take effect if the ballot measure imposing a tax rate of \$15 per square foot of canopy space for a cultivation facility and a tax rate of ten percent (10%) of gross receipts of a manufacturing facility or testing laboratory facility placed on the ballot by the City Council pursuant to Resolution No. 2018-82, is adopted by the voters at the November 6, 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:

Sonja De La Fuente, Deputy City Clerk
City of Banning

ATTACHMENT 2

Ordinance No. 1524, Municipal Code
Amendment (Regulatory Permit)

ORDINANCE 1524

AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, ADDING CHAPTER 5.35 TO TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE BANNING MUNICIPAL CODE, TO ESTABLISH PROCEDURES FOR THE ISSUANCE OF CANNABIS REGULATORY PERMITS, MAKING REQUIRED FINDINGS UNDER CEQA, AND MAKING THE ALLOWANCE FOR, AND REGULATION OF, THESE BUSINESSES CONTINGENT UPON THE VOTER'S APPROVAL OF A TAX MEASURE ON THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION BALLOT

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 introduced Ordinance No. 1523 establishing zoning regulations and procedures for the issuance of cannabis conditional use permits in the City.

WHEREAS, this Ordinance and Ordinance No. 1523 will only go into effect if the Banning voters approve a tax measure on November 6, 2018 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, a 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 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 4. PUBLICATION, EFFECTIVE DATE OF ORDINANCE

The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a record 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. The Ordinance shall go into effect thirty (30) days after its adoption, except for Section 2 of this Ordinance which shall have an effective date provided in Section 5 below.

SECTION 5. EFFECTIVE DATE OF SECTION 2 OF THIS ORDINANCE AND CONTINGENCY ON VOTER APPROVAL OF TAX MEASURE. Section 2 of this

Ordinance shall not take effect until January 1, 2019, and shall only take effect if the ballot measure imposing a tax rate of ten percent (10%) of gross receipts of a cannabis retailer placed on the ballot by the City Council pursuant to Resolution No. 2018-82, is adopted by the voters at the November 6, 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, 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 3

Resolution No. 2018-82
Calling for Placement of Two Tax Measures on
the Ballot

RESOLUTION NO. 2018-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, CALLING FOR THE PLACEMENT OF TWO TAX MEASURES ON THE BALLOT OF THE NOVEMBER 6, 2018 MUNICIPAL ELECTION TO (1) ADOPT AN ORDINANCE IMPOSING A GENERAL TAX ON COMMERCIAL CANNABIS CULTIVATION, MANUFACTURING, AND TESTING LABORATORY FACILITIES, AND (2) ADOPT AN ORDINANCE IMPOSING A GENERAL TAX ON CANNABIS RETAIL BUSINESSES; APPROVING THE BALLOT LANGUAGE FOR THE MEASURES; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURES; AND PROVIDING DIRECTION REGARDING THE SUBMISSION OF BALLOT ARGUMENTS FOR OR AGAINST THE MEASURES

THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Banning, California, on Tuesday November 6, 2018, a municipal election for the purpose of submitting proposed ballot measures to qualified voters. The first measure to be submitted to the voters shall appear and be printed on the ballot as follows:

To add between \$644,800 and \$1,289,600 annually for unrestricted general revenue purposes such as police, fire, paramedics, parks, roads, senior programs, and other municipal services, shall a measure imposing a commercial cannabis cultivation tax (set at \$15 per square foot of canopy space and potentially increasing to \$25 per square foot), and imposing up to 10% tax on gross receipts of cannabis manufacturing and testing laboratory facilities, with both taxes continuing until repealed, be adopted?	YES
	NO

The second measure to be submitted to the voters shall appear and be printed on the ballot as follows:

To add between \$1,168,800 and \$1,558,400 in funding annually for unrestricted general revenue purposes such as police, fire, paramedics, parks and recreation, road improvements, capital	YES
---	------------

maintenance, senior and youth programs, and other general municipal services, shall a measure imposing a 10% tax on the gross receipts of cannabis retail businesses in city (with the tax continuing until repealed, and the rate potentially increasing to 15%) be adopted?

NO

SECTION 2. The text of the first measure submitted to the voters is attached as Exhibit "A," and the text of the second measure submitted to the voters is attached as Exhibit "B."

SECTION 3. Pursuant to the provisions of Sections 10002 and 10403 of the Elections Code of the State of California, the City Council hereby requests the Registrar of Voters of the County of Riverside ("Registrar of Voters") to consent and agree to the consolidation of the citywide municipal election for the City of Banning ("Municipal Election") with the Statewide General Election on Tuesday, November 6, 2018.

- A. Except for those services routinely conducted by the City Clerk, delegation is hereby made to the Registrar of Voters and the County Elections Department of the powers and duties of the elections officer of the City to conduct the Municipal Election in accordance with all applicable laws and procedures.
- B. The Municipal Election shall be held in all respects as if there were only one election and only one form of ballot shall be used.
- C. The ballots to be used at the Municipal Election shall be in the form and content as required by law.
- D. The City recognizes that additional costs will be incurred by the County by reason of this consolidation, and agrees to reimburse the County for such additional costs.
- E. The Registrar of Voters is hereby authorized, instructed and directed to give such further or additional notice of the Municipal Election in the time, form and manner as required by law.
- F. The City acknowledges that the consolidated election will be held and conducted in the manner prescribed by Elections Code section 10148.

SECTION 4. The City Attorney's Impartial Analysis of the ballot measures and the arguments in favor or against the ballot measures shall proceed in accordance with the following:

- A. The City Council directs the City Clerk to transmit a copy of the above referenced measures to the City Attorney. The City Attorney shall prepare an impartial analysis of each of the measures not exceeding 500 words showing the effect of the measures on the existing law and the operation of the measures in accordance with Article 4, Chapter 3, Division 9 of the Elections

Code, including Elections Code Section 9280. Each impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

- B. The City Council authorizes any and all members of the City Council to file a written argument in favor or against each the above referenced measures in accordance with Article 4, Chapter 3, Division 9 of the Elections Code, including Elections Code Section 9282(b), and to change the arguments until and including the date fixed by the City Clerk after which no arguments for or against the measures may be submitted to the City Clerk. Any voter eligible to vote on the measure, bona fide association of citizens, or any combination of voters and associations may also file a written argument in favor or against each of the above referenced measures with the City Clerk in accordance with Article 4, Chapter 3, Division 9 of the Elections Code, including Elections Code Sections 9282 through 9287.

SECTION 5. The City Clerk is authorized to procure and furnish or to procure services to furnish all official ballots, notices, printed material and all supplies, equipment and paraphernalia and other documents that they may deem necessary or advisable in order to properly and lawfully conduct the Municipal Election.

SECTION 6. The polls for the Municipal Election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Election Code of the State of California.

SECTION 7. In all particulars not recited in this Resolution, the Municipal Election shall be held and conducted as provided by law for holding municipal elections.

SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

SECTION 9. This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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-, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES: Council Members Andrade, Franklin, Peterson, Welch and Mayor Moyer

NOES: None

ABSTAIN: None

ABSENT: None

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

ATTACHMENT 3a

Ordinance 1527

Municipal Code Amendment (General Purpose
Tax on Commercial Cannabis Cultivation,
Manufacturing, and Testing Laboratory
Facilities)

ORDINANCE 1527

AN ORDINANCE OF THE PEOPLE OF THE CITY OF BANNING, CALIFORNIA AMENDING TITLE 3 (REVENUE AND FINANCE) OF THE BANNING MUNICIPAL CODE TO ADD A NEW CHAPTER 3.18 TO ADOPT A GENERAL PURPOSE TAX ON COMMERCIAL CANNABIS CULTIVATION, MANUFACTURING, AND TESTING LABORATORY FACILITIES

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 all 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. Prior to the effective date of this tax measure, the City Council will have adopted ordinances establishing procedures allowing for the issuance of cannabis regulatory permits to cannabis cultivation, manufacturing, and testing laboratory facilities to operate in the Industrial Zoning District, and establishing zoning regulations and procedures for the issuance of cannabis conditional use permits in the City. These regulatory and zoning ordinances will only go into effect on January 1, 2019 if the Banning voters approve a tax measure imposing taxes on these facilities.

H. The City Council estimates that this tax on commercial cannabis cultivation, manufacturing, and testing laboratories could generate between \$644,800 and \$1,289,600, based on an analysis of the number of potential parcels in the Industrial Zoning District that could allow these facilities to operate on the parcels.

I. 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 Commercial Cultivation, Manufacturing, and Laboratory Testing Facilities Tax"

Sections:

- | | |
|----------|---|
| 3.17.010 | Purpose. |
| 3.17.020 | Definitions. |
| 3.17.030 | Tax imposed on cannabis businesses. |
| 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. It is the intent of the voters to permit the collection of such tax at the maximum rate allowed by state law from every commercial cannabis cultivation, manufacturing, and laboratory testing facility operating in the City regardless of whether the cannabis business is operating lawfully under State or local law. 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.

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 on 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 on Commercial Cannabis Cultivation, Manufacturing and Testing Laboratory Facilities.

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.

D. 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.

3.17.040 Tax can be spent for unrestricted general revenue purposes.

The tax revenue generated from the taxes established by this Chapter 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;
- 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.

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 the last day of the month following the close of each fiscal quarter, 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 cannabis 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 businesses 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. This Chapter does not authorize or permit cannabis retailers to operate in the City. Cannabis retailers shall comply with the zoning requirements set forth in Chapter 17.53 of the Banning Municipal Code and must have a valid cannabis conditional use permit issued by the City Council to operate in the City. Cannabis retailers shall also comply with the regulations set forth in Chapter 5.35 of the Banning Municipal Code and must have a valid cannabis regulatory permit issued by the City Manager to operate in the City.

B. 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 operate a 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. Intent. It is the intent of the voters that, with the exception of the ballot measure establishing a tax on cannabis retailers that was placed on the ballot by the City Council pursuant to Resolution No. 2018-82, this Ordinance conflicts with all other measures on the November 6, 2016 ballot relating to cannabis businesses including, but not limited to, a measure or measures that establish specific zones for cannabis uses, separation standards for these uses, application processes to obtain a permit to engage in commercial cannabis activity in the City, including criteria for approval or denial of a permit to operate a cannabis business, the imposition of City licensing and inspection fees on cannabis businesses and all other municipal regulations and procedures for those uses. In the event that an initiative or measure relating to cannabis businesses, other than the one placed on the ballot by the City Council pursuant to Resolution No. 2018-82, is

approved by the voters, and this Ordinance receives more affirmative votes, then this Ordinance shall be deemed to conflict in its entirety with the other initiative or measure, and this Ordinance shall control in its entirety over the other initiative or measure.

SECTION 4. 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 5. 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 6. 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.

ATTACHMENT 3b

Ordinance 1528

Municipal Code Amendment (General Purpose
Tax on Cannabis Retailers)

ORDINANCE 1528

AN ORDINANCE OF THE PEOPLE OF THE CITY OF BANNING, CALIFORNIA AMENDING TITLE 3 (REVENUE AND FINANCE) OF THE BANNING MUNICIPAL CODE TO ADD A NEW CHAPTER 3.15 TO ADOPT A GENERAL PURPOSE TAX ON CANNABIS RETAILERS

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. Cannabis retail sales are currently prohibited in the City of Banning. The City of Banning finds that unregulated cannabis retailers affect the public health and safety of Banning residents and divert code enforcement and law enforcement resources to combatting these illegal businesses. The establishment of a regulatory permitting process for cannabis retailers will reduce this threat to the public health and safety, and allow code enforcement and law enforcement efforts to be focused on unregulated businesses which pose greater threats to the public, particularly the youth.

E. The City Council will be adopting an ordinance allowing for the issuance of cannabis regulatory permits to cannabis retailers to operate in certain commercial zones. The City Council will also be adopting an ordinance establishing zoning regulations and procedures for the issuance of cannabis conditional use permits to cannabis retailers in the City. Both ordinances will only go into effect on January 1, 2019 if the Banning voters approve this tax measure.

F. The City of Banning seeks to require all cannabis retailers, as such term is defined in this Ordinance, to pay their fair share of taxes to fund vital City services.

G. 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.

H. The City Council estimates that this tax on cannabis retailers could generate between \$1,168,800 and \$1,558,400, based on an analysis of the number of potential parcels in the eligible commercial zones that could allow cannabis retailers to operate on the parcels.

I. 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 3.15 "Cannabis Retailer Tax" to read as follows:

"Chapter 3.15 Cannabis Retailer Tax

Sections:

- 3.15.010 Purpose.
- 3.15.020 Definitions.
- 3.15.030 Tax imposed on cannabis retailers.
- 3.15.040 Tax can be spent for unrestricted general revenue purposes.
- 3.15.050 Modifications to tax.
- 3.15.060 Reporting and remittance of tax.
- 3.15.070 Payments and communications - Timely remittance.
- 3.15.080 Notice not required by the City.
- 3.15.090 Non-payment of tax; Penalties and interest.
- 3.15.100 Refund procedures.
- 3.15.110 Administration of tax.
- 3.15.120 Enforcement - Action to collect.
- 3.15.130 Audit and examination of records.
- 3.15.140 Other licenses, permits, fees.
- 3.15.150 Payment of tax does not authorize unlawful business.
- 3.15.160 Appeals procedures.
- 3.15.170 Amendments.

3.15.010 Purpose.

This Chapter shall be known as the Cannabis Retailer Tax. It is the intent of the voters to permit the collection of such tax at the maximum rate allowed by state law from every cannabis retailer operating in the City regardless of whether the cannabis business is operating lawfully under State or local law. 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.

3.15.020 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 retailer" means a business that engages in the retail sale and delivery of cannabis or cannabis products to customers.

C. "Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code.

D. "City" means the City of Banning.

E. "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.

F. "Delivery" means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the cannabis retail business.

G. "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 on 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.

H. "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.

I. "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.

3.15.030 Tax imposed on cannabis retailers.

A. There is established and imposed upon each person who is engaged in business as a cannabis retailer an annual tax at the rates set forth in this Chapter.

B. Every person operating a cannabis retailer shall pay to the City an annual tax in an amount equal to ten percent (10%) of the business' gross receipts.

C. 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.

3.15.040 Tax can be spent for unrestricted general revenue purposes.

The tax revenue generated from the taxes established by this Chapter can be spent for unrestricted general revenue purposes.

3.15.050 Modifications to Tax.

A. Notwithstanding Elections Code Section 9217, or the tax rate of ten percent (10%) of gross receipts of a cannabis retailer, 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 a cannabis retailers;
- 2) Increase any tax rates established by this Ordinance, not to exceed the maximum tax rate of 15% of gross receipts for a cannabis retailer;

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.

3.15.060 Reporting and remittance of tax.

A. The cannabis retailer 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 retailer tax shall, on or before the last day of the month following the close of each fiscal quarter, 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 retailer for any reason.

D. The Tax Administrator may, at his or her discretion, establish shorter reporting and payment periods for any cannabis retailer tax.

3.15.070 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.

3.15.080 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 cannabis retailer. Failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this Chapter.

3.15.090 Non-payment of tax; Penalties and interest.

A. Any person who fails or refuses to pay any 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 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.

3.15.100 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 retail business.

B. Whenever the amount of any cannabis retailer 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 retailer 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.

3.15.110 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 retailers 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.

3.15.120 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.

3.15.130 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 cannabis retailers, 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 for the purpose of ascertaining the amount of the cannabis retailer 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.

3.15.140 Other licenses, permits, fees.

A. This Chapter does not authorize or permit cannabis retailers to operate in the City. Cannabis retailers shall comply with the zoning requirements set forth in Chapter 17.53 of the Banning Municipal Code and must have a valid cannabis conditional use permit issued by the City Council to operate in the City. Cannabis retailers shall also comply with the regulations set forth in Chapter 5.35 of the Banning Municipal Code and must have a valid cannabis regulatory permit issued by the City Manager to operate in the City. A cannabis retailer 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.

B. 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.

3.15.150 Payment of tax does not authorize unlawful business.

A. The payment of a cannabis retailer tax required by this Chapter, and its acceptance by the City, shall not entitle any person to operate a cannabis retailer 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 cannabis retailer, or any cannabis business in violation of any local or state law.

3.15.160 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.

3.15.170 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. Intent. It is the intent of the voters that, with the exception of the ballot measure establishing a tax on commercial cultivation, manufacturing and testing laboratory facilities that was placed on the ballot by the City Council pursuant to Resolution No. 2018-82, this Ordinance conflicts with all other measures on the November 6, 2016 ballot relating to cannabis businesses including, but not limited to, a measure or measures that establish specific zones for cannabis uses, separation standards for these uses, establish an application process to obtain a permit to engage in commercial cannabis activity in the City, including criteria for approval or denial of a permit to operate a cannabis business, and the imposition of City licensing and inspection fees on cannabis businesses, and all other municipal regulations and procedures for those uses. In the event that an initiative or measure relating to cannabis businesses, other than the one placed on the ballot by the City Council pursuant to Resolution No. 2018-82, is approved by the voters, and this Ordinance receives more affirmative votes, then this Ordinance shall be deemed to conflict in its entirety with the other initiative or measure, and this Ordinance shall control in its entirety over the other initiative or measure.

SECTION 4. 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 5. 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 6. 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.

ATTACHMENT 4

Resolution 2018-09, Planning Commission

RESOLUTION 2018-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A CATEGORICAL EXEMPTION AND ZONING TEXT AMENDMENT 18-97501 AMENDING TITLE 17 "ZONING" OF THE BANNING MUNICIPAL CODE TO ADD CHAPTER 17.53, "CANNABIS CONDITIONAL USE PERMITS" TO ALLOW INDOOR COMMERCIAL CANNABIS CULTIVATION, MANUFACTURING LEVEL 1, AND TESTING LABORATORY FACILITIES IN THE INDUSTRIAL ZONING DISTRICT 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 Planning Commission finds that unregulated commercial cannabis activities have the potential to adversely affect the public health and safety of Banning residents and those engaged in commercial cannabis activity. The Planning

Commission 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 indoor 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 Planning Commission desires to recommend the establishment of 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 Planning Commission desires to recommend the establishment of zoning and land use regulations through this Ordinance for commercial indoor 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, the Planning Commission has authority pursuant to Section 17.116.030 (Planning Commission Action on Amendments) of the City of Banning Municipal Code to make a written recommendation to the City Council to approve, approve with modifications, or disapprove amendments to the Zoning Ordinance; and

WHEREAS, the City has reviewed the proposed Zoning Text Amendment for compliance with the California Environmental Quality Act (CEQA) and it is determined that Zone Text Amendment 18-97501 is not a 'project' under CEQA Guidelines section 15061(b)(3) and has further determined that the Zoning Text Amendment is further exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(1); and

WHEREAS, on May 25, 2018, the City gave public notice by advertisement in the Record Gazette newspaper of a public hearing concerning Zone Text Amendment 18-97501 and the environmental findings, and also mailed notice of the public hearing to all property owners within the industrial zone and within a 300-foot radius of the industrial zone; and

WHEREAS, on June 6, 2018, the Planning Commission held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the Zoning Text Amendment and at which the Planning Commission considered the Categorical Exemption and Zone Text Amendment 18-97501.

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

SECTION 1. ENVIRONMENTAL FINDINGS.

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

California Environmental Quality Act (CEQA)

The Planning Commission 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 this 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 this Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

The Planning Commission 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.

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 Text 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 Text 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 currently bans all commercial cannabis uses within the City. It is in the public interest to regulate cannabis, to allow for responsible and lawful commercial 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 Planning Commission has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact: In accordance with the requirements of the California Environmental Quality Act ("CEQA"), the Planning Commission 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 this 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 this Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with CEQA.

The Planning Commission 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 this 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.

SECTION 3. PLANNING COMMISSION ACTION.

The Planning Commission hereby takes the following action:

Adoption of Planning Commission Resolution 2018-09:

1. Recommending to the City Council the adoption of a Categorical Exemption for Zone Text Amendment 18-97501; and
2. Recommending to the City Council the adoption of Ordinance 1523 approving Zone Text Amendment 18-97501.


PASSED, APPROVED AND ADOPTED this 6th day of June, 2018.


Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM:


Serita Young, Assistant City Attorney
Richards Watson & Gershon

ATTEST:


Sandra Calderon, Recording Secretary
City of Banning, California

CERTIFICATION:

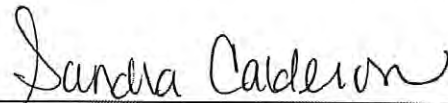
I, Sandra Calderon, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, 2018-09, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 6th day of June, 2018, by the following vote, to wit:

AYES: Krick, Price, Schuler, Shaw

NOES: None

ABSENT: None

ABSTAIN: None

A handwritten signature in cursive script that reads "Sandra Calderon". The signature is written in black ink and is positioned above a horizontal line.

Sandra Calderon, Recording Secretary
City of Banning, California

ORDINANCE NO. 1523

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, AND MAKING THE ALLOWANCE FOR, AND REGULATION OF, THESE BUSINESSES CONTINGENT UPON THE VOTER'S APPROVAL OF A TAX MEASURE ON THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION BALLOT

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 activity 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 indoor 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. 2018-09 recommending that the City Council adopt this Ordinance to allow cannabis cultivation facilities, manufacturing facilities, and testing laboratory facilities as conditionally permitted uses 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 this 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 introduced Ordinance No. 1527 establishing a regulatory permitting process for commercial indoor cannabis cultivation, manufacturing, and testing laboratory facilities to operate in industrial zones.

WHEREAS, this Ordinance and Ordinance No. 1527 will only go into effect if the Banning voters approve a tax measure imposing taxes on these facilities at the November 6, 2018 municipal election.

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.

The City Council hereby adopts a categorical exemption for this Ordinance and directs staff to file a Notice of Exemption.

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 Text 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 Text 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 currently bans all commercial cannabis uses within the City. It is in the public interest to regulate cannabis, to allow for responsible and lawful commercial 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 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 this 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 this Ordinance will require a discretionary permit and CEQA review, and will be analyzed at the appropriate time in accordance with 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 this 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.

SECTION 3. 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 delete the definition of "Marijuana Dispensary" and to add and/or modify the following definitions:

Canopy space means a cultivation facility, manufacturing facility, or a testing laboratory facility.

Cannabis Commercial Indoor Cultivation means the indoor planting, growing, harvesting, drying, curing, grading, or trimming of one or more cannabis plants or any part thereof for commercial purposes. The canopy space within a Cannabis Commercial Indoor Cultivation facility shall not be less than 10,000 square feet nor exceed 22,000 square feet 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.

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.

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.

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.

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 per primary residence, and shall comply with the regulations set forth in Chapter 5.34.

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 17.08.020 remaining unchanged:

Zone	R/A	R/A/H	RR	RR/H	VLDR	LDR	MDR	HDR	MHP
Residential Uses									
Cannabis Personal Marijuana Cultivation ⁶	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

⁶ ~~Marijuana Cultivation requires a Marijuana Cultivation License. See Chapter 5.34 for provisions.~~ Cannabis Personal Cultivation must comply with the provisions of Chapter 5.34.

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
Resource and Open Space Uses								
Cannabis Personal Cultivation ⁸	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 otherwise complies with Chapter 5.34 of this Code.

D. 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

E. Table 17.16.020 (Permitted, conditional and prohibited public facilities uses.) of Section 17.16.020 (Permitted, conditional, and prohibited 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

F. Table 17.20.020 (Permitted, conditional and prohibited open space uses.) of Section 17.20.020 (Permitted, conditional and prohibited 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
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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 Conditional Use 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.

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, and any residentially zoned parcel located within 600 feet of 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, as measured in a straight line without regard to intervening structures.

17.53.050 Additional Application Requirements.

A. Each cannabis business shall obtain a separate conditional use permit.

B. The applicant shall submit proof that the applicant is, or will be, entitled to possession of the premises for which application is made.

C. The applicant shall submit 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, restrictions relating to the deployment or use of the types of equipment used on the premises, and set back requirements.

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 businesses shall comply with all cannabis state laws and regulations.

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 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 residential zoning district, park, day care center, or youth center, or public or private school providing instruction in kindergarten or any of grades 1-12, that is in existence at the time the cannabis conditional use permit is issued. The 600-foot distance requirement does not include any private school in which education is primarily conducted in a private home or a family day care home. 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. Outdoor storage on the premises shall be prohibited.

C. Loading areas and loading docks shall be located on the side or rear of the lot, and shall be screened by solid, decorative walls.

D. Hours of operation shall be as approved with the Conditional Use Permit.

E. 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.

F. 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.

G. All entrances into the premises shall be locked at all times with entry controlled by the permittee's managers and staff.

H. 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.

I. 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.

J. 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.

K. A permittee shall not sublet the premises.

L. 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' 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, or 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.

f) Waste containers.

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, fire, 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 24 hours 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.

13. The video surveillance system shall be equipped with a battery backup system capable of sustaining system operations in the case of an energy failure.

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 (12) inches wide and twelve (12) 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. A cannabis business 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 requirements.

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 contain not less than 10,000 square feet of canopy space nor exceed 22,000 square feet of canopy space 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.

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. 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.

D. Permittees must comply with all state laws and regulations that pertain to cannabis businesses including, but not limited to, the MAUCRSA, and any regulations promulgated by a licensing authority.

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 4. 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 5. PUBLICATION

The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a record 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. The Ordinance shall go into effect thirty (30) days after its adoption, except for Section 3 of this Ordinance which shall have an effective date provided in Section 6 below.

SECTION 6. EFFECTIVE DATE OF SECTION 3 OF THIS ORDINANCE AND CONTINGENCY ON TAX MEASURE APPROVAL BY THE VOTERS

Section 3 of this Ordinance shall not take effect until January 1, 2019, and shall only take effect if the ballot measure imposing a tax rate of \$15 per square foot of canopy space for a cultivation facility and a tax rate of ten percent (10%) of gross receipts of a manufacturing facility or testing laboratory facility placed on the ballot by the City Council pursuant to Resolution No. 2018-82, is adopted by the voters at the November 6, 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:

Sonja De La Fuente, Deputy City Clerk
City of Banning

ATTACHMENT 5

Correspondence Received



To Patty Davis

Re: Growing Sept Amendment No. PB-97501, to amend title 17, to add...
Cannabis Conditional Use Permits ... and other amendments related to Cannabis
Businesses

Since we voted against legalizing marijuana & legal with us sure
don't want to make it more available!

Are these "other" amendments related to Cannabis businesses that really
 bother me.

medical marijuana is enough, especially when none know for sure if it
even works.

So we protest by mail, since we can't be there in person on such short
notice.

We are against any amendments for Cannabis permits

Property owners for over 30 years;

Sincerely yours

Andrew and Debra Gillespie

Mr. and Mrs. Hill
10503 San Vincente
North Gate, Ca 92280

LOS ANGELES CA 900

31 MAY 2018 PM 13 L



City of Banning
Planning Division
P.O. Box 998
Banning CA 92220-0998

92220-000798

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Rec'd. 6/12/18 (S)

Watermark Development Inc.

1838 North Valencia Avenue, Placentia, CA 92870. Telephone 714-879-3569 Email: watermarkinc@earthlink.net
CA State License # 741507

June 12, 2018

City of Banning City Council

99 E Ramsey Street
Banning, CA 92220

Banning Work Lofts Project -

Project Address : 1450 E. Lincoln Street - Banning, CA 92220

Honorable City Council Members and City staff

We are writing this letter to bring it to your attention that we are very disappointed that the Airport Industrial (AI) Zone is being excluded from the current cannabis indoor cultivation zone per last weeks Planning Commission meeting. We would have attended but we received no notification of the meeting.

Back in April of 2018 a map graphic was released that we interpreted included our zoning. See attached Map 1. Our approximate location is shown by the 'Red X' within the designated oval shaped area.

After review of the map from last weeks Planning Commission meeting the new map graphic clearly shows the exclusion of the AI zone. See attached Map 2.

As you may recall, our project, the Banning Work Lofts (BWL) is shovel ready with all permits pulled. I have explained in previous Council Meetings that the benefit to our BWL project to be in the cultivation zone would be that the increased land value would then allow more favorable construction loan financing to occur and the project to break ground.

If a future cannabis related business were to request occupancy in our building all State and City processes would be faithfully executed to the satisfaction of the City of Banning staff, Planning Commission and City Council as well as applicable codes and ordinances.

We purchased the land with the intent to develop about 14 years ago. We have invested many hundreds of thousands of dollars into plans and approvals. We would really like the opportunity to get started with the project and bring which would bring jobs, housing, new development, business to local merchants and retail, not to mention City business licensing, tenant improvement permits, utility service requests and the like.

This past April 2018, our project was granted an 2 year Entitlement Extension via unanimous approval from the Planning Commission. The project is currently in an approved state.

The AI zone intent was created to support the Banning Airport quite a long time ago. But, no airport related businesses exist in the zone. Currently the AI zone is comprised of 11 parcels of land. And we have spoken to most of the owners (and are in the process of obtaining signatures) and they are in favor of supporting the extending or a zone overlay to include the AI zoning.

The designated cultivation zone is to the West and to the South of the AI zone. With the airport being to the North and East. It is our opinion that if this is not done then we will be left with a zoning hole type situation whereby adjacent and neighboring properties will appreciate within the cultivation zone. But the AI zone would be left without the enhanced real estate values and further loss of development opportunities of the 11 lots within the zone.

We are committed to developing our project as approved. We are waiting for leases and land values to increase so that we can obtain construction financing at a reasonable rate. The inclusion of the AI Zone into to indoor cultivation zone would allow that to happen.

If included our project, being already approved, could be one of the first to get off the ground and begin the revitalization of this under utilized area of the City.

We also realize that the voters have the final approval of this in November. And we realize that is may get voted down. But we need the chance, the opportunity for this to happen for the benefit of our project, the AI zone and this area of the City of Banning.

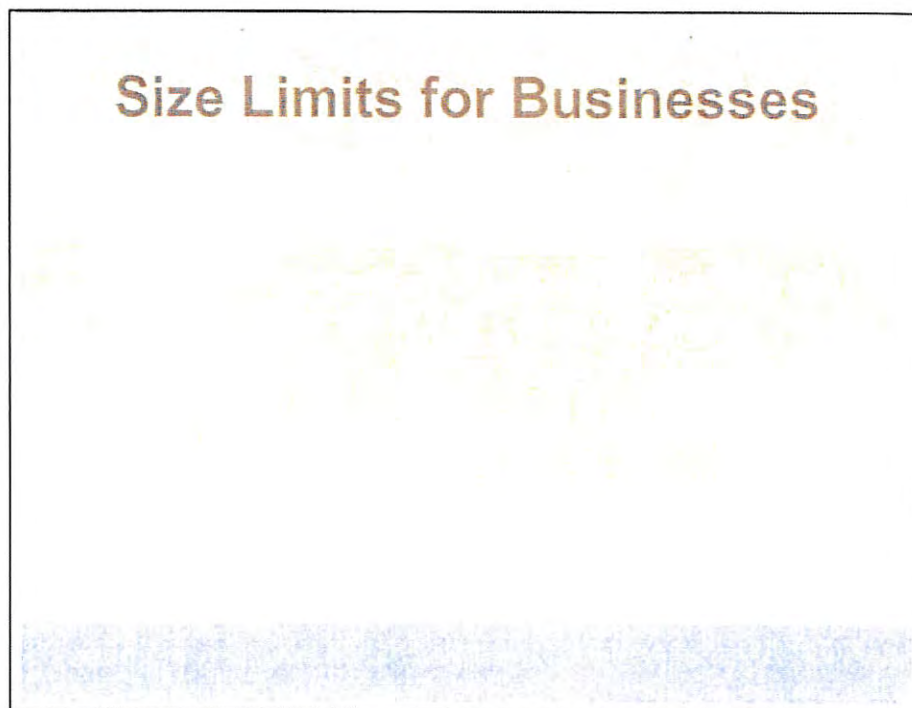
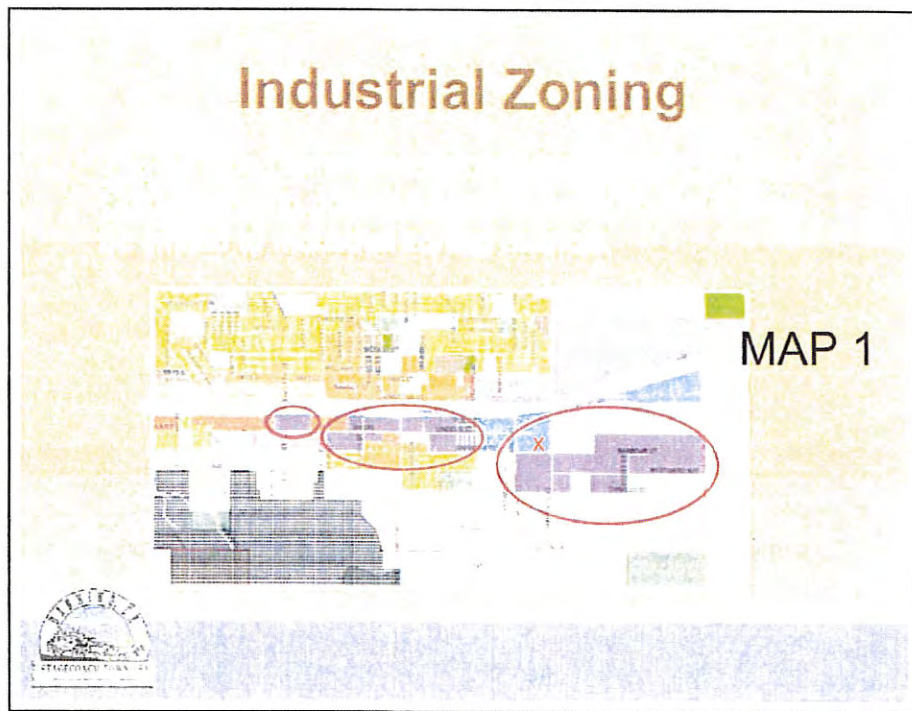
We are willing to be involved with whatever may be necessary to make this a reality. And are hopeful that the City Council will assist us to make it happen.

Thank you for the opportunity to present this request to your honorable panel for your continued support of our project.

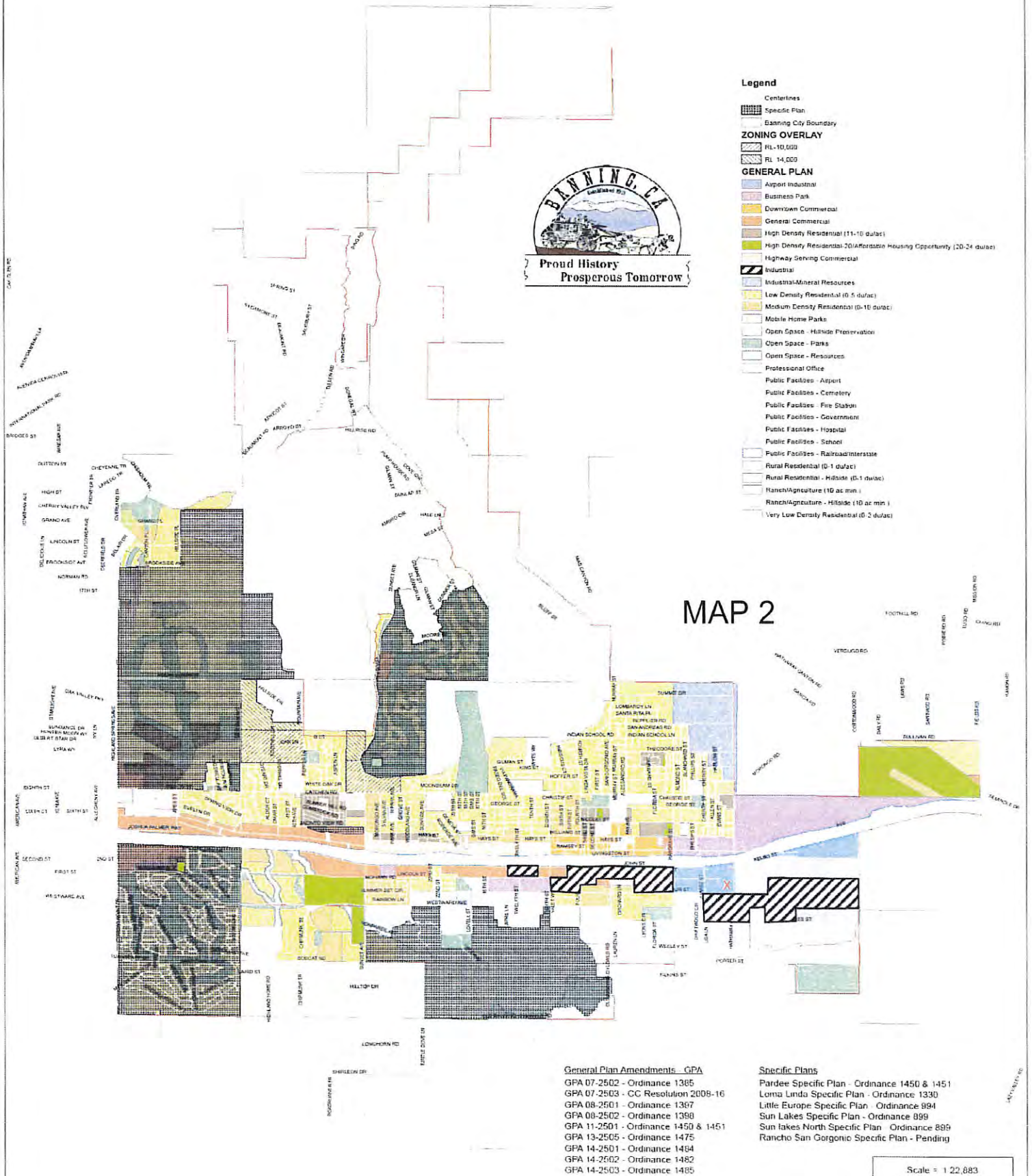
Respectfully Submitted

Ed Quental (310) 261-1242 cell

Mark Quental (310) 261-1243 cell



CITY OF BANNING GENERAL PLAN WITH ZONING OVERLAY



ATTACHMENT 6

Public Hearing Notice

**NOTICE OF INTENT TO ADOPT A CATEGORICAL EXEMPTION
AND NOTICE OF PUBLIC HEARING FOR ZONING TEXT
AMENDMENT (ZTA) NO. 18-97501 AMENDING TITLE 17
“ZONING” OF THE BANNING MUNICIPAL CODE TO ADD
CHAPTER 17.53, “CANNABIS CONDITIONAL USE PERMITS” TO
ALLOW INDOOR COMMERCIAL CANNABIS CULTIVATION,
MANUFACTURING LEVEL 1, AND TESTING LABORATORY
FACILITIES IN THE INDUSTRIAL ZONING DISTRICT WITH
APPROVAL OF A CANNABIS CONDITIONAL USE PERMIT AND
MAKING OTHER AMENDMENTS RELATED TO CANNABIS
BUSINESSES AND MUNICIPAL CODE AMENDMENTS
ESTABLISHING PROCEDURES FOR THE ISSUANCE OF
CANNABIS REGULATORY PERMITS, ADDING CHAPTER 5.35
AND OTHER RELATED AMENDMENTS TO THE BANNING
MUNICIPAL CODE**

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council to be held on Tuesday, June 26, 2018, at 5:00 p.m. in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Zoning Text Amendment (ZTA) No. 18-97501 to amend Title 17 of the Banning Municipal Code to add Chapter 17.53 “Cannabis Conditional Use Permits” to allow Indoor Commercial Cannabis Cultivation, Manufacturing Level 1, and Testing Laboratory facilities in the Industrial Zoning District with approval of a Cannabis Conditional Use Permit and making other amendments related to cannabis businesses and proposed Municipal Code Amendment (MCA) No. 18-9501 establishing procedures for the issuance of cannabis regulatory permit, adding Chapter 5.35 and other related amendments to the Banning Municipal Code.

On June 6, 2018, the Planning Commission considered the proposed Zoning Text Amendment (ZTA) No. 18-97501 and voted 4-0 to recommend that the City Council adopt the proposed Zoning Text Amendment (ZTA) No. 18-97501 with amendments related to distancing requirements from residentially zoned property and additional requirements for video surveillance equipment.

The Planning Commission determined that the proposed Zoning Text Amendment and Municipal Code Amendments are not subject to the California Environmental Quality Act (“CEQA”) pursuant to the State CEQA Guidelines Section 15060(c)(3) because they are not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Zoning Text and Municipal Code Amendments do 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. The Amendments are also exempt from review under the CEQA under 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. The proposed

amendments provide 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.

Information regarding the Categorical Exemption, Zoning Text Amendment, Municipal Code Amendment, and all relevant materials can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning during regular business hours. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition of this item are invited to attend the hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the City Council makes its decision on the proposal; or, that you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY
OF BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: June 12, 2018
Publish: June 15, 2018

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Patty Nevins, Community Development Director

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-80 to Approve General Plan Amendment 17-2503; Design Review 17-7004; and Environmental Assessment 17-1504; and Ordinance 1526 to Approve Zone Change 17-3503, all for the proposed development of a 36,171 square foot medical support office building within the Congregate Care District of the Sun Lakes Village North Specific Plan on Sun Lakes Boulevard (APN 419-140-059).

RECOMMENDED ACTION:

Staff recommends that the City Council:

1. Adopt the Resolution 2018-80 to approve General Plan Amendment 17-2503, Design Review 17-7004; and an Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Environmental Assessment 17-1504) for an approximately 36,171 sq.ft. medical office building; and
2. Approve Ordinance 1526 to approve Zoning Change 17-3503 to amend the Zoning Map of Title 17 of the Banning Municipal Code for an approximately 3.31 acre lot on Sun Lakes Boulevard from Residential High Density/Affordable Housing Opportunity to Professional Office.

PROJECT/APPLICANT INFORMATION:

Project Applicant: Gary Miller Architects
1177 Idaho Street, Suite 200
Redlands, CA 92374

BACKGROUND:

On June 6, 2018, the City Planning Commission considered Resolution No 2018-07 and received public comments in favor of the project as well as comments expressing opposition. The Planning Commission recommended unanimously that the City Council approve the subject applications for the construction of a 36,171 square foot medical support office building. The Planning Commission staff report is attached.

JUSTIFICATION

The applicant proposes a General Plan Amendment (GPA 17-2503) to change the General Plan land use designation for the site from Residential High Density to Professional Office, Zone Change (ZC 17-3503) to change the Zoning designation of the site from Residential High Density-20/Affordable Housing Opportunity to Professional Office, and Design Review (DR 17-004) to allow construction of a two-story, 36,174 square-foot medical support office structure. The proposed building would include 30,977 square-feet of medical offices, 2,579 square-feet of general offices, 1,249 square-feet of pharmacy space, and 1,369 square-feet of meeting room area.

Additional details, including findings, are provided in the Planning Commission staff report which is attached as Attachment 3.

FISCAL IMPACT

Development of the property would result in increased property values and associated increases in property taxes.

ATTACHMENTS:

1. Resolution 2018-80
2. Ordinance 1526
3. Planning Commission Staff Report
4. Planning Commission Resolution
5. Comment Letters Received
6. Public Hearing Notice

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-80

GPA 17-2503, DR 17-7004, EA 17-1504

RESOLUTION NO. 2018-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (ENVIRONMENTAL ASSESSMENT 17-1504) FOR A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING, APPROVING GENERAL PLAN AMENDMENT NO. 17-2503 TO AMEND THE GENERAL PLAN LAND USE DESIGNATION OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059), FROM HIGH DENSITY RESIDENTIAL TO PROFESSIONAL OFFICE, AND APPROVING DESIGN REVIEW 17-7004 TO PERMIT THE DEVELOPMENT OF A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING ON 3.31 ACRES OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059)

WHEREAS, an application for General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004 to permit the development of a proposed approximately 36,171 square foot medical office building (the "Project") has been duly filed by for the proposed Careage Medical Office Building has been duly filed by:

Applicant:	Gary Miller Architects
Owner:	RCCI, LLC
Authorized Agent:	Gary Miller Architects
Project Sponsor:	Careage Healthcare, Inc.
Project Location:	Noted Above
APN Number:	419-140-059
Lot Area:	3.31 acres

WHEREAS, the City Council of the City of Banning ("City") adopted the current General Plan on January 31, 2006;

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it deems to be in the public interest;

WHEREAS, the City Council has the authority to review and either approve or deny General Plan Amendment No. 17-2503 for a change in the General Plan from High Density Residential to Professional Office and the authority per Chapter 17.56 of

Banning Municipal Code to review and either approve or deny Design Review 17-7004 for the property located south of Interstate 10, east of Highland Springs Avenue and north of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Springs Avenue in the Sun Lakes North Specific Plan;

WHEREAS, in accordance with Government Code Sections 65353, 65355 and 65090, on May 11, 2018 the City gave public notice by advertisement in the Record Gazette newspaper of a notice of availability/notice of intent to adopt a Mitigated Negative Declaration (MND) announcing the 20 day circulation for public review and comment on the Draft Mitigated Negative Declaration. Likewise, in accordance with State of California Public Resources Code Section 21165, a Public Hearing Notice was advertised in the Record Gazette newspaper for the Planning Commission hearing to be held on June 6, 2018. Copies of the Draft MND were made available at Banning City Hall and Banning Public Library, and comments received during the 20 day review period are incorporated into the Final MND, along with the City's responses to each comment for review and consideration by the Planning Commission;

WHEREAS, in accordance with Government Code Section 65353, on June 6, 2018 the Planning Commission held a duly-noticed public hearing to consider the General Plan Amendment No. 17-2503, Zone Change No. 17-3503, and Design Review 17-7004, Final Mitigated Negative Declaration 17-1504, and Mitigation Monitoring and Reporting Program, and recommended that the City Council approve General Plan Amendment No. 17-2503, Zone Change 17-3503 and Design Review 17-7004 for the 3.31 acre site;

WHEREAS, on June 26, 2018 the City Council held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and the Design Review 17-7004 and at which the City Council considered the General Plan Amendment and Design Review;

WHEREAS, the City Council reviewed GPA 17-2503 and DR 17-7004 for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures and considered Mitigated Negative Declaration 17-1504 and Mitigation Monitoring and Reporting Program,

NOW THEREFORE, the City Council of the City of Banning does Resolve, Determine, Finds and Orders as follows:

SECTION 1: ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the staff recommendation as provided in the Staff Report dated June 26, 2018, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

A. Public Record:

The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based is located at the City of Banning Community Development Department, Planning Division. The Final Mitigated Negative Declaration meets the requirements of this finding in that documents and other material constituting the record of the proceedings upon which the City's decision and findings are located at the Planning Division of the City of Banning, 99 East Ramsey Street, CA, 92220 in the custody of the Banning Community Development Department as part of the public record.

B. CEQA:

The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 26, 2018, at a duly noticed public hearing, the City Council considered the project's Final Mitigated Negative Declaration 17-1504 and Mitigation Monitoring and Reporting Program and found that no significant environmental impacts would occur after required Mitigation Measures.

SECTION 2: GENERAL PLAN AMENDMENT 17-2503 FINDINGS

The City Council hereby finds:

- A. The proposed amendment is internally consistent with the General Plan in that:

Upon City Council approval of the requested General Plan Amendment GPA 17-2503, the site's land use designation will be changed to Professional Office (PO), and the proposed development is consistent with uses permitted within the Professional Office Land Use Designation. In addition, as the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is considered consistent with the Housing Element of the General Plan.

- B. The proposed change in the General Plan land use designation from Residential High Density to Professional Office will not be detrimental to the public interest, health, safety, convenience or welfare in that:

The proposed project will complement the adjoining assisted living/congregate care facility and retirement housing and provide medical services to the broader Sun Lakes community. Analysis contained in the staff report and Mitigated Negative Declaration 17-1504, demonstrates there are no features unique to the project site or the proposed use that would create conditions detrimental to the public interest, health, safety, convenience, or welfare of the City.

- C. The proposed amendment would maintain the appropriate balance of land uses within the City, in that:

The project is consistent with General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". Upon City Council approval of the General Plan Amendment, the site's land use designation will be changed to Professional Office (PO), and the proposed development is consistent with uses permitted within the Professional Office Land Use Designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses." In addition, the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), thus the project is considered consistent with the Housing Element of the General Plan.

- D. The subject parcel is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints), for the requested land use designation and the anticipated land use developments in that:

The 3.31 acre land area is of adequate size to accommodate the proposed use with Conditions of Approval. No natural constraints exist to the proposed development and no significant adverse environmental impacts are anticipated with Mitigation Measures contained in MND 17-1504. Sun Lakes Boulevard provides suitable access and all necessary utilities are in place within adjacent public rights-of-way. The site is surrounded by an assisted living/congregate care facility to the west, to which the proposed medical offices will provide support for residents of the facility and the surrounding Sun Lakes community. High density residential use adjoins the project site on the north, with medium density single family land uses to the east and to the south across Sun Lakes Boulevard.

The subject site is basically flat with and has been rough graded in the past, thus no unique physical features or vegetation will be affected by the proposed project.

SECTION 3: DESIGN REVIEW 17-7004 FINDINGS

The City Council hereby finds the following:

- A. The proposed project is consistent with the General Plan.

The project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office (PO) allows the proposed medical support building use. The proposed project will provide approximately 3,948 square feet of general office space (including the proposed presentation hall/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Further, the project is consistent with General Plan Economic Development Policy which states: "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". The proposed project is estimated to generate approximately 50 jobs.

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

The proposed project is consistent with the Zoning Ordinance and the development standards of the Professional Office (PO) Zone, with the imposition of Conditions of Approval, as detailed in the analysis contained in the Planning Commission staff report dated June 6, 2018.

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

The proposed project has provided site and circulation layout design in such a way that the project will not interfere with the use and enjoyment of existing and future development in the surrounding area. The proposed project provides vehicular access from Sun Lakes Boulevard as well as through the adjacent property to the west. A reciprocal access agreement is required as a Condition of Approval to preserve future access in perpetuity. The proposed project provides pedestrian paths around the building in coordination with the parking layout. A six-foot solid perimeter wall will buffer adjacent residential development to the north and east of the proposed project and design of lighting on-site is subject to compliance with the Municipal Code to prevent spillage onto adjacent areas.

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

The proposed use will not impair the integrity and character of the PO land use district in which it is to be located because it is surrounded by existing developments and Sun Lakes Boulevard in proximity to Highland Springs Avenue, an established commercial corridor. The building architecture, site circulation and landscaping have been designed in a manner that the project is compatible with the character of the surrounding neighborhood, with the imposition of Conditions of Approval and CEQA mitigation measures. Additionally, a 6-foot solid wall, along with landscaping, will buffer the site from adjacent residential areas on the north and east.

SECTION 4: CITY COUNCIL ACTION

The City council hereby takes the following action:

Adopt the Mitigated Negative Declaration (Environmental Assessment 17-1504) and the associated Mitigation Monitoring and Reporting Program; Approve General Plan Amendment No.17-2503 amending the General Plan land use designation on APN 419-140-059 from Residential High Density to Professional Office; and approve Design Review 17-7004 to permit the development of a proposed approximately 36,171 square foot medical office building subject to conditions.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 Ennis, Assistant City Attorney
Richards, Watson & Gershon

CERTIFICATION:

I, Sonia De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2018-80 was duly adopted at a regular meeting of the City Council of the City of Banning held on the 26th day of June, 2016 by the following vote, to wit:

AYES:

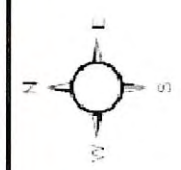
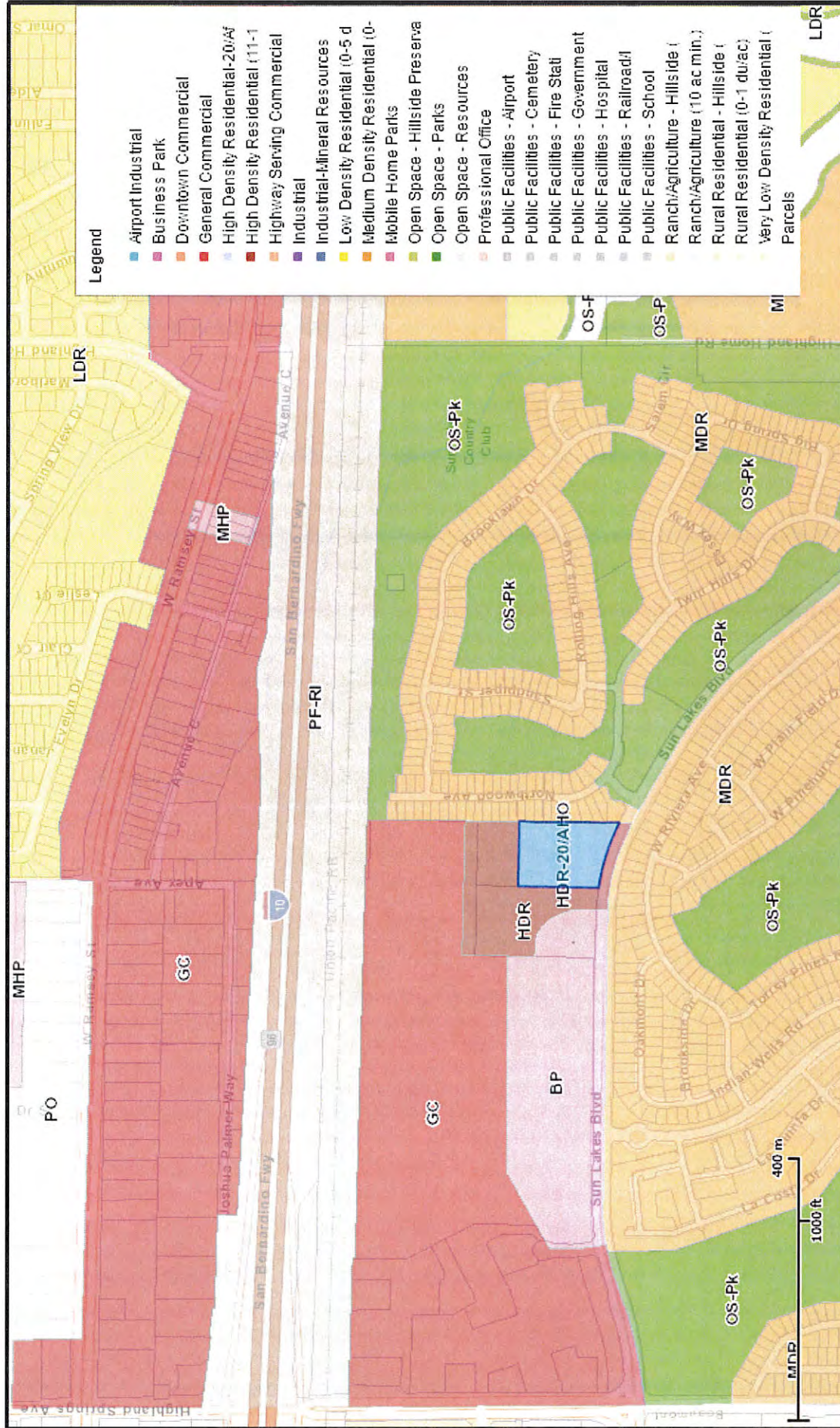
NOES:

ABSENT:

ABSTAIN:

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

Professional Office /Specific Plan Overlay



05/24/2018

419-140-059

1" = 752 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Banning staff for the most up-to-date information.



City of Banning

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

COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT #: General Plan Amendment 17-2503, Zone Change 17-3503,
Design Review 17-7004, Conditions of Approval

SUBJECT: (Planning Commission Resolution No. 2018-07)

APPLICANT: Gary Miller Architects

LOCATION: APN: 419-140-059

EXHIBIT A

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

Community Development Department

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

applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

2. Approval of this entitlement shall not waive compliance with any sections of the Development Code, or other applicable City Ordinances, in effect at the time of building permit issuance.
3. Construction shall commence within two (2) years from the date of project approval, or the Design Review approval shall become null and void. Additionally, if after commencement of construction work is discontinued for a period of one year the Design Review approval shall become null and void. Projects may be built in phases if pre-approved by the review authority. The Community Development Director may, upon a written application being filed 30 days prior to expiration and for good cause, grant a onetime extension not to exceed 12 months. Upon granting of an extension, the Community Development Director shall ensure that the Design Review approval complies with all current Ordinance provisions.
4. A copy of the signed Resolution of approval or Community Development Director's letter of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans, building and construction plans, and landscape and irrigation plans submitted for review and approval as required by the reviewing department.
5. Prior to any use of the project site, or business activity being commenced thereon, the applicant shall complete all Conditions of Approval to the satisfaction of the Community Development Director.
6. The site shall be developed and maintained in accordance with the plans stamped approved by the City, which include site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division; the conditions contained herein; and, Banning Municipal Code regulations.
7. The applicant shall comply with all conditions of approval imposed on the medical office facility located at APN: 419-140-059 and the approval of GPA 17-2503, ZC 17-3503, ENV 17-1504 and DR 17-7004 prior to the issuance of a Certificate of Occupancy.
8. There shall be no storage of vehicles or equipment, or any other materials in the parking or landscaping areas of the project.
9. The applicant shall remove all graffiti immediately or within 24 hours of notice from the City.
10. The applicant shall keep the entire project site free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.

11. The proposed site plan and project design shall comply with all Mitigation Measures contained in Mitigated Negative Declaration (MND) 17-1504 and the Mitigation Monitoring and Reporting Program (MMRP).
12. If the existing wall along the Sun Lakes Boulevard frontage is removed, a smooth, aesthetic transition shall be made between any remaining wall(s) on adjacent property.
13. In accordance with the Municipal Code a 6-foot high solid perimeter wall shall be constructed and/or maintained along adjoining residentially designated land uses in the Sun Lakes Specific Plan.
14. In order ensure ingress/egress and access to parking taking access from the adjacent property (APN 419-140-063 and 419-140-062) to the west and north in perpetuity, recordation of a joint access easement/agreement with the adjoining property shall be executed in a form acceptable to the City Attorney.
15. The project site plan shall provide three loading spaces in compliance with Municipal Code.
16. If necessary, due to the ingress and egress easement requirements, relocation of parking may be required. As allowed by the Specific Plan, the project applicant may submit a shared parking analysis prepared by a qualified traffic engineer to evaluate and identify parking demand for the proposed project in conjunction with adjacent parcels to the immediate west (APN 419-140-063) and north (APN 419-140-062). The parking supply and site plan may be adjusted in accordance with findings of such analysis, as approved by the Director of Community Development. The scope of such analysis shall be approved in advance by the Director of Community Development.
17. Prior to approval of Building Permits, the Landscape Plan shall be coordinated with the Lighting Plan to avoid conflicts and ensure proper placement of trees and lighting standards.
18. Prior to issuance of Building Permits, the project shall provide vehicular access to the parcel by providing an opening in the existing median at the proposed project driveway on Sun Lakes Boulevard, allowing for adequate visibility and a left-turn pocket. The design and configuration of such access shall be approved by the Director of Public Works.
19. All signage shall comply with the Specific Plan requirements. A coordinated comprehensive signage program shall be submitted for review and the approval of

the Planning Department prior to issuance of Occupancy Permits. Signage shall be designed to accommodate the special needs of low vision and elderly patients.

20. Prior to the issuance of Building Permits, a comprehensive lighting plan, including specification details, shall be submitted to the Planning Department for review and approval prior to the issuance of Building Permits. The Lighting Plan shall comply with Title 24 of the California Uniform Building Code. Any existing lighting along Sun Lakes Boulevard shall be plotted on the Lighting Plan, Site Plan and Landscape Plan. Any proposed wall lighting shall be schematically plotted on the Lighting Plan, Site Plan and on building facades.
21. A consistent level of lighting adequate to ensure public safety shall be provided throughout the site, including but not limited to, building and site entrances/exits, along pedestrian pathways, at handicapped parking locations, and at the proposed patient drop-off area.
22. Low intensity ground level lighting shall be provided along pedestrian paths and adjacent to handicapped parking spaces.
23. No spillage of light shall be allowed off-site on any property line.
24. Prior to certificate of occupancy, a comprehensive parking plan shall be submitted to Community Development identifying each use and related parking. Thereafter, each tenant shall submit a comprehensive parking plan identifying that the facility is in compliance with the parking code.

Public Works Department

A. General Requirements

25. A Public Works Permit shall be required prior to commencement of any work within the public right-of-way. The contractor working within the public right-of-way shall submit proof of a Class "A" State Contractor's License, City of Banning Business License, and Liability Insurance. Any existing public improvements, or public improvements not accepted by the City that are damaged during construction shall be removed and replaced as determined by the City Engineer or his/her representative.
26. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:
 - Fire Marshal (access)
 - Public Works Department (grading permits, street improvement permits)

- Riverside County Flood Control & Water Conservation District (storm drain)
- California Regional Water Quality Control Board Colorado River Basin (RWQCB)
- South Coast Air Quality Management District (SCAQMD)
- California Department of Transportation (CALTRANS)

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

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

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

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

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

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

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

B. Rights of Way

28. Prior to issuance of any permit(s), the applicant shall offer to dedicate (additional 5 feet right-of-way) to the City of Banning for public purposes for Sun Lakes Boulevard fronting the site as a Major Arteria street. The existing right-of-way on Sun Lakes Blvd is currently 90 feet (45 feet from centerline). The City General Plan designation for Major Arteria streets is 100 feet right-of-way (50 feet from centerline).
29. Remove and reconstruct the driveway approach in accordance with City Standard No. C-210 fronting Sun Lakes Boulevard. Street lights, if required, shall be installed offset of the existing street lights.
30. Proposed sidewalk shall be constructed within the Street Right of Way (50 feet from centerline). Applicant shall submit document for additional Right of Way dedication to the City Engineer for review and approval prior to issuance of any permits.
31. The proposed sidewalk shall connect to the existing sidewalk to the east of the project. The minimum width of sidewalk on Sun Lakes Boulevard shall be 8 feet in width.
32. Any public improvements damaged during the course of construction shall be replaced to the satisfaction of the City Engineer, or his/her designee.
33. The applicant shall plant and perpetually maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways constructed in connection with the project. This includes providing irrigation and the clearing of debris and weed removal.

34. All required public improvements for the project shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy.

C. Grading and Drainage

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

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

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

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

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

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

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

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

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

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

D. Traffic

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

E. Water

50. Design and construct water line and connect to the existing City water system. Submit any water improvement plans to Engineering Division for review and approval. If the water line is not located on a public street, an easement over the water line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.

51. A backflow device must be installed on all commercial buildings and at each irrigation water connection. The backflow device must be in compliance with the State Department of Health Regulations.

52. Fire Services will require a Double Detector Check or RPP Device.

Pay all applicable water connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

F. Sewer

53 Design and construct sewer line and connect to existing City sewer system. Submit any sewer improvement plans to Engineering Division for review and approval. If the sewer line is not located on a public street, an easement over the sewer line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.

54. All sewer lines to be constructed within the Public right-of-way shall be extra strength Vitrified Clay Pipe. All sewer laterals shall be a minimum of 4" and all sewer mains shall be a minimum of 8". Final sizes shall be approved by the City Engineer.

56. A sewer check valve shall be provided for each building with a finish pad elevation lower than the rim elevation of the immediate up-stream sewer manhole.

57. Pay all applicable sewer connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

G. Trash/Recycling

58. The developer shall participate in the City's recycling program by providing two trash receptacles, one for regular trash and one for recycling, within the covered trash enclosure. The covered trash enclosure shall be designed and constructed in such a manner to accommodate a recycling bin as well as the necessary solid waste containers.

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

H. Fees

60. Plan check fees for professional report review (geotechnical, drainage, etc.), and all improvement plans review, shall be paid prior to submittal of said documents for review and approval in accordance with the fee schedule in effect at the time of submittal.

61. Public Works Inspection fees shall be paid prior to issuance of any permits in accordance with the fee schedule in effect at time of time of scheduling.
62. Water and sewer connection fees including frontage fees and water meter installation charges shall be paid at the time of building permit issuance in accordance with the fee schedule in effect at that time.
63. A plan storage fee shall be paid for any engineering plans that may be required prior to issuance of certificate of occupancy in accordance with the fee schedule in effect at the time the fee is paid.
64. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit prior to initiation of construction activities.

Electric Utility Department

65. The Electric Utility currently has a point-of-connection for electric service located near the northeast corner of the property. An area for the new pad mounted transformer(s), vault(s) & service equipment must be sufficient in size for safe operation and maintenance.

The Electric Utility notes that the Environmental Checklist Form and Initial Study submitted does not note any impacts to electric utility service.

The developer shall be responsible the following:

66. Submitting detailed plans indicating lot lines, streets, easements, building layout, anticipated loading information, etc. These plans are required in electronic format. We currently use AutoCad2016. Plans should consist of a plot plan, site plan, one line diagram of proposed electrical main service panel and a sheet showing load calculations by an electrical engineer.

Additional sheets may be required upon request.

67. Paying required fees - electrical permit, plan check fee, inspection fees, meter fee and cost of electrical apparatus for completing the underground line extension.
68. Granting easement for electric facilities installation / maintenance, etc.
69. Installation of all electric utility conduits and substructures.

70. All trenching, backfill, and compaction.

71. The installation of the service entrance cable from the transformer(s) to the pull section and switchgear.

72. The City of Banning Electric Utility shall be responsible for:

1. Reviewing plans submitted by customer.
2. Design an electrical utility plan for the installation of substructures and conduit by developer.
3. Providing a cost estimate for installing an underground electrical system for this project.
4. Inspecting all trenches prior to backfilling. 24-hour prior notice is required before inspection.
5. Install electrical apparatus including primary conductors, terminations, metering, and transformer to provide electrical service for your project.

Fire Department

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

For commercial areas, the required fire flow shall be available from Super hydrant(s) (6" x 4" x 2¹/₂" x 2¹/₂") spaced not more than 350 apart and shall be capable of delivering a fire flow 2750 GPM per minute for two-hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site.

74. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.

75. Install a complete commercial fire sprinkler system. Fire sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage.

76. The PIV and FDC shall be located to the front of building within 50 feet of approved roadway and within 200 feet of an approved hydrant. Sprinkler riser room must have indicating exterior and/or interior door signs. A C-16 licensed contractor must submit

plans, along with current permit fees, to the Fire Department for review and approval prior to installation.

77. Install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads, along with current permit fees, to the Fire Department for review and approval prior to installation.
78. Gate(s) shall be automatic or manual operated. Install Knox key operated switches, with dust cover, mounted per recommended standard of the Knox Company. Building plans shall include mounting location/position and operating standards for Fire Department approval.
79. Fire Apparatus access road and driveways shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
80. Commercial address must be a minimum 12" tall in contrasting color visible from the street address side of the building. Illuminated internally or externally.
81. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. It should be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
82. An approved Fire Department access key lock box (Minimum Knox Box 3200 series model) shall be installed next to the approved Fire Department access door to the building. If the buildings are protected with an alarm system, the lock box shall be required to have tampered monitoring. Required order forms and installation standards may be obtained at the Fire Department.

Building and Safety Department

The following conditions are required to be met at time of plan check submittal:

83. The Site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Banning.
84. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel, and where

necessary to provide access. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warnings, signage, gates, lifts and walking surface material. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site. California Building Code (CBC) 11A and 11B.

- a. City of Banning enforces the State of California provisions of the California Building Code disabled access requirements. The Federal ADA standards differ in some cases from the California State requirements. It is the building owner's responsibility to be aware of those differences and comply accordingly.
 - b. Disabled access parking shall be located on the shortest accessible route. Relocate parking spaces accordingly.
85. Multi-family buildings on the site shall be accessible/adaptable per California Building Code (CBC), Chapters; 11A and 11B.
 86. Commercial buildings on the site shall be accessible per California Building Code (CBC) 11B.
 87. Site Facilities such as parking (open and covered), recreation facilities, and trash dumpsters, shall be accessible per California Building Code (CBC) 11A, 11B and 31B.
 88. Separate submittals and permits are required for all accessory structures such as but not limited to, trash enclosures, patios, block walls and storage buildings.
 89. Pursuant to California Business and Professions Code Section 6737, this project is required to be designed by a California licensed architect or engineer. Based on change of use and potential exiting and fire life safety improvements.

Added Conditions

90. At least five days prior to any excavation, the developer shall coordinate with the Southern California Gas Company to identify the location of the buried high pressure natural gas transmission line, and to determine if any relocation or modification is necessary. No excavation shall occur until a mutually agreeable arrangement has been executed between the parties.
91. Security gates shall be incorporated at the common access drives between the property to the west to prevent vehicular access.

END

ATTACHMENT 2

Ordinance 1526

ZC 17-3503

ORDINANCE NO. 1526

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING ZONE CHANGE NO. 17-3503 TO AMEND THE ZONING MAP FROM HIGH DENSITY RESIDENTIAL-20/AFFORDABLE HOUSING OPPORTUNITY TO PROFESSIONAL OFFICE (PO) IN CONFORMANCE WITH GENERAL PLAN AMENDMENT 17-2503, FOR PROPERTY LOCATED SOUTH OF INTERSTATE 10, EAST OF HIGHLAND SPRINGS AVENUE, NORTH OF SUN LAKES BOULEVARD BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER SPRINGS AVENUE; APN 419- 140-059.

WHEREAS, an application for a Zone Change No. 17-3503 has been duly filed by:

Applicant:	Gary Miller Architects
Owner:	RCCI, LLC
Authorized Agent:	Gary Miller Architects
Project Sponsor:	Careage Healthcare, Inc.
Project Location:	Noted Above
APN Number:	Noted Above
Lot Area:	3.31 acres

WHEREAS, the Planning Commission in accordance with Government Code Section 65353 held a duly public noticed hearing on June 6, 2018 at which interested persons had an opportunity to testify in support of, or opposition to, the Zone Change No. 17-3503 to review and make recommendations to the City Council for a change in zoning from High Density Residential-20/Affordable Housing Opportunity (HDR-20/AHO) to Professional Office (PO) for property located south of Interstate 10, east of Highland Springs Avenue, north of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Springs Avenue; also known as Assessor's Parcel Number 419- 140-059.

WHEREAS, in accordance with Government Code § 65854, the City Council hearing was advertised in the Record Gazette Newspaper announcing the scheduled City Council public hearing for June 26, 2018, regarding the Zone Change and other entitlements for consideration pertaining to the Careage Medical Office project, including the acceptance of the Project's Final Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program.

WHEREAS, on June 6 ,2018, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or

opposition to, the Zone Change and at which the Planning Commission considered the Zone Change and recommended that the City Council approve Zone Change No. 17-3503; and

WHEREAS, at this public hearing on June 26, 2018 the City Council considered, and heard public comments on, and by City Council Resolution 2018-80 adopted the Mitigated Negative Declaration 17-1504 and the related Mitigation Monitoring and Reporting Program;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BANNING DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Director as provided in the Staff Report dated June 26, 2018 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

A. CEQA:

The approval of this Zone Change is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 26, 2018, at a duly noticed public hearing, the City Council considered the findings of the Final Mitigated Negative Declaration, including associated comments from persons and agencies received during the 20 day MND review and comment period, and adopted by City Council Resolution 2018-80 the Final Mitigated Negative Declaration and Mitigation Monitoring Reporting Program reflecting its independent judgment and analysis. The documents comprising the City's environmental review for the project are on file and available for public review at Banning City Hall, 99 East Ramsey Street, Banning, California 92220.

SECTION 2. REQUIRED ZONE CHANGE FINDINGS.

Pursuant to Banning Municipal Code Section 17.116, the City Council makes the following findings pertaining to Zone Change No. 17-3503:

- A. The proposed Amendment is consistent with the goals and policies of the General Plan.

Upon City Council approval of the requested Zone Change, the site's zoning designation will be changed to Professional Office (PO). The proposed development is consistent with uses permitted within the Professional Office Land Use Designation in the General Plan Land Use Element. In addition, as the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is considered consistent with the Housing Element of the General Plan.

The proposed Professional Office Land Use District for the Careage Medical Office has been reviewed against the provisions and policies, goals and objectives of the City's General Plan, and development standards and requirements of the City's Zoning Code for internal consistency will all of the General Plan's element's text, diagrams. The Project's proposed zoning district in conjunction with the associated development standards will not create any conflicts among the various General Plan elements' goals policies and objectives, including the maps and diagrams of all the elements in the City's General Plan.

Pursuant to Government Code Section 65863(b)(2), the City Council finds that the site that is the subject of this amendment will accommodate fewer housing units than identified in the Housing Element; however, the remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584.

The Housing Element anticipated that this site (APN 419-140-059) would accommodate 66 lower-income units. The proposed General Plan and zoning amendments would change the land use designation, resulting in a net loss of 66 potential lower-income units in the Housing Element sites inventory. The remaining unmet need for housing during the 2014-2021 planning period and the remaining capacity of sites identified in the Housing Element are as follows:

	Very Low	Low
2014-2021 RHNA	872	593
Units permitted since 1/1/2014	0	0
Net Remaining Housing Need	872	593
Total	1465	
Housing Element sites capacity	2,553	
APN 537-190-018 (Prev Rezone)	(520)	
APN 419-140-059 (Project)	(66)	
Net Remaining Capacity	1967	

As 1,465 very low and low income units are required and capacity for 1,967 units remains, the City has more than adequate capacity remaining to accommodate the City's share of regional housing need, and there will be no net loss of Very Low or Low housing units.

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

B. The proposed Amendment is internally consistent with the Zoning Ordinance.

The project will be internally consistent with the General Plan and legally adequate in that the Careage Medical Office Zone Change, pursuant to Sections 65450 – 65457 of the California Government Code incorporates maps diagrams and descriptions to adequately describe project design features and infrastructure components needed to serve the project; including findings with regard to consistency with pertinent objectives of the General Plan.

C. The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act concerning the preparation of the draft and final Mitigated Negative Declaration, comments on the draft Mitigated Negative Declaration and responses to those comments; the staff report for the public hearings before the Planning Commission, and the Mitigation Monitoring and Reporting Program. No impacts were identified that could not be mitigated to a less than significant level by Mitigation Measures contained in the MND.

1. Review Period: That the City has provided the public review period for the Draft Mitigated Negative Declaration for the 20 day duration required under CEQA Guidelines Sections 15087 and 15105.
2. Compliance with Law: That the draft Mitigated Negative Declaration, Final Mitigated Negative Declaration and the associated Mitigation Monitoring Reporting Program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.) and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Banning.
3. Independent Judgment: That the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program reflect the independent judgment and analysis of the City.

SECTION 3: CITY COUNCIL ACTION

The City council hereby takes the following action:

Approve Zone Change No.17-3503 amending the Zoning Map from High Density Residential-20/Affordable Housing Opportunity (HDR-20/AHO) to Professional Office (PO) for property located south of Interstate 10, east of Highland Springs Avenue, north of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Springs Avenue; also known as Assessor's Parcel Number 419-140-059.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 Ennis, City Attorney
Richards, Watson & Gershon

CERTIFICATION:

I, Sonia De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance No. 1526 was duly adopted at a regular meeting of the City Council of the City of Banning held on the 26th day of June, 2016 by the following vote, to wit:

AYES:

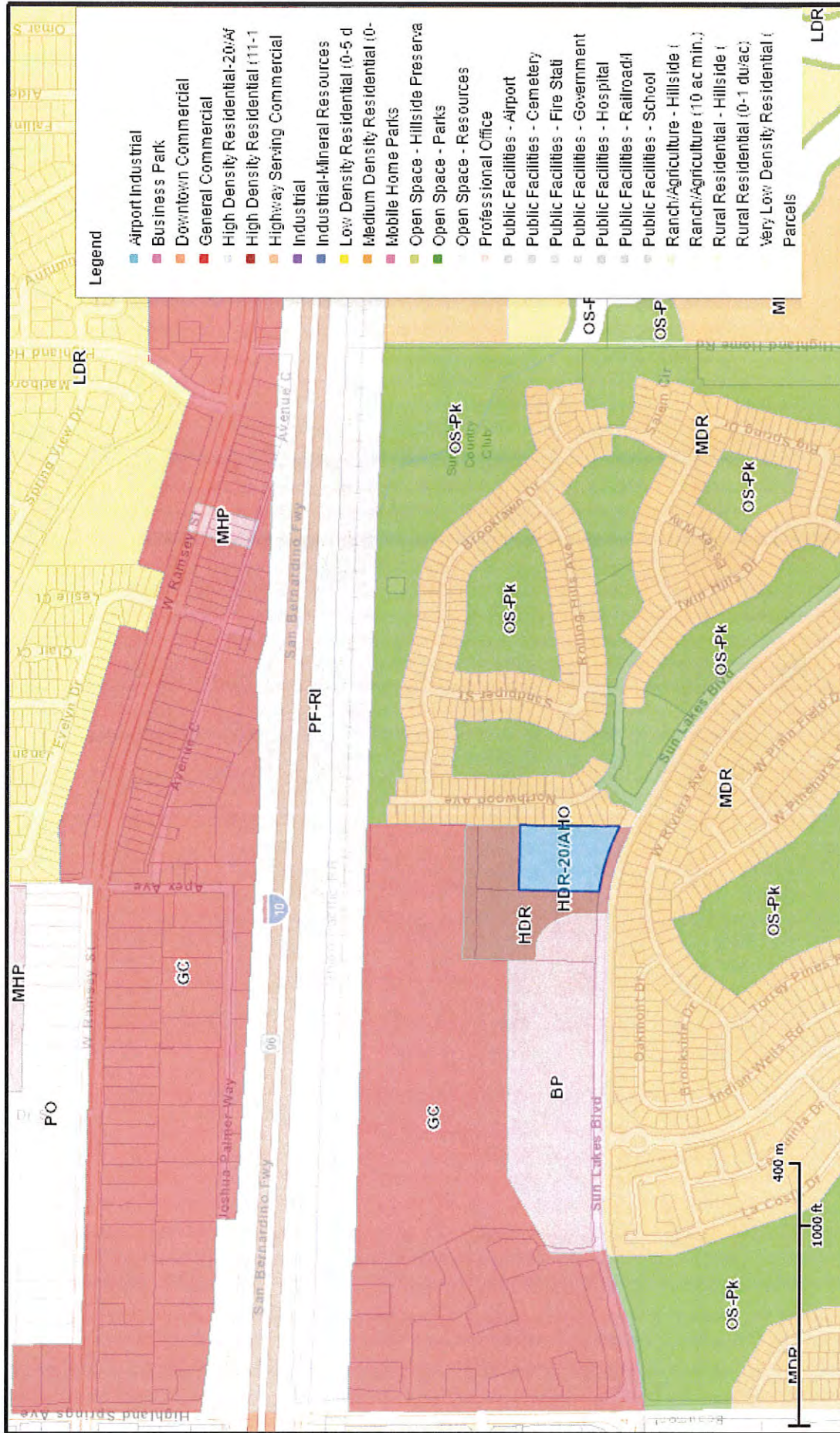
NOES:

ABSENT:

ABSTAIN:

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

Professional Office /Specific Plan Overlay



		05/24/2018	419-140-059	1" = 752 ft
This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy please contact Banning staff for the most up-to-date information.				

ATTACHMENT 3

Planning Commission Staff Report

CITY OF BANNING

Planning Commission Report

DATE: June 6, 2018
TO: Planning Commission
FROM: Patty Nevins, Community Development Director
PREPARED BY: Sonia Pierce, Senior Planner

SUBJECT: CAREAGE MEDICAL OFFICE BUILDING - GENERAL PLAN AMENDMENT 17-2503; ZONE CHANGE 17-3503; DESIGN REVIEW 17-7004; AND ENVIRONMENTAL ASSESSMENT 17-1504 FOR THE PROPOSED DEVELOPMENT OF 36,171 SQUARE FOOT MEDICAL SUPPORT OFFICE BUILDING WITHIN THE CONGREGATE CARE DISTRICT OF THE SUN LAKES VILLAGE NORTH SPECIFIC PLAN ON SUN LAKES BOULEVARD (APN 419-140-059)

RECOMMENDATIONS

1. That the Planning Commission adopt Resolution 2018-07 recommending that the Council approve General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004.
2. That the Planning Commission recommend that the City Council adopt the Mitigated Negative Declaration (MND) for the project (Environmental Assessment 17-1504).

APPLICANT INFORMATION:

Project Location: North side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, within the Congregate Care District (Planning Area C) of The Sun Lakes Village North Specific Plan.

APN Information: 419-140-059

Project Applicant: Gary Miller Architects

1177 Idaho Street, Suite 200
Redlands, Ca, 92374

Property Owner: RCCI, LLC
4411 Point Fosdick, Suite 203
Gig Harbor, WA 98335

Project sponsor: Careage Healthcare, Inc.
4411 Point Fosdick Drive, Suite 203
Gig Harbor, WA 98335

APPLICANT'S REQUEST:

The applicant, is requesting approval of a General Plan Amendment to change the General Plan land use designation of a vacant 3.31 acre parcel from High Density Residential (HDR) to Professional Office (PO); a Zone Change to change the Zoning District from High-Density Residential -20/Affordable Housing Opportunity (HDR-20/AHO) to Professional Office (PO); and Design Review approval for the construction of a new 36,174 square foot medical support office building on the parcel identified as APN 419-140-059 located on the north side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, in the Congregate Care District (Planning Area C) of the Sun Lakes Village North Specific Plan.

PROJECT BACKGROUND AND SETTING:

In 1983, the City of Banning approved the Sun Lakes Specific Plan that established development standards and design guidelines for approximately 964 acres. The Specific Plan also approved a variety of residential, commercial, office and industrial land uses. Various amendments to the Specific Plan have been approved by the City since 1983; these changes modified, deleted or added numerous provisions to the Plan, including changes to residential density, land uses, parking standards requirements, etc.

A related modification to the northern planning area within the Sun Lakes Village Specific Plan (Amendment #3 - Sun Lakes Village North Specific Plan) occurred in 2000. This amendment made changes to the properties on the north side of Sun Lakes Boulevard and included changes to the development standards and design guidelines of the subject site. The changes included the reduction of the required number of parking spaces and the amount of open space required within the planning area, and an option of providing senior apartments (adjacent to the existing congregate care facility). Overall, this amendment established the ability to construct uses/ structures intended to serve, and directly related to the congregate care land uses. It also allowed other uses as approved by the Director of Community Development.

The site is surrounded by the development of congregate care facilities and residential development of varying densities and design restricted to senior citizens age 55 or older

The Sun Lakes area is most known for retirement lifestyle living. Table 1 lists the land uses surrounding the site:

**Table 1
Land Use Summary**

	Existing Land Use	Zoning Designation	General Plan Designation
Subject Site	Vacant Land	High Density Residential -20 /Affordable Housing Opportunity	HDR / Specific Plan Area C Overlay
North	Congregate Care	High Density Residential (HDR)	HDR/ Specific Plan Area C Overlay
South	Senior Housing	Medium Density Residential (MDR)	MDR/ Specific Plan Area C Overlay
East	Senior Housing	Medium Density Residential (HDR)	MDR/ Specific Plan Area C Overlay
West	Congregate Care	High Density Residential (HDR)	HDR / Specific Plan Area C Overlay

PROJECT DESCRIPTION

The applicant proposes a General Plan Amendment (GPA 17-2503), Zone Change (ZC 17-3503), and Design Review (DR 17-004) to allow construction of a two-story, 36,174 square-foot medical support office structure. (Additional description of the entitlement actions requested is contained in following discussion.) The proposed building would include 30,977 square-feet of medical offices, 2,579 square-feet of general offices, 1,249 square-feet of pharmacy space, and 1,369 square-feet of meeting room area. In addition, 193 parking spaces, and 40,189 square-feet of on-site related landscaping is proposed on site.

The primary function of the building is proposed to provide ambulatory medical services commonly associated with primary medical care and ophthalmology. The meeting room / "presentation hall" is proposed to be used for staff training and wellness instruction. Related and ancillary uses are proposed to include a pharmacy and optical shop on the ground floor. This patient convenience is provided as a one-stop facility that allows patients to fill their prescriptions without leaving the Sun Lakes community. Table 3 provides a statistical summary of project characteristics.

Table 2 Project Characteristics		
Area Calculations	Square footage	Area
Gross property area	144,009	3.31 Acres
Net Property Area	94,148	2.16 Acres
Concrete curbs and walks	12,584	8.8 % of site area
Site Paving (concrete, asphalt, decorative)	71,800	49.9% of site area
Landscape Area	40,225	27.9% of site area
Building pad	19,339	13.5% of site area
First story	19,313	
Second story	16,171	

Existing Site Conditions

The project site is a 3.3-acre vacant lot, and is the last parcel to develop within the recorded Parcel Map No. 29395. The site is generally flat and is surrounded by "The Lakes Independent Living and Memory Care" facility to the north and west, and residential development for senior citizens to the east and south across Sun Lakes Boulevard. The site is identified as urban built up land. The land was under cultivation into the 1960s and is void of native vegetation and is surrounded by walls on the south and east. To date no evidence has been found to indicate the site was ever subject to other improvements.

General Plan Amendment and Zone Change

The proposed project includes a General Plan Amendment (GPA) from High Density Residential to Professional Office and a Zone Change (ZC) from High-Density Residential -20/Affordable Housing Opportunity (HDR-20/AHO) zoning district to Professional Office (PO) zoning district. Upon the City Council's approval of the requested GPA and ZC, the site's land use designation and zoning classification would be changed to Professional Office, and the proposed development would be consistent with uses permitted within the Professional Office land use designation, the PO zoning district, and Planning Area C of the Sun Lakes North Specific Plan. The Professional Office land use designation and PO Zone are intended to allow "professional offices and social services, and financial institutions, all with only ancillary retail".

The Housing Element anticipated that this site (APN 419-140-059) would accommodate 66 lower-income units. The proposed General Plan and zoning amendments would change the land use designation, resulting in a net loss of 66 potential lower-income units in the Housing Element sites inventory. The remaining unmet need for housing during the 2014-2021 planning period and the remaining capacity of sites identified in the Housing Element are as follows:

	Very Low	Low
2014-2021 RHNA	872	593
Units permitted since 1/1/2014	0	0
Net Remaining Housing Need	872	593
Total	1465	
Housing Element sites capacity	2,553	
APN 537-190-018 (Prev Rezone)	(520)	
APN 419-140-059 (Project)	(66)	
Net Remaining Capacity	1967	

As 1,465 very low and low income units are required and capacity for 1,967 units remains, there will be no net loss of very low and low housing units. The City has more than adequate capacity remaining to accommodate the City's share of regional housing need.

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is also considered consistent with the Housing Element of the General Plan.

Design Review

Building Design

The applicant proposes to incorporate cream colored stucco as the primary building cladding, with burnt sienna colored cement board siding as accents and a sheet metal trim at the entrance. The architectural forms, colors and materials have been chosen for their similarity to and compatibility with the newer developments that have been approved within the Sun Lakes Village Specific Plan planning areas. Recent developments such as Big 5, Marshall, T-Mobil and Chipotle stores also include similar rooflines, colors themes and defined entries. The building will be consistent with the new development in the Sun Lakes Village Specific Plan.

The building is situated 220-feet from Sun Lakes Boulevard and over 20-feet from all other property lines, exceeding the Specific Plan's 20-foot setback requirement from Sun Lakes Boulevard in the Congregate Care District.

The subject site is Parcel 4 of Tract Map No. 29395, created in December 1999. The lot is 3.306 gross acres, 322-feet in width and 500-feet deep. The building pad is 19,313 sq ft, which is 13.5 % of the site. The maximum building site coverage in the Sun Lakes Village North Specific Plan is 60 % percent. The development meets all setback and lot coverage requirements for Planning Area C of the Sun Lakes Village North Specific Plan.

Building Height

The two-story building height ranges from thirty-two to thirty-six feet in height. The majority of the building is thirty-two feet in height and a few thirty-six feet high accent walls have been incorporated at various locations, to add articulation to the building and to help

screen the mechanical roof top equipment. The Sun Lakes Village North Specific Plan allows for building at a maximum of forty-five (45) feet in height with the Community Development Director's approval. Staff is supportive of the height at thirty-six, since it is an integral part of the building architectural design and it helps to screen the roof top equipment.

Perimeter Walls

The existing perimeter wall along Sun Lakes Boulevard is proposed for demolition/removal along the site frontage. The project has been conditioned to provide a smooth transition by patching and repairing the wall where the existing wall will be terminated. The proposed project will result in a more visually pleasing open street frontage with a landscaped setback.

The Municipal Code (Section 17.28.060(E)(11)) requires a 6 foot high "solid architecturally treated decorative masonry wall" approved by the Community Development Director in any non-residential development abutting "residentially designated property". In accordance Section 17.28.060(E)(11), a perimeter wall will be required along the north and east property lines, which adjoin residentially designated land uses in the Sun Lakes Village North Specific Plan planning areas.

Parking and Loading

Site access will be provided by one primary driveway directly off of Sun Lakes Boulevard and one existing secondary access point through the adjacent property to the west. In order ensure access in perpetuity from the secondary access points, recordation of a joint access easement with the adjoining property will be required along the west property line. The project, as proposed, provides a total of 193 parking spaces, of which 8 are to be designated for handicapped parking. Table 3 illustrates parking required by the Municipal Code and parking proposed.

The parking for this project is based on Section 17.28.040(C) Parking and Loading Standards of the Municipal Code. The building floor plan is divided into 8 individual "leasable medical office units" averaging 3,900 square feet each. The 8 "leasable medical units" total 31,200 square-feet in area. Some "leasable medical units" include spaces for common areas such as restrooms, break rooms, copy rooms, meeting rooms, storage, elevators, stairwells, management offices and mechanical rooms. Those common areas have been included in this parking calculation. Parking is based on the use at the time of occupancy, and this district is allowed shared parking and up to 25% compact parking. A condition of approval has been included requiring a parking analysis at the time of occupancy for tenant improvements. The parking calculation is based on all lease spaces constructed for medical office use at 10 spaces for the first 2,000 sq. ft. plus 1 space per 175 sq. ft. thereafter.

Table 3 Parking Calculations			
Type of use	Parking Standard	Parking Required	Parking Provided <i>(per applicant calculations)</i>
Medical office (31,200 sq.ft.)	10 spaces for the first 2,000 sq.ft. + 1 space/175 sq.ft. thereafter	10 spaces plus 166.8 spaces = Total 166.7 spaces	193 spaces
Total		176.8 spaces, round to 177 spaces	193 spaces

Section 17.28.070, Off Street Loading Standards of the Zoning Ordinance, requires three loading spaces for uses of more than 25,000 square feet. No loading spaces are depicted on the proposed site plan for the medical support office building. Staff has recommended the imposition of a Condition of Approval requiring three 15' x 20' loading spaces with 15 feet of vertical clearance.

Parking lot design must comply with the standards set forth in Section 17.28.060 of the Municipal Code. Among other things, this section states that "parking stalls shall be non-perpendicular to the parking aisle whenever possible". The parking stalls presently shown on the proposed conceptual Site Plan are all perpendicularly oriented.

Landscaping

The project site has been previously rough graded, and is sparsely vegetated, with no distinctive natural features. The proposed conceptual "Planting Plan" depicts landscaping with trees and shrubs along the site perimeter and distributed throughout parking areas. The landscape plan provides a variety of planting materials, including two 48 inch box trees, twenty-four 36 inch box trees, ninety-two 24 inch box trees and twenty-eight 15 gallon size trees, as well as a variety of shrubs and ground cover. The project's landscape program must comply with standards set forth in Section 17.28.060 and Chapter 17.32 of the Municipal Code. Modifications to the proposed conceptual Planting Plan will be necessary as result of the additional parking required for the proposed classroom/presentation space, as described in the preceding section. In addition, the applicant will be required to coordinate the proposed conceptual Planting Plan with the proposed Lighting Plan. A Condition of Approval requires that the applicant address these items prior to the issuance of Building Permits.

Open Space

On April 25, 2000, the Banning City Council approved an amendment to the Sun Lakes Village North Specific Plan (Amendment #3.) The amendment revised the open space requirement in the Congregate Care District and limited the requirement to developments

involving dwelling units. The proposed medical office building does not contain any dwelling units, therefore there are no requirements for open space. The project provides 40,225 square feet of landscaping (27.9%).

Lighting

A photometric plan has been prepared for the project, and was evaluated on a preliminary Basis in the Initial Study/MND. See the Aesthetics discussion, item 1(d). In order to ensure that no adverse impacts from possible spillage of light and glare occur, Mitigation Measure AES-1, requiring compliance with the Municipal Code, has been incorporated into the project. A Condition of Approval has been included to require compliance with all applicable standards and requirements the Municipal Code. In addition, the project is required to compliance with all CEQA mitigation measures.

Refuse Storage

A condition of approval has been included to require that project met the city requirements for trash enclosures including decorative walls and cover to complement the building.

Conclusion

The proposed use and site, building, and landscape design, along with proposed and recommended improvements and conditions, will enhance the site and provide for a land use that would complement the adjacent congregate care and the surrounding community. Staff recommends approval of the proposed project, subject to conditions contained in Exhibit "A" attached.

REQUIRED FINDINGS

General Plan Amendment Findings

A. Finding: That the proposed amendment is internally consistent with the General Plan.

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office, and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is considered consistent with the Housing Element of the General Plan.

- B. Finding: That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.**

Findings of Fact:

The proposed project will complement the adjoining assisted living/congregate care facility and retirement housing and provide medical services to the broader Sun Lakes Village community. As demonstrated in the analysis contained in the Planning Commission staff report dated June 6, 2018, and the MND prepared for the project (Environmental Assessment 17-1504), there are no features unique to the project site or the proposed use that would create conditions detrimental to the public interest, health, safety, convenience, or welfare of the City.

- C. Finding: That the proposed amendment would maintain the appropriate balance of land uses within the City.**

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office (PO), and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

The project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office allows the proposed medical support office building use. The proposed medical support office building will provide approximately 3,948 square feet of general office space (including the proposed presentation space/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Pursuant to Government Code Section 65863(b)(2), the Planning Commission finds that the site that is the subject of this amendment will accommodate fewer housing units than identified in the Housing Element; however, the remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584.

The Housing Element anticipated that this site (APN 419-140-059) would accommodate 66 lower-income units. The proposed General Plan and zoning amendments would change the land use designation, resulting in a net loss of 66 potential lower-income units in the Housing Element sites inventory. The remaining unmet need for housing during the 2014-2021 planning period and the remaining capacity of sites identified in the Housing Element are as follows:

	Very Low	Low
2014-2021 RHNA	872	593
Units permitted since 1/1/2014	0	0
Net Remaining Housing Need	872	593
Total	1465	
Housing Element sites capacity	2,553	
APN 537-190-018 (Prev Rezone)	(520)	
APN 419-140-059 (Project)	(66)	
Net Remaining Capacity	1967	

As 1,465 very low and low income units are required and capacity for 1,967 units remains, the City has more than adequate capacity remaining to accommodate the City's share of regional housing need, and there will be no net loss of Very Low or Low housing units.

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is considered consistent with the Housing Element of the General Plan.

- D. Finding: That in the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints), for the requested land use designation(s) and the anticipated land use developments(s).**

Findings of Fact:

The 3.31 acre land area is of adequate size to accommodate the proposed medical support office building, subject to compliance with the proposed Conditions of Approval. No natural constraints exist to the proposed development, and significant adverse environmental impacts are anticipated with mitigation measures contained in the MND for the project (Environmental Assessment 17-1504).

Sun Lakes Boulevard provides suitable access and all necessary utilities are in place within adjacent public rights-of-way. As has been described in the preceding analysis, the site is surrounded by an assisted living/congregate care facility to the west, to which the proposed medical offices will provide support for residents of the facility and the surrounding Sun Lakes Village community. High density residential use adjoins the project site on the north, with medium density single family land uses to the east and to the south across Sun Lakes Boulevard. A six foot perimeter will buffer the proposed project on the north and east boundaries. The subject site is basically flat with and has been rough graded in the past, thus no unique physical features or vegetation will be affected by the proposed project.

Zone Change Findings

- A. Finding:** The proposed Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The zoning classification of Professional Office (PO) allows medial services, clinics and labs, subject to approval of a Conditional Use Permit by City Council. The Professional Office zoning classification is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the project is considered consistent with the Housing Element of the General Plan.

- B. Finding:** The proposed Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The proposed project is not anticipated to result in exceeding, either cumulatively or individually, any applicable level of service standards. Pursuant to the project's Conditions of Approval, the proposed project will be constructed in conformance with City standards and specifications.

- C. Finding:** The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

The City, in light of the whole record before it, including, but not limited to, the City's local CEQA Guidelines and Thresholds of Significance, the proposed MND and documents incorporated therein by reference, any written comments received and responses provided, the proposed Mitigation Monitoring and Reporting Program (MMRP) and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines as follows:

1. Review Period: That the City has provided the public review period for the MND for the duration required under CEQA Guidelines Sections 15073 and 15105.
2. Compliance with Law: That the MND and MMRP were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*), the CEQA Guidelines (14 California Code of Regulations Section 15000 *et seq.*) and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Banning.
3. Independent Judgment: That the MND reflects the independent judgment and analysis of the City Council.
4. Mitigation Monitoring Program: That the MND is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated into the project and are fully enforceable through permit conditions, agreements or other measures as required by Public Resources Code Section 21081.6.
5. No Significant Effect: That mitigation measures imposed as Conditions of Approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the mitigation measures imposed, the City Council finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the City Council concludes that the project will not have a significant effect on the environment.

Design Review Findings

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

Findings of Fact:

The project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office (PO) allows the proposed medical support building use. The proposed project will provide approximately 3,948 square feet of general office space (including the proposed presentation hall/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Further, the project is consistent with General Plan Economic Development Policy which states: "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". The proposed project is estimated to generate approximately 50 jobs.

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

Findings of Fact: The proposed project is consistent with the Zoning Ordinance and the development standards of the Professional Office (PO) Zone, with the imposition of Conditions of Approval, as detailed in the analysis contained in the Planning Commission staff report dated June 6, 2018.

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

Findings of Fact: The proposed project has provided site and circulation layout design in such a way that the project will not interfere with the use and enjoyment of existing and future development in the surrounding area. The proposed project provides vehicular access from Sun Lakes Boulevard as well as through the adjacent property to the west. A reciprocal access agreement is required as a Condition of Approval to preserve future access in perpetuity. The proposed project provides pedestrian paths around the building in coordination with the parking layout. A six-foot solid perimeter wall will buffer adjacent residential development to the north and east of the proposed project and design of lighting on-site is subject to compliance with the Municipal Code to prevent spillage onto adjacent areas.

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

Findings of Fact: The proposed use will not impair the integrity and character of the PO land use district in which it is to be located because it is surrounded by existing developments and Sun Lakes Boulevard in proximity to Highland Springs Avenue, an established commercial corridor. The building architecture, site circulation and landscaping have been designed in a manner that the project is compatible with the character of the surrounding neighborhood, with the imposition of Conditions of Approval and CEQA mitigation measures. Additionally, a 6-foot solid wall, along with landscaping, will buffer the site from adjacent residential areas on the north and east.

ENVIRONMENTAL DETERMINATION:

California Environmental Quality Act (CEQA)

The proposed General Plan Amendment No. 17-2503, Zone Change 17-3503 and Design Review 17-7004 are considered a "project" as defined by the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 *et seq.*). An Initial Study (EA 17-1504) has been prepared and made available for public review beginning on May 11, 2018 and closing on May 31, 2018.

Based upon analysis contained in the Initial Study, staff determined that any potentially significant effects on the environment would be reduced to less than significant levels by mitigation measures incorporated in the Initial Study and that the preparation of an MND was appropriate. All mitigation measures are carried forward into project Conditions of Approval. An MMRP has also been prepared, as required by CEQA.

Multiple Species Habitat Conservation Plan (MSHCP).

The project is consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee at the time of building permit issuance

PUBLIC COMMUNICATION:

Proposed GPA 17-2503, Zone Change 17-3503, DR 17-7004, and Environmental Assessment 17-1504 were advertised in the Record Gazette newspaper on May 11, 2018 (Attachment No. 3).

Staff advertised the public hearing on proposed GPA 17-2503, Zone Change 17-3503, DR 17-7004, and Environmental Assessment 17-1504 in the Record Gazette newspaper on May 25, 2018 (Attachment No. 3).


ATTACHMENTS:

1. Planning Commission Resolution No. 2018-07
Exhibit A – Project Plans/General Plan / Zone Change Map
Exhibit B – Conditions of Approval
2. Project Plans
3. Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program
4. Public Hearing Notice

Prepared By:


Sonia Pierce
Senior Planner

Reviewed and Recommended By:


Patty Nevins
Community Development Director

ATTACHMENT 1

Planning Commission Resolution No. 2018-07

Exhibit A. Project Plans

Exhibit B. Conditions of Approval

RESOLUTION NO. 2018-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BANNING ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (ENVIRONMENTAL ASSESSMENT 17-1504) FOR A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING, APPROVE GENERAL PLAN AMENDMENT NO. 17-2503 TO AMEND THE GENERAL PLAN LAND USE DESIGNATION OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059), FROM HIGH DENSITY RESIDENTIAL TO PROFESSIONAL OFFICE, APPROVE ZONE CHANGE NO. 17-3503 TO AMEND THE ZONING MAP AND RE-ZONE REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059), FROM HIGH DENSITY RESIDENTIAL-20/AFFORDABLE HOUSING OPPORTUNITY (HDR-20/AHO) TO PROFESSIONAL OFFICE (PO), AND APPROVE DESIGN REVIEW 17-7004 TO PERMIT THE DEVELOPMENT OF A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING ON 3.31 ACRES OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059)

WHEREAS, an application for General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004 to permit the development of a proposed 36,171 square foot medical office building (the "Project") has been duly filed by:

Applicant / Owner:	Gary Miller Architects / RCCI, LLC
Project Sponsor:	Careage healthcare, Inc.
Authorized Agent:	Gary Miller Architects
Project Location:	North side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, within the Congregate Care District (Planning Area C) of the Sun Lakes Village North Specific Plan
APN Number:	419-140-059

Lot Area: 3.31 acres;

WHEREAS, the Planning Commission has the authority to review and make recommendations to the City Council concerning General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004;

WHEREAS, in accordance with Government Code Sections 65353, 65090, and 65091, on May 25, 2018, the City gave public notice, by advertisement in the Record Gazette newspaper, of a public hearing concerning the Project, which included the General Plan Amendment 17-2503, Zone Change 17-3503, Design Review 17-7004, and Environmental Assessment 17-1504 (a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP)). The public hearing notice was also mailed to the owner of the subject real property, the owner's duly authorized agent, the Project applicant, and property owners within 300 feet of the Project site on or before May 27, 2018. Further, in accordance with Public Resources Code Section 21165, a Notice of Availability and Public Hearing Notice was advertised in the Record Gazette Newspaper announcing the 20 day circulation for public review and comment of the draft MND for the proposed Project. Copies of the draft MND were made available at Banning City Hall and Banning Public Library;

WHEREAS, in accordance with Government Code Section 65353, on June 6, 2018, the Planning Commission held the public hearing at which interested parties had an opportunity to testify in support of, or opposition to, General Plan Amendment 17-2503, Zone Change 18-3503, Design Review 17-7004, and at which the Planning Commission considered the Project, each of the proposed entitlements, and the MND; and

WHEREAS, at this public hearing on June 6, 2018, the Planning Commission heard public comments on, and adopted this Resolution recommending that the City Council adopt the MND and MMRP for the Project, and approve General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004.

NOW THEREFORE, the Planning Commission of the City of Banning does hereby recommend to the City Council of the City of Banning as follows:

SECTION 1: California Environmental Quality Act Findings and Recommendation for Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The Planning Commission of the City of Banning does hereby recommends that the City Council of the City of Banning make the following environmental findings and determinations in connection with the approval of the Project:

- A.** Pursuant to the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21000 *et seq.*), the State Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), and the City's Local Guidelines, City staff prepared an Initial Study of the potential environmental effects of the approval of the Project as described in the Initial Study. Based upon the findings contained in that Study, City staff determined that, with the incorporation of mitigation measures, there was no substantial evidence that the Project could have a

significant effect on the environment and a Mitigated Negative Declaration (MND) was prepared in full compliance with the requirements of CEQA.

- B. Thereafter, City staff provided public notice of the public comment period and of the intent to adopt the MND as required by law. The public comment period commenced on May 11, 2018, and expired on May 31, 2018. Copies of the documents have been available for public review and inspection at City Hall, 99 E. Ramsey Street, Banning, California 92220, and the Banning Public Library, 21 West Nicolet Street, Banning, California 92220. The City received did not receive any comments during the public review period.
- C. The City Council reviewed MND and the MMRP, which is on file with the Planning Department and incorporated herein by this reference, and all comments received regarding the MND and, based on the whole record before it, finds that: (1) the MND was prepared in compliance with CEQA; (2) with the incorporation of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; and (3) the MND reflects the independent judgment and analysis of the City Council.
- D. Based on the findings set forth in this Resolution, the City Council hereby adopts the MND and MMRP for the Project.
- E. The Community Development Director is authorized and directed to file a Notice of Determination in accordance with CEQA.

SECTION 2: Findings for Recommendation of Approval of General Plan Amendment 17-2503. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that General Plan Amendment 17-2503 should be approved because:

- A. **Finding: The proposed amendment is internally consistent with the General Plan.**

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office, and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

- B. **Finding: That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.**

Findings of Fact:

The proposed Project will complement the adjoining assisted living/congregate care facility and retirement housing and provide medical services to the broader Sun Lakes Village community. As demonstrated in the analysis contained in the Planning Commission staff report dated June 6, 2018, and the MND prepared for the Project (Environmental Assessment 17-1504), there are no features unique to the Project site or the proposed use that would create conditions detrimental to the public interest, health, safety, convenience, or welfare of the City.

C. Finding: That the proposed amendment would maintain the appropriate balance of land uses within the City.

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office (PO), and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office allows the proposed medical support office building use. The proposed medical support office building will provide approximately 3,948 square feet of general office space (including the proposed presentation space/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Pursuant to Government Code Section 65863(b)(2), the Planning Commission finds that the site that is the subject of this amendment will accommodate fewer housing units than identified in the Housing Element; however, the remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584.

The Housing Element anticipated that this site (APN 419-140-059) would accommodate 66 lower-income units. The proposed General Plan and zoning amendments would change the land use designation, resulting in a net loss of 66 potential lower-income units in the Housing Element sites inventory. The remaining unmet need for housing during the 2014-2021 planning period and the remaining capacity of sites identified in the Housing Element are as follows:

	Very Low	Low
2014-2021 RHNA	872	593
Units permitted since 1/1/2014	0	0
Net Remaining Housing Need	872	593
Total	1465	
Housing Element sites capacity	2,553	
APN 537-190-018 (Prev Rezone)	(520)	
APN 419-140-059 (Project)	(66)	
Net Remaining Capacity	1967	

As 1,465 very low and low income units are required and capacity for 1,967 units remains, the City has more than adequate capacity remaining to accommodate the City's share of regional housing need, and there will be no net loss of Very Low or Low housing units.

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

- D. Finding: That in the case of an amendment to the General Plan Land Use Map, the subject parcel (s) is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints), for the requested land use designation(s) and the anticipated land use developments(s).**

Findings of Fact:

The 3.31 acre land area is of adequate size to accommodate the proposed medical support office building, subject to compliance with the proposed Conditions of Approval. No natural constraints exist to the proposed development, and significant adverse environmental impacts are anticipated with mitigation measures contained in the MND for the Project (Environmental Assessment 17-1504).

Sun Lakes Boulevard provides suitable access and all necessary utilities are in place within adjacent public rights-of-way. As has been described in the preceding analysis, the site is surrounded by an assisted living/congregate care facility to the west, to which the proposed medical offices will provide support for residents of the facility and the surrounding Sun Lakes Village community. High density residential use adjoins the Project site on the north, with medium density single family land uses to the east and to the south across Sun Lakes Boulevard. A six foot perimeter will buffer the proposed Project on the north and east boundaries. The subject site is basically flat with and has been rough graded in the past, thus no unique physical features or vegetation will be affected by the proposed Project.

SECTION 3: Findings for Recommendation of Approval of Zone Change 17-3503.
The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Zone Change 17-3503 should be approved because:

- A. Finding: The proposed Amendment is consistent with the goals and policies of the General Plan.**

Findings of Fact:

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The zoning classification of Professional Office (PO) allows medical services, clinics and labs, subject to approval of a Conditional Use Permit. The Professional Office zoning classification is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

- B. Finding: The proposed Amendment is internally consistent with the Zoning Ordinance.**

Findings of Fact:

The proposed Project is not anticipated to result in exceeding, either cumulatively or individually, any applicable level of service standards. Pursuant to the Project's Conditions of Approval, the proposed Project will be constructed in conformance with City standards and specifications.

- C. Finding: The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.**

Findings of Fact:

See findings of fact in Section 1 of this Resolution.

SECTION 4: Findings for Recommendation of Approval of Design Review 17-7004. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Design Review 17-7004 should be approved because:

- A. Finding: The proposed Project is consistent with the General Plan.**

Findings of Fact:

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office (PO) allows the proposed medical support building use. The proposed Project will provide approximately 3,948 square feet of general office space (including the proposed presentation hall/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Further, the Project is consistent with General Plan Economic Development Policy which states: "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". The proposed Project is estimated to generate approximately 50 jobs.

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

Findings of Fact:

The proposed Project is consistent with the Zoning Ordinance and the development standards of the Professional Office (PO) Zone, with imposition of Conditions of Approval, as detailed in the analysis contained in the Planning Commission staff report dated June 6, 2018.

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

Findings of Fact:

The proposed Project has provided site and circulation layout design in such a way that the Project will not interfere with the use and enjoyment of existing and future development in the surrounding area. The proposed Project provides vehicular access from Sun Lakes Boulevard as well as through the adjacent property to the west. A reciprocal access agreement is required as a Condition of Approval to preserve future access in perpetuity. The proposed Project provides pedestrian paths around the building in coordination with the parking layout. A six foot solid perimeter wall will buffer adjacent residential development to the north and east of the proposed Project and design of lighting on-site is subject to compliance with the Municipal Code to prevent spillage onto adjacent areas.

- D. Finding: The design of the proposed Project is compatible with the character of the surrounding neighborhood.**

Findings of Fact:

The proposed medical support office building use will not impair the integrity and character of the PO land use district in which it is to be located because it is surrounded by existing developments and Sun Lakes Boulevard in proximity to Highland Springs Avenue, an established commercial corridor. The building architecture, site circulation and landscaping have been designed in a manner that the Project is compatible with the character of the surrounding neighborhood, with the imposition of Conditions of Approval and CEQA mitigation measures. Additionally, a 6-foot solid wall, along with landscaping, will buffer the site from adjacent residential areas on the north and east.

SECTION 5: PLANNING COMMISSION ACTION - Recommendation of Approval of Project with Conditions. Based on the foregoing, the Planning Commission of the City of Banning hereby recommends that the City Council of the City of Banning approve General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004 to permit the development of a 36,171 square foot medical office building on 3.31 acres of real property located on the north side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, within the Congregate Care District (Planning Area C) of the Sun Lakes Village North Specific Plan as shown in plans attached as Exhibit A (APN: 419-140-059) and, subject to the recommended Conditions of Approval attached as Exhibit B. Further, the Planning Commission of the City of Banning hereby recommends to the City Council of the City of Banning that the Council's approval of Design Review 17-7004 not be effective until the effective date of the City Council resolution approving General Plan Amendment 17-2503 and the ordinance adopting Zone Change 17-3503, whichever date occurs later.

PASSED, APPROVED AND ADOPTED this 6th day of June, 2018.

Eric Shaw, Chairman
Banning Planning Commission

ATTEST:

Sandra Calderon, Recording Secretary
City of Banning, California

APPROVED AS TO FORM
AND LEGAL CONTENT:

ATTEST:

Sandra Calderon, Recording Secretary
City of Banning, California

APPROVED AS TO FORM
AND LEGAL CONTENT:

Serita R. Young, Assistant City Attorney
Richards, Watson & Gershon

CERTIFICATION:

I, Sandra Calderon, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, No. 2018-07, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 6th day of June, 2018, by the following vote, to wit:

AYES:

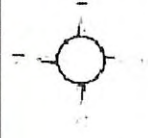
NOES:

ABSENT:

ABSTAIN:

Sandra Calderon, Recording Secretary
City of Banning, California

GPA: From HDR-20 to Professional Office /Specific Plan Overlay

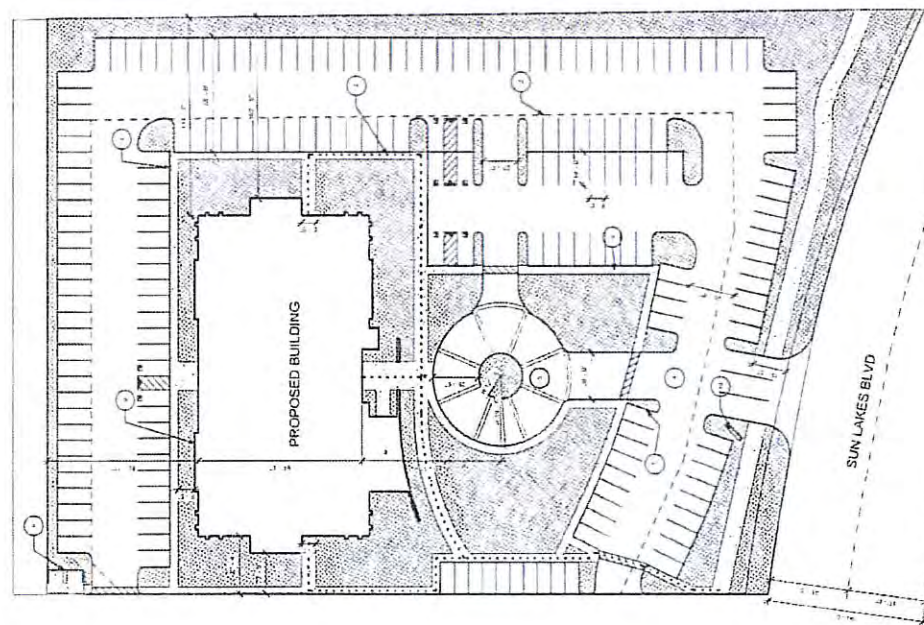


05/24/2018

419-140-059

1" = 752 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy please contact Banning staff for the most up-to-date information.



	File	Index
1	EV Charging plan	
2	EV Charging station	
3	EV Charging system	
4	EV Charging system	
5	EV Charging system	
6	EV Charging system	
7	EV Charging system	
8	EV Charging system	
9	EV Charging system	
10	EV Charging system	

Area Calculations		
Area	Area	Area
Grand Property Area	144,000.00	12,500.00
Grand Property Area	34,148.57	2.16
Crack, Retaining Area	100.00	Percent
Crack, Retaining Area	16,980.00	13.50
Crack, Retaining Area	30,124.56	12.26
Total	30,124.56	27.90
Site Area	Area	Area
Excavation	11,500.00	12,500.00
Excavation	1,687.50	1,250.00
San Concrete Curb	1,687.50	1,250.00
San Concrete Curb	40,189.59	27.90
San Concrete Curb	7,124.86	48.96
San Storm Sewer	2,361.13	2.04
San Storm Sewer	3,671.13	2.94
Total	144,000.00	100.00
Private Gravel	Area	Area
Private Gravel	100.00	100.00
Private Gravel	34,148.57	100.00
Total	34,148.57	100.00

revisions/addenda	#	Date	Comment
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BANNING MEDICAL	project information
APR 11 2012	Project Number
CAREAGE	Drawn By
4411 Peach Street Dallas, TX 75213	Checked By
© BANNING MEDICAL 2012	Issue Date
	Sheet Name

SITE PLAN

sheet number

AS-101

Sheet Of Projects

① Site

Material Schedule

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	CU YD	120.00	12000.00
2	STEEL	50	TON	150.00	7500.00
3	BRICK	1000	SQ YD	10.00	10000.00
4	GLASS	100	SQ FT	20.00	2000.00
5	PAINT	100	GA	10.00	1000.00
6	ROOFING	100	SQ YD	10.00	1000.00
7	LANDSCAPE	100	SQ YD	10.00	1000.00
8	MECHANICAL	100	HR	10.00	1000.00
9	ELECTRICAL	100	HR	10.00	1000.00
10	PLUMBING	100	HR	10.00	1000.00
11	CONCRETE	100	CU YD	120.00	12000.00
12	STEEL	50	TON	150.00	7500.00
13	BRICK	1000	SQ YD	10.00	10000.00
14	GLASS	100	SQ FT	20.00	2000.00
15	PAINT	100	GA	10.00	1000.00
16	ROOFING	100	SQ YD	10.00	1000.00
17	LANDSCAPE	100	SQ YD	10.00	1000.00
18	MECHANICAL	100	HR	10.00	1000.00
19	ELECTRICAL	100	HR	10.00	1000.00
20	PLUMBING	100	HR	10.00	1000.00

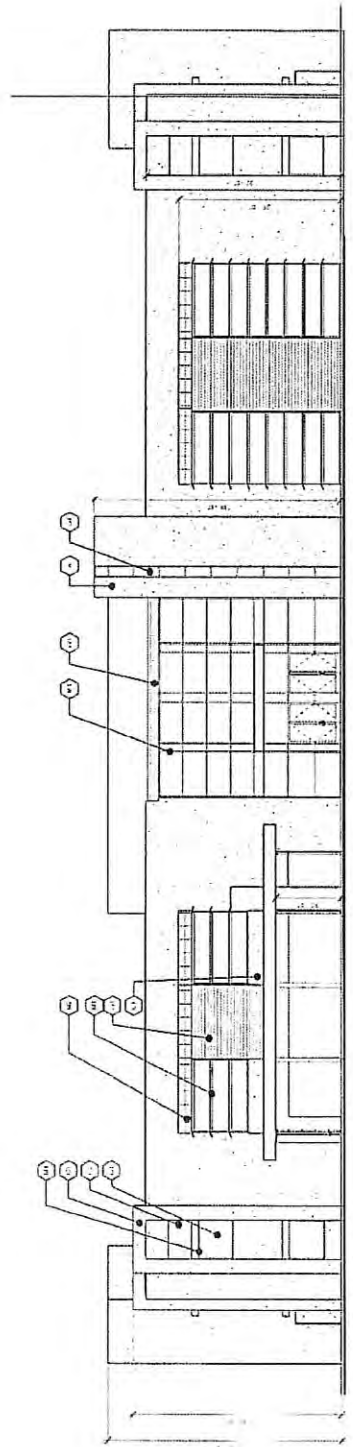
1177 Evans Street, Suite 300
 Redlands, CA 92374
 Tel: 909-338-7225
 Fax: 909-338-7226
 www.millerinc.com

owner approval

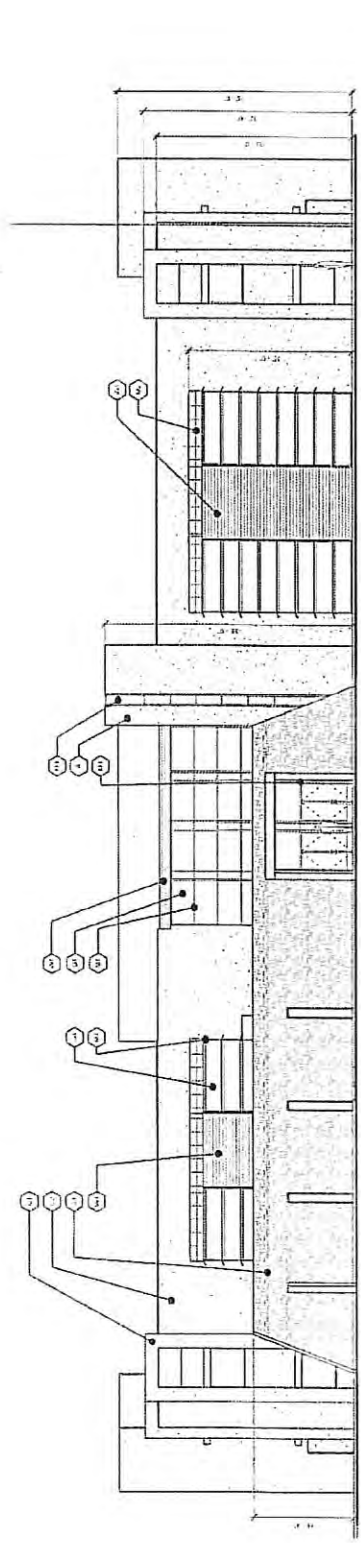
DATE: _____

revisions/addenda

_____ DATE: _____



2 South Elevation - Partial



1 South Elevation

BANNING MEDICAL

CAREAGE

APR 21/15 10:05

project information

Project Name: CAREAGE

Project No: 1500

Client: BANNING MEDICAL

Design: [blank]

Check By: [blank]

Date: 04-21-2015

sheet name

EXTERIOR ELEVATIONS

sheet number

A-201



City of Banning

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

COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT #: General Plan Amendment 17-2503, Zone Change 17-3503,
Design Review 17-7004, Conditions of Approval

SUBJECT: (Planning Commission Resolution No. 2018-07)

APPLICANT: Gary Miller Architects

LOCATION: APN: 419-140-059

EXHIBIT A

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

Community Development Department

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

costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

2. Approval of this entitlement shall not waive compliance with any sections of the Development Code, or other applicable City Ordinances, in effect at the time of building permit issuance.
3. Construction shall commence within two (2) years from the date of project approval, or the Design Review approval shall become null and void. Additionally, if after commencement of construction work is discontinued for a period of one year the Design Review approval shall become null and void. Projects may be built in phases if pre-approved by the review authority. The Community Development Director may, upon a written application being filed 30 days prior to expiration and for good cause, grant a onetime extension not to exceed 12 months. Upon granting of an extension, the Community Development Director shall ensure that the Design Review approval complies with all current Ordinance provisions.
4. A copy of the signed Resolution of approval or Community Development Director's letter of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans, building and construction plans, and landscape and irrigation plans submitted for review and approval as required by the reviewing department.
5. Prior to any use of the project site, or business activity being commenced thereon, the applicant shall complete all Conditions of Approval to the satisfaction of the Community Development Director.
6. The site shall be developed and maintained in accordance with the plans stamped approved by the City, which include site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division; the conditions contained herein; and, Banning Municipal Code regulations.
7. The applicant shall comply with all conditions of approval imposed on the medical office facility located at APN: 419-140-059 and the approval of GPA 17-2503, ZC 17-3503, ENV 17-1504 and DR 17-7004 prior to the issuance of a Certificate of Occupancy.
8. There shall be no storage of vehicles or equipment, or any other materials in the parking or landscaping areas of the project.
9. The applicant shall remove all graffiti immediately or within 24 hours of notice from the City.

10. The applicant shall keep the entire project site free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
11. The proposed site plan and project design shall comply with all Mitigation Measures contained in Mitigated Negative Declaration (MND) 17-1504 and the Mitigation Monitoring and Reporting Program (MMRP).
12. If the existing wall along the Sun Lakes Boulevard frontage is removed, a smooth, aesthetic transition shall be made between any remaining wall(s) on adjacent property.
13. In accordance with the Municipal Code a new 6-foot high solid perimeter wall shall be constructed along the north and east property lines, which adjoin residentially designated land uses in the Sun Lakes Specific Plan.
14. In order ensure ingress/egress and access to parking taking access from the adjacent property (APN 419-140-063 and 419-140-062) to the west and north in perpetuity, recordation of a joint access easement/agreement with the adjoining property shall be executed in a form acceptable to the City Attorney.
15. The project site plan shall provide three loading spaces in compliance with Municipal Code.
16. If necessary, due to the ingress and egress easement requirements, relocation of parking may be required. As allowed by the Specific Plan, the project applicant may submit a shared parking analysis prepared by a qualified traffic engineer to evaluate and identify parking demand for the proposed project in conjunction with adjacent parcels to the immediate west (APN 419-140-063) and north (APN 419-140-062). The parking supply and site plan may be adjusted in accordance with findings of such analysis, as approved by the Director of Community Development. The scope of such analysis shall be approved in advance by the Director of Community Development.
17. Prior to approval of Building Permits, the Landscape Plan shall be coordinated with the Lighting Plan to avoid conflicts and ensure proper placement of trees and lighting standards.
18. Prior to issuance of Building Permits, the project shall develop an alternate access option for service and delivery vehicles by providing access from the existing driveway and eastbound left-turn pocket located on the west of the project site. The design and configuration of such access shall be approved by the Director of Public Works.
19. All signage shall comply with the Specific Plan requirements. A coordinated comprehensive signage program shall be submitted for review and the approval of

the Planning Department prior to issuance of Occupancy Permits. Signage shall be designed to accommodate the special needs of low vision and elderly patients.

20. Prior to the issuance of Building Permits, a comprehensive lighting plan, including specification details, shall be submitted to the Planning Department for review and approval prior to the issuance of Building Permits. The Lighting Plan shall comply with Title 24 of the California Uniform Building Code. Any existing lighting along Sun Lakes Boulevard shall be plotted on the Lighting Plan, Site Plan and Landscape Plan. Any proposed wall lighting shall be schematically plotted on the Lighting Plan, Site Plan and on building facades.
21. A consistent level of lighting adequate to ensure public safety shall be provided throughout the site, including but not limited to, building and site entrances/exits, along pedestrian pathways, at handicapped parking locations, and at the proposed patient drop-off area.
22. Low intensity ground level lighting shall be provided along pedestrian paths and adjacent to handicapped parking spaces.
23. No spillage of light shall be allowed off-site on any property line.
24. Prior to certificate of occupancy, a comprehensive parking plan shall be submitted to Community Development identifying each use and related parking. Thereafter, each tenant shall submit a comprehensive parking plan identifying that the facility is in compliance with the parking code.

Public Works Department

A. General Requirements

25. A Public Works Permit shall be required prior to commencement of any work within the public right-of-way. The contractor working within the public right-of-way shall submit proof of a Class "A" State Contractor's License, City of Banning Business License, and Liability Insurance. Any existing public improvements, or public improvements not accepted by the City that are damaged during construction shall be removed and replaced as determined by the City Engineer or his/her representative.
26. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:
 - Fire Marshal (access)
 - Public Works Department (grading permits, street improvement permits)
 - Riverside County Flood Control & Water Conservation District (storm drain)

- California Regional Water Quality Control Board Colorado River Basin (RWQCB)
- South Coast Air Quality Management District (SCAQMD)
- California Department of Transportation (CALTRANS)

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

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

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

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

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

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

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

B. Rights of Way

28. Prior to issuance of any permit(s), the applicant shall offer to dedicate (additional 5 feet right-of-way) to the City of Banning for public purposes for Sun Lakes Boulevard fronting the site as a Major Arteria street. The existing right-of-way on Sun Lakes Blvd is currently 90 feet (45 feet from centerline). The City General Plan designation for Major Arteria streets is 100 feet right-of-way (50 feet from centerline).
29. Remove and reconstruct the driveway approach in accordance with City Standard No. C-210 fronting Sun Lakes Boulevard. Street lights, if required, shall be installed offset of the existing street lights.
30. Proposed sidewalk shall be constructed within the Street Right of Way (50 feet from centerline). Applicant shall submit document for additional Right of Way dedication to the City Engineer for review and approval prior to issuance of any permits.
31. The proposed sidewalk shall connect to the existing sidewalk to the east of the project. The minimum width of sidewalk on Sun Lakes Boulevard shall be 8 feet in width.
32. Any public improvements damaged during the course of construction shall be replaced to the satisfaction of the City Engineer, or his/her designee.
33. The applicant shall plant and perpetually maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways constructed in connection with the project. This includes providing irrigation and the clearing of debris and weed removal.

34. All required public improvements for the project shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy.

C. Grading and Drainage

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

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

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

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

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

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

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

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

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

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

D. Traffic

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

E. Water

50. Design and construct water line and connect to the existing City water system. Submit any water improvement plans to Engineering Division for review and approval. If the water line is not located on a public street, an easement over the water line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.

51. A backflow device must be installed on all commercial buildings and at each irrigation water connection. The backflow device must be in compliance with the State Department of Health Regulations.

52. Fire Services will require a Double Detector Check or RPP Device.

Pay all applicable water connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

F. Sewer

53 Design and construct sewer line and connect to existing City sewer system. Submit any sewer improvement plans to Engineering Division for review and approval. If the sewer line is not located on a public street, an easement over the sewer line, minimum 15 feet in width, shall be granted to the City of Banning for maintenance purposes.

54. All sewer lines to be constructed within the Public right-of-way shall be extra strength Vitrified Clay Pipe. All sewer laterals shall be a minimum of 4" and all sewer mains shall be a minimum of 8". Final sizes shall be approved by the City Engineer.

56. A sewer check valve shall be provided for each building with a finish pad elevation lower than the rim elevation of the immediate up-stream sewer manhole.

57. Pay all applicable sewer connection and frontage fees per Chapter 13.08 "Water, Sewer and Electricity Rates" of the Banning Municipal Code prior to the issuance of a building permit.

G. Trash/Recycling

58. The developer shall participate in the City's recycling program by providing two trash receptacles, one for regular trash and one for recycling, within the covered trash enclosure. The covered trash enclosure shall be designed and constructed in such a manner to accommodate a recycling bin as well as the necessary solid waste containers.

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

H. Fees

60. Plan check fees for professional report review (geotechnical, drainage, etc.), and all improvement plans review, shall be paid prior to submittal of said documents for review and approval in accordance with the fee schedule in effect at the time of submittal.

61. Public Works Inspection fees shall be paid prior to issuance of any permits in accordance with the fee schedule in effect at time of time of scheduling.
62. Water and sewer connection fees including frontage fees and water meter installation charges shall be paid at the time of building permit issuance in accordance with the fee schedule in effect at that time.
63. A plan storage fee shall be paid for any engineering plans that may be required prior to issuance of certificate of occupancy in accordance with the fee schedule in effect at the time the fee is paid.
64. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit prior to initiation of construction activities.

Electric Utility Department

65. The Electric Utility currently has a point-of-connection for electric service located near the northeast corner of the property. An area for the new pad mounted transformer(s), vault(s) & service equipment must be sufficient in size for safe operation and maintenance.

The Electric Utility notes that the Environmental Checklist Form and Initial Study submitted does not note any impacts to electric utility service.

The developer shall be responsible the following:

66. Submitting detailed plans indicating lot lines, streets, easements, building layout, anticipated loading information, etc. These plans are required in electronic format. We currently use AutoCad2016. Plans should consist of a plot plan, site plan, one line diagram of proposed electrical main service panel and a sheet showing load calculations by an electrical engineer.

Additional sheets may be required upon request.

67. Paying required fees - electrical permit, plan check fee, inspection fees, meter fee and cost of electrical apparatus for completing the underground line extension.
68. Granting easement for electric facilities installation / maintenance, etc.
69. Installation of all electric utility conduits and substructures.

70. All trenching, backfill, and compaction.

71. The installation of the service entrance cable from the transformer(s) to the pull section and switchgear.

72. The City of Banning Electric Utility shall be responsible for:

1. Reviewing plans submitted by customer.
2. Design an electrical utility plan for the installation of substructures and conduit by developer.
3. Providing a cost estimate for installing an underground electrical system for this project.
4. Inspecting all trenches prior to backfilling. 24-hour prior notice is required before inspection.
5. Install electrical apparatus including primary conductors, terminations, metering, and transformer to provide electrical service for your project.

Fire Department

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

For commercial areas, the required fire flow shall be available from Super hydrant(s) (6" x 4" x 2 1/2" x 2 1/2") spaced not more than 350 apart and shall be capable of delivering a fire flow 2750 GPM per minute for two-hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site.

74. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.

75. Install a complete commercial fire sprinkler system. Fire sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage.

76. The PIV and FDC shall be located to the front of building within 50 feet of approved roadway and within 200 feet of an approved hydrant. Sprinkler riser room must have indicating exterior and/or interior door signs. A C-16 licensed contractor must submit

plans, along with current permit fees, to the Fire Department for review and approval prior to installation.

77. Install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads, along with current permit fees, to the Fire Department for review and approval prior to installation.
78. Gate(s) shall be automatic or manual operated. Install Knox key operated switches, with dust cover, mounted per recommended standard of the Knox Company. Building plans shall include mounting location/position and operating standards for Fire Department approval.
79. Fire Apparatus access road and driveways shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
80. Commercial address must be a minimum 12" tall in contrasting color visible from the street address side of the building. Illuminated internally or externally.
81. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. It should be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
82. An approved Fire Department access key lock box (Minimum Knox Box 3200 series model) shall be installed next to the approved Fire Department access door to the building. If the buildings are protected with an alarm system, the lock box shall be required to have tampered monitoring. Required order forms and installation standards may be obtained at the Fire Department.

Building and Safety Department

The following conditions are required to be met at time of plan check submittal:

83. The Site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Banning.
84. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel, and where

necessary to provide access. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warnings, signage, gates, lifts and walking surface material. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site. California Building Code (CBC) 11A and 11B.

- a. City of Banning enforces the State of California provisions of the California Building Code disabled access requirements. The Federal ADA standards differ in some cases from the California State requirements. It is the building owner's responsibility to be aware of those differences and comply accordingly.
 - b. Disabled access parking shall be located on the shortest accessible route. Relocate parking spaces accordingly.
85. Multi-family buildings on the site shall be accessible/adaptable per California Building Code (CBC), Chapters; 11A and 11B.
 86. Commercial buildings on the site shall be accessible per California Building Code (CBC) 11B.
 87. Site Facilities such as parking (open and covered), recreation facilities, and trash dumpsters, shall be accessible per California Building Code (CBC) 11A, 11B and 31B.
 88. Separate submittals and permits are required for all accessory structures such as but not limited to, trash enclosures, patios, block walls and storage buildings.
 89. Pursuant to California Business and Professions Code Section 6737, this project is required to be designed by a California licensed architect or engineer. Based on change of use and potential exiting and fire life safety improvements.

END

ATTACHMENT 2

Exhibits-Plans
(Full Size Plans Provided)

GPA: From HDR-20 to Professional Office /Specific Plan Overlay



		<p>05/24/2018</p>	<p>419-140-059</p>	<p>1" = 752 ft</p>
<p>This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy please contact Banning staff for the most up-to-date information.</p>				

1977 Buena Street, Suite 200
 Redlands, CA 92374
 Phone: 909-335-7224
 Fax: 909-335-7229
 email: miller@redlands.com



owner approval	
_____ Name	_____ Title
revisions/addenda	
_____ Date	_____ Description

BANNING MEDICAL
 145-143-005

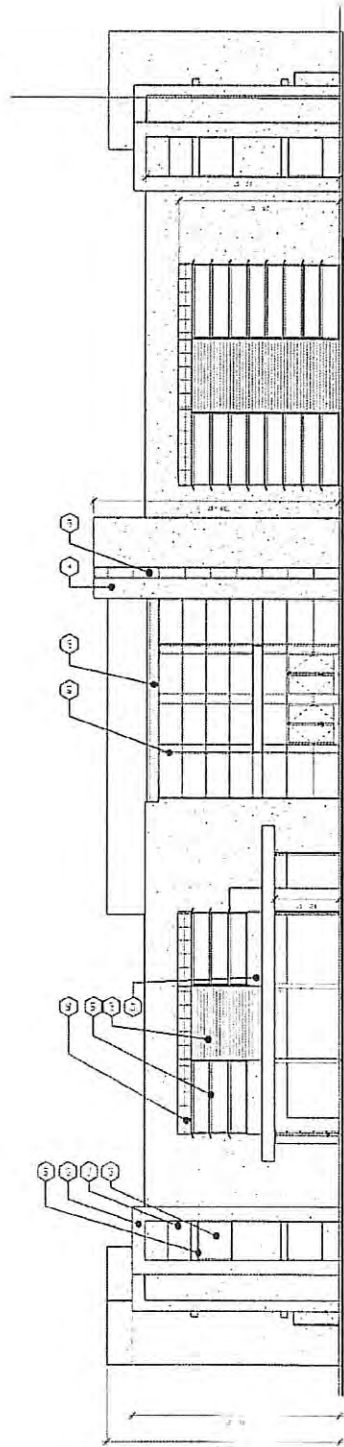
project information
 Project Name: CAREAGE
 Project Number: 145-143-005
 Drawn By: [blank]
 Checked By: [blank]
 Issue Date: 05-10-2017

sheet name
 EXTERIOR ELEVATIONS

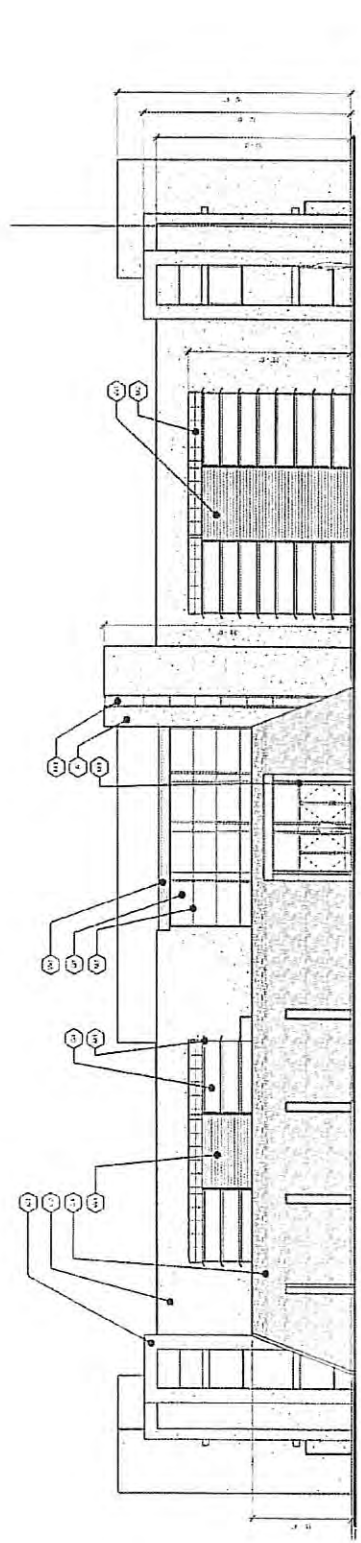
sheet number
 A-201

Material Schedule

NO.	QUANTITY	DESCRIPTION	UNIT
1	1.00	1/2" x 6" x 8' SIPS	EA
2	1.00	1/2" x 6" x 8' SIPS	EA
3	1.00	1/2" x 6" x 8' SIPS	EA
4	1.00	1/2" x 6" x 8' SIPS	EA
5	1.00	1/2" x 6" x 8' SIPS	EA
6	1.00	1/2" x 6" x 8' SIPS	EA
7	1.00	1/2" x 6" x 8' SIPS	EA
8	1.00	1/2" x 6" x 8' SIPS	EA
9	1.00	1/2" x 6" x 8' SIPS	EA
10	1.00	1/2" x 6" x 8' SIPS	EA



2 South Elevation - Partial



1 South Elevation

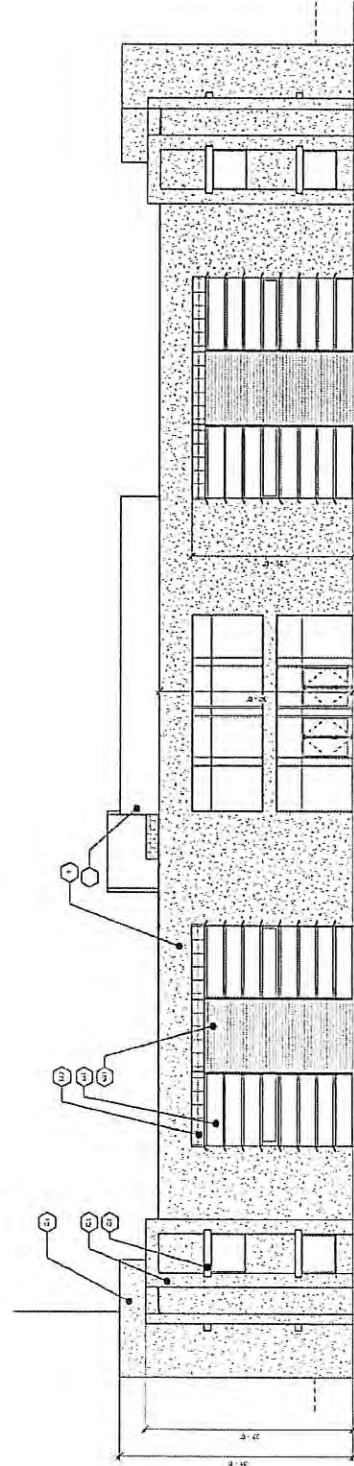


1177 Idaho Street, Suite 200
Redlands, CA 91774
Phone: 626-281-1100
Fax: 626-281-1101
info@mlr-corp.com

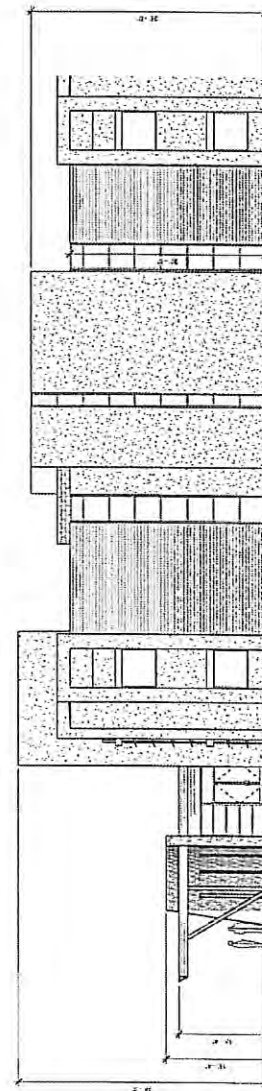


owner approval	
name	date
revisions/changes	
#	date

Material Schedule	
Item	Description
1	Concrete
2	Steel
3	Aluminum
4	Paint
5	Lighting
6	Handrails
7	Stairs
8	Roofing
9	Landscaping
10	Signage
11	Security
12	Accessibility
13	Fire Protection
14	Weatherstripping
15	Door Hardware
16	Window Hardware
17	Roof Drainage
18	Foundation
19	Structural Steel
20	Roof Decking
21	Roof Insulation
22	Roof Membrane
23	Roof Flashing
24	Roof Vents
25	Roof Gutters
26	Roof Downspouts
27	Roof Scaffolding
28	Roof Ladders
29	Roof Safety
30	Roof Access
31	Roof Storage
32	Roof Maintenance
33	Roof Repairs
34	Roof Replacement
35	Roof Removal
36	Roof Installation
37	Roof Inspection
38	Roof Certification
39	Roof Warranty
40	Roof Insurance
41	Roof Financing
42	Roof Leasing
43	Roof Selling
44	Roof Buying
45	Roof Renting
46	Roof Leasing
47	Roof Leasing
48	Roof Leasing
49	Roof Leasing
50	Roof Leasing



1 North Elevation
1/2" = 1'-0"



2 East Elevation
1/2" = 1'-0"



BANNING MEDICAL
4015 415-140-025
4015 Peachfield Drive, Suite 200
Long Beach, WA 90805

CAREAGE

Project Information
 Project Name: 1177 Idaho St.
 Owner: Banning Medical
 Designer: Gary Miller
 Checked By: Gary Miller
 Issue Date: 05-16-2017

Sheet Name
 EXTERIOR
 ELEVATIONS

Sheet Number
 A-202

Sheet: 01 Sheets: 01



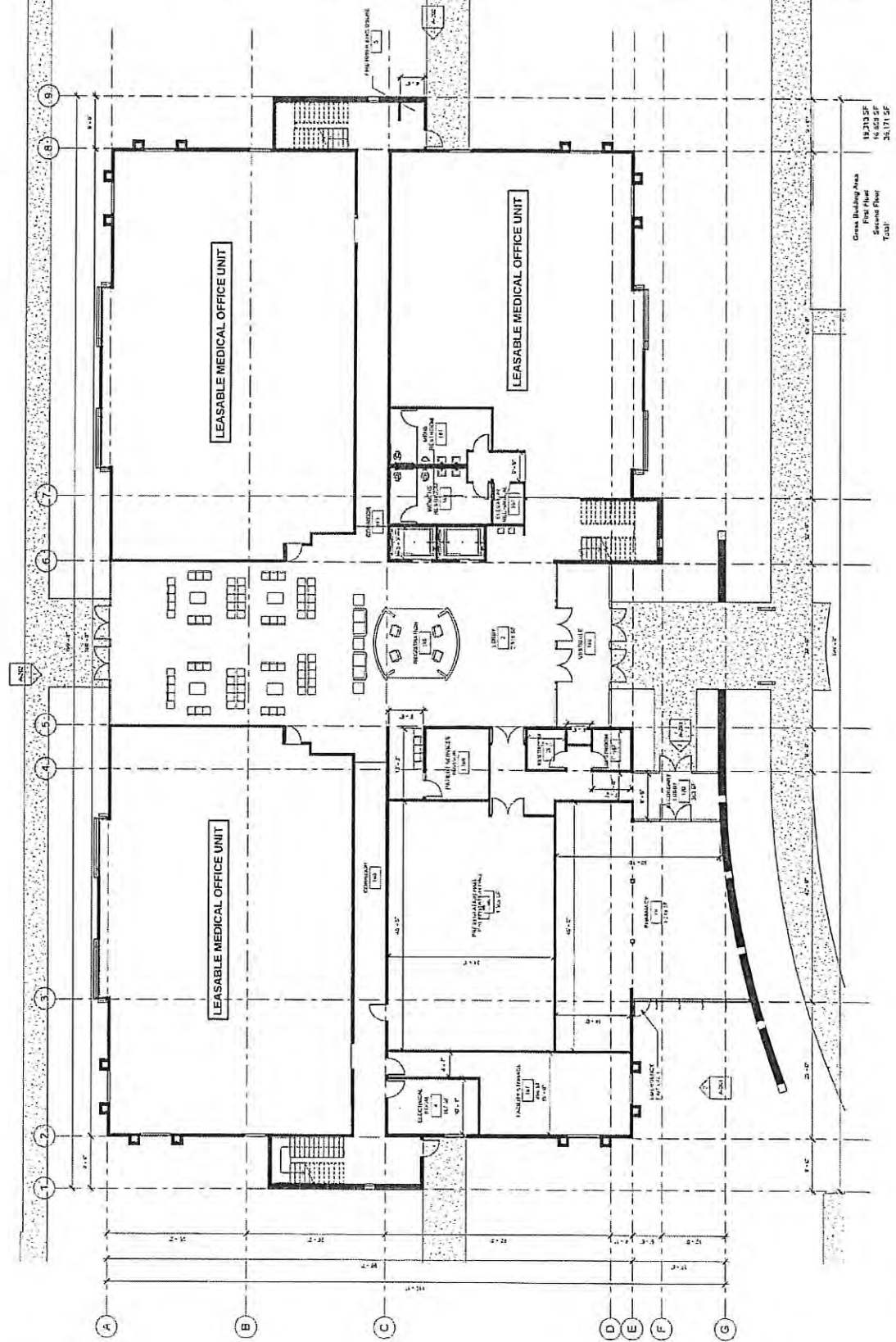
owner approval		
signature	date	
revisions/addenda		
#	Date	Comments

BANNING MEDICAL
APR 4/14/2015
CAREAGE
4411 Forest Heights Drive, Ste 200
Redwood City, CA 94063

Project Information
Project Name: 1777 Main St
Project Number: 1777
Client: Banning Medical
Architect: Miller Architects
Drawn By: G. Miller
Check By: G. Miller
Issue Date: 05-20-2017

Sheet name
FIRST FLOOR PLAN

Sheet number
A-101
Sheet of Sheets



Area Schedule
Gross Building Area: 19,313 SF
First Floor: 14,423 SF
Second Floor: 4,890 SF
Total: 19,313 SF

1 Level 1

ATTACHMENT 3

Mitigated Negative Declaration

GPA 17-2503, ZC 17-3503, DR 17 - 7004
Mitigation, Monitoring and Reporting Program (MMRP)
May 2018

Mitigation Measures	Timing	Verification	
		Department	Signature Date
Aesthetics			
Mitigation Measure AES-1 The final photometric plan Installation of lighting within the parking area and building entries shall be designed in a manner to control spillage of light from the Project Site, as required by the City of Banning Municipal Code. Attention will be made to assure no spillage of light onto adjacent residential properties to the west, north and east.	Prior to Issuance of Building Permits	Planning Department	
Cultural Resources			
Mitigation Measure CR-1: Prior to the issuance of grading permits, the developer shall enter into a Native American monitoring agreement with one of the consulting tribes for the project. The Native American Monitor shall be on-site during all initial ground disturbing activities including clearing, grubbing, vegetation removal, grading and trenching. The Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.	Prior to the Issuance of Grading Permits.	Planning Department	
Mitigation Measure CR-2 : In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity shall cease and the landowner shall comply with State Health and Safety Code §7050.5 and Public Resources Code §5097.98. In the event human remains are found and identified as Native American, the landowner shall also notify the City	During Grading and Construction	Planning Department	

Mitigation Measure	Timing	Department	Signature	Date
Planning Department so that the City can ensure PRC \$5097.98 is followed.				
<p>Mitigation Measure CR-3 If cultural resources are found during project construction, all ground-disturbing activities within 100 feet of the find shall be halted. A Registered Professional Archaeologist shall prepare a Cultural Resources Management Plan in consultation with the consulting tribes and the City Planning Department to include relinquishment of all artifacts through one of the following methods:</p> <ul style="list-style-type: none"> • A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This reburial area should be away from any future impacts. Reburial shall not occur until all cataloging, analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a Final Report. • Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be provided in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. 	During Grading and Construction	Planning Department		

Mitigation Measure	Timing	Department	Signature	Date
NOISE				
Mitigation Measure N-1: During final building inspection, and prior to the issuance of building occupancy permits, the City Building Official shall ensure that the Project Proponent has equipped all first and second-floor windows with well-fitted, well-weather stripped assemblies with a minimum sound transmission class (STC) ratings of 27.	Prior to the issuance of Occupancy Permits	Building & Safety Department		
Mitigation Measure N-2: During final building inspection and prior to the issuance of building occupancy permits, the City Building Official shall ensure that the Project Proponent has well weather-stripped all exterior doors with a minimum STC ratings of 25.	Prior to the issuance of Occupancy Permits	Building & Safety Department		
Mitigation Measure N-3: During final building inspection and prior to the issuance of building occupancy permits, the City Building Official shall examine all penetrations of exterior walls by pipes, ducts, or conduits, and ensure that the space between the wall and pipes, ducts, or conduits are caulked or filled with mortar to form an airtight seal.	Prior to the issuance of Occupancy Permits	Building & Safety Department		
Mitigation Measure N-4: During final building inspection and prior to the issuance of building				

Mitigation Measure		Timing	Department	Signature	Date
occupancy permits, the City Building Official shall ensure that any roof sheathing of wood construction is well fitted or caulked plywood of at least one half-inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.		Prior to the issuance of Occupancy Permits	Building & Safety Department		
Mitigation Measure N-5: During final building inspection and prior to the issuance of building occupancy permits, the City Building Official shall ensure that any exterior door or window to a habitable room can be kept closed when the room is in use and still receive circulated air. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided in accordance with the requirements of the Uniform Building Code.		Prior to the issuance of Occupancy Permits	Building & Safety Department		
TRAFFIC					
Mitigation Measure TR-1: Construct Sun Lakes Boulevard from the west project boundary to the east project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development, as necessary to the satisfaction of the Department of Public Works.		Prior to the issuance of Occupancy Permits	Department of Public Works		

Mitigation Measure	Timing	Department	Signature	Date
Mitigation Measure TR-2: The Project Proponent shall ensure that final site plans address safe access to the Project Site from Sun Lakes Boulevard via a right turns in/out only driveway.	Prior to Issuance of Building Permits	Department of Public Works		
Mitigation Measure TR-3: The Project Proponent shall ensure that the access to the Project Site from Sun Lakes Boulevard has a stopping sight distance of 250 feet of unobstructed line of sight.	Prior to Issuance of Building Permits	Department of Public Works		

ATTACHMENT 4

Public Hearing Notice

**NOTICE OF AVAILABILITY/NOTICE OF INTENT
MITIGATED NEGATIVE DECLARATION**

Project Title: General Plan Amendment GPA 17-2504, Zone Change 17-3503 and Design Review

NOTICE IS HEREBY GIVEN that the City of Banning (City), as Lead Agency under the California Environmental Quality Act (CEQA), has prepared a Notice of Availability (NOA) and Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for a proposed General Plan Amendment (17-2503), Zone Change (17-3503) and Design Review (17-7004) ("Project"). The MND has been prepared pursuant to CEQA and the CEQA Guidelines. Copies of available materials may be reviewed or obtained from the City's office at the address cited below.

Project Location and Description: The Project is located on the north side of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Lakes Avenue in the City of Banning. Assessor's Parcel Number (APN): 419-140-059. The Project proposes to construct a medical office building on a vacant 3.31-acre site. The two-story building is proposed to have a gross floor area 36,174 square-feet and would include ancillary pharmaceutical and optical sales. The Project requires concurrent processing of a General Plan Amendment (GPA), Zone Change (ZC), and Design Review (DR).

Environmental Effects: The Initial Study Checklist determined that the proposed Project could result in potentially significant effects, but the Project Applicant will incorporate mitigation measures that would avoid or mitigate effects to a point where clearly no significant environmental impacts will occur. Mitigation has been included to address Aesthetics, Cultural Resources, Noise, Transportation / Traffic and Tribal Cultural Resources.

Public Review Period: The MND will be available for a 20-day public review period from **May 11, 2018 to May 31, 2018.**

Written comments on this MND should be addressed to:

City of Banning
Community Development Department
99 E. Ramsey Street, Banning, CA 92220
Attn: Patty Nevins, Community Development Director

A copy of the Public Review of the Mitigated Negative Declaration is available at the above address and at the Banning Public Library, 21 W. Nicolet Street, Banning CA 92220, as well as at the City Community Development Department's website at <http://www.ci.banning.ca.us/DocumentCenterii.aspx?FID=19>.

All comments must be received in writing at the address below no later than 5 p.m. on May 31, 2018. Comments received and issues and concerns raised will be evaluated to determine if the mitigation and project conditions of approval have adequately addressed the concerns. All comments received will be included as part of the record.

Public Meeting: This Project is tentatively scheduled for the June 6, 2018 Planning Commission hearing. The hearing commences at 6:30 p.m. and is held in the City Council Chambers, Banning City Hall, located at 99 E. Ramsey Street, Banning CA 92220. In that the Project requires a General Plan Amendment and Zone Change, the consideration by the Planning Commission is advisory in this matter and is included as a recommendation for the City Council to either approve, deny or modify the project.

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA.

Patty Nevins
Community Development Director

Dated: May 8, 2018
Date Published: May 11, 2018



City of Banning

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

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; CONSIDERATION OF GENERAL PLAN AMENDMENT 17-2503, ZONE CHANGE 17-3503, AND DESIGN REVIEW 17-7004; A PROPOSAL TO CONSTRUCT 36,174 SQUARE FEET OF SPACE INCORPORATING MEDICAL OFFICES AND ANCILLARY OFFICE AND RETAIL SPACE IN A TWO STORY STRUCTURE ON 3.31 GROSS ACRES OF VACANT LAND LOCATED ON SUN LAKES BOULEVARD (ASSESSOR'S PARCEL # 419-140-059) IN THE CITY OF BANNING.

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning Planning Commission, to be held on **Wednesday, June 6, 2018, at 6:30 p.m.** in the **Council Chambers, City Hall, 99 East Ramsey Street, Banning, California**, to consider the proposed project. The subject parcel is located generally north of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Lake Avenue in the City of Banning.

Information regarding the Mitigated Negative Declaration, General Plan Amendment, Zone Change and Design Review can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition to this item are invited to attend the hearing, or to send their written comments to the **Community Development Department, Planning Division, City of Banning at 99 E. Ramsey Street, P.O. Box 998, Banning, California, 92220.**

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the Planning Commission makes its recommendation on the proposal; or, you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: May 22, 2018
Publish: May 25, 2018

ATTACHMENT 4

Planning Commission Resolution

RESOLUTION 2018-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BANNING ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (ENVIRONMENTAL ASSESSMENT 17-1504) FOR A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING, APPROVE GENERAL PLAN AMENDMENT NO. 17-2503 TO AMEND THE GENERAL PLAN LAND USE DESIGNATION OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059), FROM HIGH DENSITY RESIDENTIAL TO PROFESSIONAL OFFICE, APPROVE ZONE CHANGE NO. 17-3503 TO AMEND THE ZONING MAP AND RE-ZONE REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059), FROM HIGH DENSITY RESIDENTIAL-20/AFFORDABLE HOUSING OPPORTUNITY (HDR-20/AHO) TO PROFESSIONAL OFFICE (PO), AND APPROVE DESIGN REVIEW 17-7004 TO PERMIT THE DEVELOPMENT OF A PROPOSED 36,171 SQUARE FOOT MEDICAL OFFICE BUILDING ON 3.31 ACRES OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF SUN LAKES BOULEVARD, EAST OF HIGHLAND SPRINGS AVENUE, BETWEEN SUN LAKES VILLAGE DRIVE AND SILVER LAKES AVENUE (APN: 419-140-059)

WHEREAS, an application for General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004 to permit the development of a proposed 36,171 square foot medical office building (the "Project") has been duly filed by:

Applicant / Owner:	Gary Miller Architects / RCCI, LLC
Project Sponsor:	Careage healthcare, Inc.
Authorized Agent:	Gary Miller Architects
Project Location:	North side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, within the Congregate Care District (Planning Area C) of the Sun Lakes Village North Specific Plan
APN Number:	419-140-059

Lot Area: 3.31 acres;

WHEREAS, the Planning Commission has the authority to review and make recommendations to the City Council concerning General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004;

WHEREAS, in accordance with Government Code Sections 65353, 65090, and 65091, on May 25, 2018, the City gave public notice, by advertisement in the Record Gazette newspaper, of a public hearing concerning the Project, which included the General Plan Amendment 17-2503, Zone Change 17-3503, Design Review 17-7004, and Environmental Assessment 17-1504 (a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP)). The public hearing notice was also mailed to the owner of the subject real property, the owner's duly authorized agent, the Project applicant, and property owners within 300 feet of the Project site on or before May 27, 2018. Further, in accordance with Public Resources Code Section 21165, a Notice of Availability and Public Hearing Notice was advertised in the Record Gazette Newspaper announcing the 20 day circulation for public review and comment of the draft MND for the proposed Project. Copies of the draft MND were made available at Banning City Hall and Banning Public Library;

WHEREAS, in accordance with Government Code Section 65353, on June 6, 2018, the Planning Commission held the public hearing at which interested parties had an opportunity to testify in support of, or opposition to, General Plan Amendment 17-2503, Zone Change 18-3503, Design Review 17-7004, and at which the Planning Commission considered the Project, each of the proposed entitlements, and the MND; and

WHEREAS, at this public hearing on June 6, 2018, the Planning Commission heard public comments on, and adopted this Resolution recommending that the City Council adopt the MND and MMRP for the Project, and approve General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004.

NOW THEREFORE, the Planning Commission of the City of Banning does hereby recommend to the City Council of the City of Banning as follows:

SECTION 1: California Environmental Quality Act Findings and Recommendation for Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The Planning Commission of the City of Banning does hereby recommends that the City Council of the City of Banning make the following environmental findings and determinations in connection with the approval of the Project:

- A. Pursuant to the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21000 *et seq.*), the State Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), and the City's Local Guidelines, City staff prepared an Initial Study of the potential environmental effects of the approval of the Project as described in the Initial Study. Based upon the findings

contained in that Study, City staff determined that, with the incorporation of mitigation measures, there was no substantial evidence that the Project could have a significant effect on the environment and a Mitigated Negative Declaration (MND) was prepared in full compliance with the requirements of CEQA.

- B. Thereafter, City staff provided public notice of the public comment period and of the intent to adopt the MND as required by law. The public comment period commenced on May 11, 2018, and expired on May 31, 2018. Copies of the documents have been available for public review and inspection at City Hall, 99 E. Ramsey Street, Banning, California 92220, and the Banning Public Library, 21 West Nicolet Street, Banning, California 92220. The City received did not receive any comments during the public review period.
- C. The City Council reviewed MND and the MMRP, which is on file with the Planning Department and incorporated herein by this reference, and all comments received regarding the MND and, based on the whole record before it, finds that: (1) the MND was prepared in compliance with CEQA; (2) with the incorporation of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; and (3) the MND reflects the independent judgment and analysis of the City Council.
- D. Based on the findings set forth in this Resolution, the City Council hereby adopts the MND and MMRP for the Project.
- E. The Community Development Director is authorized and directed to file a Notice of Determination in accordance with CEQA.

SECTION 2: Findings for Recommendation of Approval of General Plan Amendment 17-2503. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that General Plan Amendment 17-2503 should be approved because:

- A. **Finding: The proposed amendment is internally consistent with the General Plan.**

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office, and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

- B. Finding: That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.**

Findings of Fact:

The proposed Project will complement the adjoining assisted living/congregate care facility and retirement housing and provide medical services to the broader Sun Lakes Village community. As demonstrated in the analysis contained in the Planning Commission staff report dated June 6, 2018, and the MND prepared for the Project (Environmental Assessment 17-1504), there are no features unique to the Project site or the proposed use that would create conditions detrimental to the public interest, health, safety, convenience, or welfare of the City.

- C. Finding: That the proposed amendment would maintain the appropriate balance of land uses within the City.**

Findings of Fact:

Upon City Council approval of the requested General Plan Amendment, the site's land use designation will be changed to Professional Office (PO), and the proposed development would be consistent with uses permitted within the Professional Office land use designation. The Professional Office land use designation is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office allows the proposed medical support office building use. The proposed medical support office building will provide approximately 3,948 square feet of general office space (including the proposed presentation space/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Pursuant to Government Code Section 65863(b)(2), the Planning Commission finds that the site that is the subject of this amendment will accommodate fewer housing units than identified in the Housing Element; however, the remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584.

The Housing Element anticipated that this site (APN 419-140-059) would accommodate 66 lower-income units. The proposed General Plan and zoning amendments would change the land use designation, resulting in a net loss of 66 potential lower-income units in the Housing Element sites inventory. The remaining unmet need for housing during the 2014-2021 planning period and the remaining capacity of sites identified in the Housing Element are as follows:

	Very Low	Low
2014-2021 RHNA	872	593
Units permitted since 1/1/2014	0	0
Net Remaining Housing Need	872	593
Total	1465	
Housing Element sites capacity	2,553	
APN 537-190-018 (Prev Rezone)	(520)	
APN 419-140-059 (Project)	(66)	
Net Remaining Capacity	1967	

As 1,465 very low and low income units are required and capacity for 1,967 units remains, the City has more than adequate capacity remaining to accommodate the City's share of regional housing need, and there will be no net loss of Very Low or Low housing units.

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

- D. Finding: That in the case of an amendment to the General Plan Land Use Map, the subject parcels (s) is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints), for the requested land use designation(s) and the anticipated land use developments(s).**

Findings of Fact:

The 3.31 acre land area is of adequate size to accommodate the proposed medical support office building, subject to compliance with the proposed Conditions of Approval. No natural constraints exist to the proposed development, and significant adverse environmental impacts are anticipated with mitigation measures contained in the MND for the Project (Environmental Assessment 17-1504).

Sun Lakes Boulevard provides suitable access and all necessary utilities are in place within adjacent public rights-of-way. As has been described in the preceding analysis, the site is surrounded by an assisted living/congregate care facility to the west, to which the proposed medical offices will provide support for residents of the facility and the surrounding

Sun Lakes Village community. High density residential use adjoins the Project site on the north, with medium density single family land uses to the east and to the south across Sun Lakes Boulevard. A six foot perimeter will buffer the proposed Project on the north and east boundaries. The subject site is basically flat with and has been rough graded in the past, thus no unique physical features or vegetation will be affected by the proposed Project.

SECTION 3: Findings for Recommendation of Approval of Zone Change 17-3503. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Zone Change 17-3503 should be approved because:

A. Finding: The proposed Amendment is consistent with the goals and policies of the General Plan.

Findings of Fact:

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The zoning classification of Professional Office (PO) allows medical services, clinics and labs, subject to approval of a Conditional Use Permit. The Professional Office zoning classification is intended to allow "professional offices and social services, and financial institutions, with only ancillary retail, and mixed uses."

Because the City identified excess land capacity to meet the most recent Regional Housing Needs Allocation (RHNA), the Project is considered consistent with the Housing Element of the General Plan.

B. Finding: The proposed Amendment is internally consistent with the Zoning Ordinance.

Findings of Fact:

The proposed Project is not anticipated to result in exceeding, either cumulatively or individually, any applicable level of service standards. Pursuant to the Project's Conditions of Approval, the proposed Project will be constructed in conformance with City standards and specifications.

C. Finding: The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings of Fact:

See findings of fact in Section 1 of this Resolution.

SECTION 4: Findings for Recommendation of Approval of Design Review 17-7004. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Design Review 17-7004 should be approved because:

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

Findings of Fact:

The Project is consistent with the General Plan Land Use Element Policy which states: "The land-use map shall provide for sufficient lands to provide a large range of products and services to the City and the region while carefully considering compatibility with adjacent residential lands". The land-use designation of Professional Office (PO) allows the proposed medical support building use. The proposed Project will provide approximately 3,948 square feet of general office space (including the proposed presentation hall/classroom), 1,249 square feet of retail space, and 30,997 square feet of medical facilities/offices.

Further, the Project is consistent with General Plan Economic Development Policy which states: "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". The proposed Project is estimated to generate approximately 50 jobs.

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

Findings of Fact:

The proposed Project is consistent with the Zoning Ordinance and the development standards of the Professional Office (PO) Zone, with imposition of Conditions of Approval, as detailed in the analysis contained in the Planning Commission staff report dated June 6, 2018.

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

Findings of Fact:

The proposed Project has provided site and circulation layout design in such a way that the Project will not interfere with the use and enjoyment of existing and future development in the surrounding area. The proposed Project provides vehicular access from Sun Lakes Boulevard as well as through the adjacent property to the west. A reciprocal access agreement

is required as a Condition of Approval to preserve future access in perpetuity. The proposed Project provides pedestrian paths around the building in coordination with the parking layout. A six foot solid perimeter wall will buffer adjacent residential development to the north and east of the proposed Project and design of lighting on-site is subject to compliance with the Municipal Code to prevent spillage onto adjacent areas.

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

Findings of Fact:

The proposed medical support office building use will not impair the integrity and character of the PO land use district in which it is to be located because it is surrounded by existing developments and Sun Lakes Boulevard in proximity to Highland Springs Avenue, an established commercial corridor. The building architecture, site circulation and landscaping have been designed in a manner that the Project is compatible with the character of the surrounding neighborhood, with the imposition of Conditions of Approval and CEQA mitigation measures. Additionally, a 6-foot solid wall, along with landscaping, will buffer the site from adjacent residential areas on the north and east.

SECTION 5: PLANNING COMMISSION ACTION - Recommendation of Approval of Project with Conditions. Based on the foregoing, the Planning Commission of the City of Banning hereby recommends that the City Council of the City of Banning approve General Plan Amendment 17-2503, Zone Change 17-3503, and Design Review 17-7004 to permit the development of a 36,171 square foot medical office building on 3.31 acres of real property located on the north side of Sun Lakes Boulevard, east of Highland Springs Avenue, between Sun Lakes Village Drive and Silver Lakes Avenue, within the Congregate Care District (Planning Area C) of the Sun Lakes Village North Specific Plan as shown in plans attached as Exhibit A (APN: 419-140-059) and, subject to the recommended Conditions of Approval attached as Exhibit B. Further, the Planning Commission of the City of Banning hereby recommends to the City Council of the City of Banning that the Council's approval of Design Review 17-7004 not be effective until the effective date of the City Council resolution approving General Plan Amendment 17-2503 and the ordinance adopting Zone Change 17-3503, whichever date occurs later.

PASSED, APPROVED AND ADOPTED this 6th day of June, 2018.



Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:



Serita R. Young, Assistant City Attorney
Richards, Watson & Gershon

ATTEST:



Sandra Calderon, Recording Secretary
City of Banning, California

CERTIFICATION:

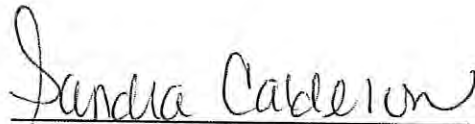
I, Sandra Calderon, Recording Secretary of the Planning Commission of the City of Banning, California, do hereby certify that the foregoing Resolution, No. 2018-07, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 6th day of June, 2018, by the following vote, to wit:

AYES: Krick, Price, Schuler, Shaw

NOES: None

ABSENT: None

ABSTAIN: None

A handwritten signature in cursive script that reads "Sandra Calderon". The signature is written in dark ink and is positioned above a horizontal line.

Sandra Calderon, Recording Secretary
City of Banning, California

ATTACHMENT 5

Comment Letters Received



From the Office of
Christopher Mitchell, CPA, CCAM, CACM
General Manager

June 5, 2018

Patty Nevins
City of Banning
99 E. Ramsey St.
Banning, CA 92220-0998

Dear Patty,

Thank you for meeting with our Board President Sandy Moyer, our Director of Operations, Mark Schleiden and myself. You and your staff were very helpful in explaining the new Careage Healthcare's development and the traffic impact. Further, Art Vela's explanation of the access points to the project clarified the concerns we had.

Based on what was discovered during the meeting, we feel the best option for access, into the proposed project, is another turn lane on Sun Lakes Blvd., between The Lakes entrance and Sun Lakes Gate 2. We agree that replacing the median, with a turn lane, will allow east bound drivers to enter the proposed project, rather than performing U-turns in front of Gate 2.

Again, thank you and your staff for explaining the project items.

Sincerely,

christopher.mitchell@associa.us
850 Country Club Dr. Banning, CA 92220
www.sunlakescc.com
951-769-6641



James Chuang
Senior Environmental Specialist

Southern California Gas Company
Sempra Energy utilities
GT02A
555 Fifth Street
Los Angeles, Ca. 90013
Tel: 213-244-5817
Fax: 323 518 2324

05/31/2018

City of Banning Community Development Department
99 East Ramsey Street
Banning, CA 92220

Re: GPA 17-2504, Zone Change 17-3503, and Design Review Project

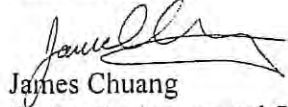
To whom it may concern:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and respond to the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the GPA 17-2504, Zone Change 17-3503, and Design Review Project. SoCalGas understands that the proposed project would involve adoption of a general plan amendment, zone change, and design review to allow construction of a medical office building on a vacant 3.31-acre site. The two-story building is proposed to have a gross floor area of 36,174 square-feet and would include ancillary pharmaceutical and optical sales. We respectfully request that the following comments be incorporated in the administrative record and MND.

- SoCalGas has a 30-inch high pressure transmission line that traverses through the southern boundary of the project site adjacent to Sun Lakes Boulevard.
- SoCalGas recommends that the project proponent call Underground Service Alert at 811 at least two business days prior to performing any excavation work for the proposed project. Underground Service Alert will coordinate with SoCalGas and other Utility owners in the area to mark the locations of buried utility-owned lines.
- Should it be determined that the proposed project will require SoCalGas to abandon and/or relocate or otherwise modify any portion of its existing natural gas transmission lines, SoCalGas respectfully requests that the project proponent coordinate with us by emailing SoCalGasTransmissionUtilityRequest@semprautilities.com to follow-up on this matter.

Once again, we appreciate the opportunity to comment on the Draft IS/MND for the GPA 17-2504, Zone Change 17-3503, and Design Review Project. If you have any questions, please feel free to contact SoCalGas Environmental Review at Envreview@semprautilities.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James Chuang", with a stylized flourish at the end.

James Chuang
Senior Environmental Specialist
Southern California Gas Company



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

May 22, 2018

pnevins@ci.banning.ca.us

Patty Nevins, Director

City of Banning – Community Development Department

99 E. Ramsey Street

Banning, CA 92220

**Mitigated Negative Declaration (MND) for the Proposed
Careage Medical Office Building
(General Plan Amendment 17-2504, Zone Change 17-3503 and Design Review 17-7004)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to build a 36,174 square-foot medical office building on 3.31 acres (Proposed Project). Based on a review of Figure 2, *Project Vicinity*, and the information in the MND, SCAQMD staff found that the Proposed Project is located approximately 1,000 feet south of Interstate 10 (I-10). Construction is expected to take approximately two years beginning in early to mid-2018 and ending in 2020¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's air quality impacts from construction would be less than significant. However, the Lead Agency did not conduct a health risk assessment in the MND to disclose the potential health risks from being in close proximity to I-10. Please see the attachment for detailed comments.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

¹ MND, Page 12.

Patty Nevins

May 22, 2018

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

LAC180515-03

Control Number

ATTACHMENT

Health Risk Assessment from Mobile Sources and Other Sources of Air Pollution

1. Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD's concern about the potential public health impacts of siting sensitive land uses such as medical uses within a close proximity of freeways, SCAQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. After a review of the MND, it was not clear to SCAQMD staff if any medical services and/or treatment to patients would be provided at the Proposed Project. If so, patients would be exposed to diesel particulate matter (DPM) emissions from vehicles traveling on I-10. DPM is a toxic air contaminant and a carcinogen. While the Proposed Project is located approximately 1,000 feet south of I-10 [farther way from the 500-foot distance that is recommended in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook* for siting new sensitive land uses near freeways and high-traffic roads], health studies have shown that adverse health effects were seen within 1,000 feet and were strongest within 300 feet². To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency consider the health impacts on people at the Proposed Project by performing a HRA³ analysis to disclose the potential health risks in the Final MND⁴.

Guidance on Siting Sensitive Receptors Near a High-Volume Freeway and Other Sources of Air Pollution

2. SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁵. This Guidance document provides recommended policies that local governments can use in their General Plans or other local project planning efforts to prevent or reduce potential air pollution impacts and protect public health. Additional guidance on siting incompatible land uses can be found in the CARB's *Air Quality and Land Use Handbook*, which serves as a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Limits to Enhanced Filtration Units

3. Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Any proposed strategy must be carefully evaluated before implementation. In the

² California Air Resources Board. April 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. Page

19. Accessed at: <https://www.arb.ca.gov/ch/handbook.pdf>.

³ South Coast Air Quality Management District. *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

⁵ South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

event that enhanced filtration units are proposed for installation at the Proposed Project either as a mitigation measure or project design feature requirement, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁶, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased operational costs in energy. It is typically assumed that the filters operate 100 percent of the time while people are indoors, and the environmental analysis does not generally account for the times when people have their windows open or are outdoors. In addition, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

Enforceability of Enhanced Filtration Units

4. If enhanced filtration units are installed at the Proposed Project, and to ensure that they are enforceable throughout the lifetime of the Proposed Project as well as effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details on ongoing, regular maintenance of filters in the Final MND. To facilitate a good faith effort at full disclosure and provide useful information to future tenants at the Proposed Project, the Final MND should include the following information, at a minimum:
 - Disclose the potential health impacts to prospective tenants from being in a close proximity of I-10 and the reduced effectiveness of air filtration system when windows are open and/or when tenants are outdoor;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected regularly;
 - Provide information to prospective tenants or building management on where the MERV filters can be purchased;
 - Disclose the potential increase in energy costs for running the HVAC system to prospective tenants or building management;
 - Provide recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units to prospective tenants or building management;
 - Identify the responsible entity such as tenants themselves or building management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if tenants should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
 - Identify, provide, and disclose any ongoing cost sharing strategies, if any, for the purchase and replacement of the enhanced filtration units;
 - Set City-wide or Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
 - Develop a City-wide or Project-specific process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

⁶ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilofstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

ATTACHMENT 6

Public Hearing Notice



City of Banning

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

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; CONSIDERATION OF GENERAL PLAN AMENDMENT 17-2503, ZONE CHANGE 17-3503, AND DESIGN REVIEW 17-7004; A PROPOSAL TO CONSTRUCT 36,174 SQUARE FEET OF SPACE INCORPORATING MEDICAL OFFICES AND ANCILLARY RETAIL SPACE IN A TWO STORY STRUCTURE ON 3.31 GROSS ACRES OF VACANT LAND LOCATED ON SUN LAKES BOULEVARD (ASSESSOR'S PARCEL # 419-140-059) IN THE CITY OF BANNING.

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council, to be held on **Tuesday, June 26, 2018, at 5:00 p.m.** in the **Council Chambers, City Hall, 99 East Ramsey Street, Banning, California**, to consider the proposed project. The subject parcel is located generally north of Sun Lakes Boulevard between Sun Lakes Village Drive and Silver Lake Avenue in the City of Banning.

Information regarding the Mitigated Negative Declaration, General Plan Amendment, Zone Change and Design Review can be obtained by contacting the City's Community Development Department, Planning Division at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at <http://www.ci.banning.ca.us/>.

All parties interested in speaking either in support of or in opposition to this item are invited to attend the hearing, or to send their written comments to the **Community Development Department, Planning Division, City of Banning at 99 E. Ramsey Street, P.O. Box 998, Banning, California, 92220.**

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the Planning Commission makes its recommendation on the proposal; or, you or someone else raised at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Patty Nevins
Community Development Director

Dated: June 12, 2018
Publish: June 15, 2018

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Tom Miller, Electric Utility Director
Jim Steffens, Power Resource & Revenue Administrator

MEETING DATE: June 26, 2018

SUBJECT: Discuss and Consider Adopting Resolution 2018-70 to Amend the Net Metering Surplus Production Rate Schedule to Set the Net Metering Surplus Electrical Rate to be Equal to the Price of the Lowest-Cost WREGIS-Certified Renewable Energy Resource that is Produced or Procured by the Electric Utility.

RECOMMENDED ACTION:

Adopt Resolution No. 2018-70:

- I. Approving the updating of the Net Metering Surplus Production Rate Schedule to set the Net Metering Surplus Electrical Rate to be equal to the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the City of Banning Electric Utility ("Utility").
- II. Authorizing the Electric Utility Director or their designee to implement said updated Net Metering Surplus Production Rate Schedule effective immediately.

BACKGROUND:

Assembly Bill 920 ("AB 920") was signed into law on October 11, 2009 and amended §2827 of the Public Utilities Code, which pertains to net metering customers. The goal of AB 920 was to promote and subsidize the growth of distributed generation while the industry was still in its infancy. The following outlines the major provisions of AB 920:

- It requires that the Utility must provide a qualified net metering customer who has a net surplus of generation at the end of 12 months with either: Option A - a per kWh

rate based monetary compensation; or Option B - a kWh credit to be applied against future bills.

- It requires that the Utility's ratemaking authority, which in the City's case is the Banning City Council, to establish a rate which is "just and reasonable" to compensate net metering customers who choose Option A for their net surplus production.

In determining what a "just and reasonable" rate would be for compensating applicable net metering customers, utilities typically look at the lowest price that the utility is paying for WREGIS-certified renewable energy resources.

In May of 2010 when the City established the initial Net Metering Surplus Electric Rate Schedule by Resolution 2010-13, the City used its Ormat geothermal Power Purchase Agreement ("PPA"), which was the only renewable energy PPA that the Utility had at the time. The Utility and the City Council set the surplus electric rate at the same price of the Ormat PPA, or \$0.0784 per kWh, with a 1.5% annual inflator.

Since setting the initial surplus electric rate, the Utility has entered into a solar-energy PPA with Astoria 2. Through this PPA, the Utility is purchasing solar energy for \$0.063 per kWh. Now that the Utility is a party to multiple WREGIS-certified renewable energy PPAs, Staff recommends setting the Net Metering Surplus Production Rate to be equal to the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the Utility. This recommendation is consistent with the standard industry practice, referenced above, because the low-cost WREGIS-certified renewable energy resource is a valid indicator of a "just and reasonable" market-based rate that should be used to compensate net metering customers.

The proposed updated Net Metering Surplus Production Rate Schedule is attached as Attachment 1 to this Staff Report and will be Exhibit "A" to Resolution 2018-70. Exhibit "A" reflects the current price of the low-cost WREGIS-certified renewable energy resource PPA price of \$0.063 per kWh.

JUSTIFICATION:

Since the time that the initial Net Metering Surplus Electric Rate was adopted, the cost of solar energy has decreased dramatically. However, because of the annual 1.5% inflator, the price that the Utility has been paying its solar net metering customers for their surplus net electricity has increased from \$0.0784 per kWh to \$0.0883 per kWh. This price exceeds what the Utility would pay for that energy on the open market and thus the City is over-paying for its customers' surplus solar energy. It makes sound business sense to update and amend the Net Metering Surplus Production Rate to reflect current market conditions. Additionally, by paying "just and reasonable" market prices for solar surplus net energy, the Utility won't be further exacerbating the cross-subsidization between solar and non-solar customers.

FISCAL IMPACT:

The updated Net Metering Surplus Electric Rate will result in annual savings to the Utility of approximately \$5,000. This savings is minimal, but will increase over time because the new rate does not have an annual inflator like the initial rate did.

OPTIONS:

1. Approve as recommended.
2. Do not approve, resulting in the Utility to continue to pay higher than market rates for renewable energy net surplus production.

ATTACHMENTS:

1. Resolution 2018-70.

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-70

RESOLUTION 2018-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AMENDING THE NET METERING SURPLUS PRODUCTION RATE SCHEDULE TO SET THE NET METERING SURPLUS ELECTRICAL RATE TO BE EQUAL TO THE PRICE OF THE LOWEST-COST WREGIS-CERTIFIED RENEWABLE ENERGY RESOURCE THAT IS PRODUCED OR PROCURED BY THE ELECTRIC UTILITY

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

WHEREAS, Assembly Bill 920 was signed into law on October 11, 2009, and requires the ratemaking authority of publicly owned utilities to establish a rate which is "just and reasonable" to compensate for net surplus electricity from distributed energy resources net metering customers; and

WHEREAS, utilities typically set their net metering surplus production rate at the lowest price that the utility is paying for WREGIS-certified renewable energy resources; and

WHEREAS, the City Council passed Resolution 2010-23 on May 25, 2010, setting the Net Metering Surplus Electric Rate ("Rate") at \$0.0784 per kWh with an annual inflator of 1.5%, which Rate was derived from the Ormat geothermal renewable energy Power Purchase Agreement ("PPA"), which was the only WREGIS-certified renewable energy resource being procured by the Utility at the time; and

WHEREAS, in 2014 the Utility entered into the Astoria 2 solar-energy PPA, allowing the Utility to purchase solar energy for \$0.063 per kWh, with no annual inflator; and

WHEREAS, now that the Utility is a party to multiple WREGIS-certified renewable energy resource PPAs, the Utility desires to set the Rate at the price of the Utility's lowest-cost WREGIS-certified renewable energy resource that it is producing or procuring, which currently is \$0.063 per kWh; and

WHEREAS, the Net Metering Surplus Production Rate Schedule attached herewith as Exhibit "A", reflects this updated rate methodology;

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

SECTION 1. Adopt Resolution No. 2018-70 to amend the Net Metering Surplus Production Rate Schedule as provided in Exhibit A to this Resolution for the purpose of setting the price of the Net Metering Surplus Energy Rate to be the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the

Utility and to make that new Rate Schedule effective on the effective date of this Resolution.

SECTION 2. Authorize and direct the Electric Utility Director or his or her designee to implement the amended Net Metering Surplus Production Rate Schedule referenced in Section 1, effective immediately.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-70, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

Exhibit “A”

SCHEDULE NMS

NET METERING SURPLUS PRODUCTION

APPLICABILITY

Applicable to City of Banning Electric Utility customers who have executed an Interconnection Agreement for **Net Energy Metering** with the Banning Electric Utility, and have made a formal election to receive monetary compensation for any surplus electricity they generate above their own usage on an annual basis.

CHARACTER OF SERVICE

Alternating current with regulated frequency of 60 hertz single-phase, three-phase, or a combination of single and three-phase served through one meter, at a standard voltage not to exceed 240 volts, or as may be specified by the Electric Division.

TERRITORY

Within the area served by the City of Banning.

RATES

The Net Metering Surplus Production Rate will be set at the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the Banning Electric Utility. The rate indicated below is the current rate, but is **subject to administrative change** if the Banning Electric Utility produces or procures additional WREGIS certified renewable energy eligible for the state's renewable portfolio standard.

Energy Credit:

All excess kWh, per kWh	\$0.063
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SPECIAL CONDITIONS

1. Customer must have a solar photovoltaic ("PV") or wind generating facility at their home or business, and have executed an Interconnection Agreement for **Net Energy Metering** with the Banning Electric Utility.
2. Customer must have submitted the Net Surplus Electricity Compensation for "Net Metered" Customers Election Form, indicating that they wished to receive monetary compensation based on a per kWh rate.

3. Payments to customers made under this Rate Schedule shall be issued each January after the Utility has completed the Annual True-up, per Section 7 of the Interconnection Agreement for Net Energy Metering.
4. A special true-up shall be performed if a net metering customer closes their Banning Electric Utility account mid-year, and will be performed under the same process outlined in Section 7 of the Interconnection Agreement for Net Energy Metering. Per Item 5 below, once the account is closed the renewable facility will no longer be eligible for Net Energy Metering, and will be switched over to the Distributed Self-Generation Schedule.
5. The Utility has met its Net Energy Metering cap, and the Net Energy Metering program is terminal. Current Net Energy Metering customers are grandfathered into the program for 20 years from the date of interconnection of their renewable systems or until the closing of their account, whichever occurs first.



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Tom Miller, Electric Utility Director
Jim Steffens, Power Resource & Revenue Administrator

MEETING DATE: June 26, 2018

SUBJECT: Discuss and Consider Adopting Resolution 2018-69, "Approving the closure of the Net Energy Metering program to new applicants because the program is fully subscribed, approving the "Distributed Self-Generation Schedule" for customers installing distributed energy resources subsequent to the Net Energy Metering program being closed, and grandfathering current Net Energy Metering customers for 20 years from the date of interconnection of their renewable systems or until the closing of their account, whichever occurs first."

RECOMMENDED ACTION:

Adopt Resolution No. 2018-69:

- A. Approving the closure of the Net Energy Metering ("NEM") program to new applicants because the program is fully subscribed.
- B. Approving the Distributed Self-Generation Schedule ("Schedule DSG") for customers installing distributed energy resources subsequent to the NEM program being closed.
- C. Grandfathering current NEM customers for 20 years from the date of interconnection of their renewable systems or until the closing of their account, whichever occurs first.
- D. Authorizing the Electric Utility Director or his or her designee to administer the provisions approved in this Resolution 2018-69.

BACKGROUND:

Senate Bill 1 ("SB1"), passed in 2006 and subsequently amended by Senate Bill 83 ("SB 83") in 2015, modified California Public Utilities Code Section 2827 to require all electric utilities to offer NEM to eligible customers with on-site distributed renewable systems on a first-come, first served basis until the utility has met the 5-percent MegaWatt limit cap based on the utility's aggregate customer peak demand. The purpose of SB1 was to promote the proliferation of renewable energy resources, particularly photovoltaic (solar) energy, in the State of California. When SB1 was passed in 2006, solar energy was still in its infancy and the costs were still at levels that made solar non-competitive with utility rates. SB1 required utilities to provide NEM to help make solar more competitive while the costs of installing solar were still high.

NEM allows the customer to net out their kWh usage. In other words, the customer is allowed to use the excess kWh that they send to the utility's distribution system to offset the kWh that the customer buys from the utility. For example, if a customer receives 1,000 kWh from the utility, but sends 600 kWh of excess solar production back to the grid, the customer only pays for 400 kWh. The economic effect of this NEM offset is that the customer gets full retail value for their excess solar production. Additionally, if the customer gives more kWh back to the grid than they receive from the utility during a period, the customer has the option of either (1) getting monetary compensation for this excess kWh or (2) a kWh credit towards the next period.

The City of Banning Electric Utility ("Utility") has signed up 371 customers under its NEM program since 2008, all of them solar customers. The cumulative total generation from these solar facilities since 2008 is approximately 11,700,000 kWh. At the baseline retail rate, this solar production represents lost revenues to the Utility of \$1.97 million.

The Utility has recently met its NEM cap of 2.43 MW (5% of 48.6 MW aggregate customer peak demand.) Therefore, in accordance with the terms of SB 1, the Utility is no longer required to offer NEM to new applicants. In its place, the Utility desires to replace the NEM program with a successor program that is fair and that reduces the cross-subsidization from non-solar customers to solar customers. SB1 set a cap on the the cross-subsidization issue because the Legislature realized that once the solar energy industry matured, it would no longer need to be subsidized.

The successor program will be administered through Schedule DSG. Under Schedule DSG, the customer's account will be credited for 100% of their distributed generation regardless of whether they use the electricity themselves or they give the electricity to the Utility's distribution system. Other than this credit, the customer will be treated as all other customers in their similar rate class. That is, the customer will be charged for all kWh delivered to them by the Utility, along with all other applicable charges under their rate schedule.

Customers will be credited for their distributed generation at the Distributed Self-Generation Production Rate, which is detailed on Schedule DSG. The Distributed Self-

Generation Production Rate will be set at the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the Banning Utility. The current rate is \$0.063 per kWh, but is subject to administrative change if the Utility enters into future renewable energy resource contracts. The rationale for using this methodology for setting the rate is that the Utility should pay the customers the same price for their renewable energy as the Utility is contractually able to obtain from renewable energy developers.

SB1 is silent on how long utilities must allow customers who qualified for NEM to remain on NEM. The emerging industry standard is to grandfather customers for 20 years or until the customer closes their account, whichever occurs first. There are two reasons why 20 years is being used. First, when solar was in its infancy, the average payback period for investing in solar, assuming that the customer qualified for NEM, was 20 years. The rationale is that it might not be fair to stop the NEM program prior to 20 years, because the customer assumed the NEM would be in place for the entire payback period when deciding to invest in their solar facilities. Second, the average useful life expectancy of solar equipment is 20 years.

In light of these considerations, staff is recommending that current NEM customers be grandfathered in the NEM program for 20 years from the date of installation of their renewable systems or until the closing of their account, whichever comes first. Consequently, any subsequent owners of the same solar facility would be enrolled in the Distributed Self-Generation Production Rate, not the NEM program. The NEM Program was instituted to incentivize people to purchase solar facilities, so only those customers who purchased the solar facility based upon the existence of the NEM subsidization will continue to enjoy the benefits of the NEM program. Once the grandfathering period expires, the respective accounts will be transferred from the Net Metering Surplus Production Schedule to Schedule DSG.

JUSTIFICATION:

SB1 requires utilities to offer NEM to customers with renewable energy facilities until the utility has met their 5% NEM cap. The Utility has recently met its NEM cap, and therefore desires to close the NEM program to new participants, and create a successor program for future distributed self-generation customers. The NEM program was created to subsidize renewable energy such as rooftop solar. However, the costs of installing renewable energy have declined considerably over the last twelve years, and the renewable energy industries no longer need subsidization in order to be competitive. By closing the NEM program to new participants, the Utility will be reducing the cross-subsidization from non-solar customers to solar customers.

Additionally, because SB1 is silent on how long utilities must allow customers who qualified for NEM to remain on NEM, the Utility must develop a policy on how long to grandfather current NEM customers. As discussed above, Staff believes that it is best

practice to grandfather current NEM customers for 20 years from the date of installation of their renewable systems or until the closing of their account, whichever comes first.

FISCAL IMPACT:

The exact magnitude of the fiscal impact to the Utility is difficult to quantify. The fiscal impact will depend on many unknown variables, such as how many new distributed self-generation customers will be applying in the future, the future pricing of WREGIS-certified renewable energy resources that the Utility procures, etc.

However, it is clear that creating a successor program to the NEM program will save the Utility money and thereby reduce the cross-subsidization from non-solar customers to solar customers.


OPTIONS:

1. Approve as recommended.
2. Do not approve and allow the NEM program to continue to be available to future distributed self-generation customers. Allowing the NEM program to remain open to new applicants would increase the cross-subsidization from non-solar customers to solar customers.

ATTACHMENTS:

1. Resolution 2018-69.

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-69

RESOLUTION 2018-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE CLOSURE OF THE NET ENERGY METERING PROGRAM TO NEW APPLICANTS DUE TO THE PROGRAM BEING FULLY SUBSCRIBED, APPROVING THE “DISTRIBUTED SELF-GENERATION SCHEDULE” FOR CUSTOMERS INSTALLING DISTRIBUTED ENERGY RESOURCES SUBSEQUENT TO THE NET ENERGY METERING PROGRAM BEING CLOSED, AND GRANDFATHERING CURRENT NET ENERGY METERING CUSTOMERS FOR 20 YEARS FROM THE DATE OF INTERCONNECTION OF THEIR RENEWABLE SYSTEMS OR UNTIL THE CLOSING OF THEIR ACCOUNT, WHICHEVER OCCURS FIRST

WHEREAS, the City of Banning (“City”) owns and operates its Municipal Electric Utility; and

WHEREAS, in 2006 Senate Bill 1, subsequently amended by Senate Bill 83 in 2015, provides in California Public Utilities Code Section 2827, that all electric utilities are to offer net energy metering (“NEM”) to eligible customers with on-site distributed renewable systems, such as photovoltaic, on a first-come, first-served basis until the utility has met the 5-percent MegaWatt limit cap based on the utility’s aggregate customer peak demand; and

WHEREAS, the City’s Electric Utility (“Utility”) has determined that its 5-percent MegaWatt limit cap of 2.43 MegaWatts has been met and has therefore evaluated alternative options for a successor program to replace the NEM program; and

WHEREAS, the Utility desires to adopt a successor program that is fair and just to all customers by reducing the cross-subsidization that was inherent to the NEM program; and

WHEREAS, the proposed successor program, administered through the “Distributed Self-Generating Schedule”, attached herewith as Exhibit “A”, shall measure, through the utilization of a production meter, the kWh generated by the customers’ distributed energy resource during each billing cycle. The City shall credit the customers’ account for 100% of their kWh production at the Distributed Self-Generation Production Rate (“Rate”). Additionally, the City shall bill the customer for the electricity delivered to the customer each billing cycle at the applicable full retail electric rate, and all other applicable charges under the customers’ rate schedule shall apply; and

WHEREAS, the Rate shall be set at the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the Utility, which currently is \$0.063 per kWh. The Rate will be subject to adjustment as the Utility procures or produces additional WREGIS-certified renewable energy resources; and

WHEREAS, Staff recommends to grandfather current NEM customers for 20 years from the date of interconnection of their renewable systems or until the closure of their account, whichever occurs first. Once the grandfathering period has expired, these accounts shall be placed thereafter into the Distributed Self-Generation Schedule, or the currently available successor to such program.

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

SECTION 1. The City Council hereby finds that the recitals contained in this Resolution are true and correct.

SECTION 2. The City Council hereby takes the following actions:

- A. The NEM program is closed to new applicants effective on the on the date this Resolution is adopted.
- B. The Distributed Self-Generation Schedule, the successor to the NEM program, shall be applicable to all customers applying to install distributed energy resources after the closing of the NEM program.
- C. Staff shall adjust the Distributed Self-Generation Production Rate administratively if the Utility procures or produces additional WREGIS-certified renewable energy resources.
- D. The current NEM customers shall be grandfathered in the current NEM program for 20 years from the date of interconnection of their renewable systems or until the closing of their account, whichever occurs first, and thereafter placed into the Distributed Self-Generation Schedule, or the then currently available successor to such program.

SECTION 3. The Electric Utility Director or his or her designee is hereby authorized to administer the provisions approved in this Resolution.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-69, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

Exhibit “A”

SCHEDULE DSG

DISTRIBUTED SELF-GENERATION

APPLICABILITY

Applicable to City of Banning Electric Utility customers who have distributed renewable energy facilities, but who are not eligible under the Net Metering Surplus Production Schedule.

CHARACTER OF SERVICE

Alternating current with regulated frequency of 60 hertz single-phase, three-phase, or a combination of single and three-phase served through one meter (known as the utility meter), at standard voltages complementary to the existing service connection, or as may be specified by the Electric Division.

TERRITORY

Within the area served by the City of Banning.

RATES

The City will utilize a production meter to measure the kWh generated by the customer's distributed energy resource each billing cycle. The City shall credit the customer's account for 100% of their kWh production at the Distributed Self-Generation Production Rate.

The Distributed Self-Generation Production Rate will be set at the price of the lowest-cost WREGIS-certified renewable energy resource that is produced or procured by the Banning Electric Utility. The rate indicated below is the current rate, but is **subject to administrative change** if the Banning Electric Utility produces or procures additional WREGIS-certified renewable energy eligible for the state's renewable portfolio standard.

Distributed Self-Generation Production Rate:

All electrical energy generated, per kWh	\$0.063
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The City will bill the customer each billing cycle for all charges, including kWh delivered to the customer, under the customers' applicable rate schedule (such as Schedule A – Residential Service, Schedule B – Small General Service, etc.)

SPECIAL CONDITIONS

1. Customers must make application for interconnection and pay all applicable utility charges. In order to receive compensation for distributed energy production

Customers must pass inspection for interconnection and adhere to all program rules and regulations.

2. Banning Electric Utility reserves the rights to the environmental attributes (such as the Renewable Energy Credits) associated with the distributed generation production.



**CITY OF BANNING
CITY COUNCIL REPORT/ PUBLIC HEARING**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Art Vela, Public Works Director

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-81, Confirming the Levy and Collection of Assessments within the City of Banning's Landscape Maintenance District No. 1 for Fiscal Year 2018/2019

RECOMMENDED ACTION:

That the City Council adopt Resolution No. 2018-81, Confirming the Levy and Collection of Assessments within the City of Banning's Landscape Maintenance District (LMD) No. 1 for Fiscal Year 2018/2019 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code and authorize and direct the City Clerk to file the diagram and assessment with the Riverside County Assessor/County Clerk-Recorder's Office.

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 LMD 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 2005-36 on May 10, 2005. A map displaying the LMD No. 1 is shown as "Attachment 2".

On February 13, 2018 the City Council approved Resolution No. 2018-17, initiating proceedings for the fiscal year update of LMD No. 1 and ordering the City Engineer to prepare and to file a report in accordance with the 1972 Act. 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.

Subsequently, on June 12, 2018, the City Council approved Resolution No. 2018-73, to repeal Resolution No. 2018-45, to declare the City's intention to levy and collect assessments; to approve the revised Engineer's Report; and to set June 26, 2018 as the date for a public hearing, after which the City Council may confirm the assessments for Fiscal Year 2018/19.

Resolution 2018-81, if approved, will confirm the assessments for the Fiscal Year 2018/2019. The schedule updating LMD No. 1 is shown as "Attachment 3", and the Notice of Public Hearing is shown on "Attachment 4".

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. 2018-73 will enable the City of Banning 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.

FISCAL IMPACT:

Based on the proposed assessments, the estimated revenues for Fiscal Year 2018/2019 for LMD No. 1 will be approximately \$137,744.26, with the 2.2% Consumer Price Index (CPI) increase applied only to the existing tracts annexed into the LMD in 2005, all within Zone D. If approved, the annual assessment for a single-family dwelling in Zone D would increase from the current range of \$200.44, to \$204.85.

The estimated expenses are \$150,600, a shortfall of approximately \$13,000 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 (i.e. additional planting materials and irrigation repairs, County Assessor's Roll charge, Advertisement, etc.).

ALTERNATIVE:

Reject Resolution No. 2018-81, which would result in the City of Banning 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

Reso. 2018-81

the LMD contractor, utility costs (water and electric), miscellaneous costs (irrigation repair, flower, shrubs and tree replacement, 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 or services must be reduced.

ATTACHMENTS:

1. Resolution 2018-81
2. LMD No. 1 Map for FY 2018/19
3. Tentative Schedule for Updating LMD No. 1
4. LMD No. 1 Assessments Publication

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution No. 2018-81

RESOLUTION 2018-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, CONFIRMING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BANNING'S LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2018/2019, PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

WHEREAS, at its regularly scheduled meeting on February 13, 2018, the City Council of the City of Banning has by its Resolution 2018-17 initiated proceedings for the levy and collection of assessments for the 2018/2019 Fiscal Year for Landscape Maintenance District (LMD) No. 1, pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code; and

WHEREAS, at its regularly scheduled meeting on June 12, 2018, the City Council adopted its Resolution 2018-73, approving the revised report of the City Engineer and declaring the intention of the City Council to order the levy and collection of assessments to pay for the costs and expenses of maintaining and servicing existing and proposed public landscaping facilities in the City of Banning for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019; and

WHEREAS, as stated in the revised Engineer's Report dated May of 2018, a 2.2% CPI increase will only be applied to the existing tracts annexed into the LMD in 2005 (Annexation No.1); and

WHEREAS, the City Council had ordered the preparation of the Engineer's Report, and the City Engineer has prepared and filed with the City Clerk a report pursuant to law for the City Council's consideration; and

WHEREAS, after holding a duly noticed Public Hearing on June 26, 2018 and not having received any protest, the City Council orders the levy and collection of assessments to pay for the costs and expenses of maintaining and servicing existing and proposed public landscaping facilities in the City of Banning for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019.

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. Following notice duly given by publication, the City Council has held a full and fair Public Hearing regarding the levy of the proposed assessment within Landscape Maintenance District No. 1 for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019, to pay for the costs and expenses of maintaining and servicing existing and proposed public landscaping and storm drain facilities installed and constructed within public places in the City of Banning, pursuant to the terms and provisions of the Reso. 2018-81

"Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code. All interested persons were offered the opportunity to hear and be heard regarding protests and objections to the levy and collection of the proposed assessment against lots or parcels of real property within City of Banning, Landscape Maintenance District No. 1. No objections to the levy and collection of the proposed assessments for the Fiscal Year commencing on July 1, 2018 and ending on June 30, 2019, were received by the City Council.

SECTION 3. The City Council hereby orders the maintenance and servicing of the existing and proposed public landscape facilities installed and constructed in public places in the City of Banning and hereby confirms the diagram and assessment set forth in the Engineer's Report.

SECTION 4. The assessment is in compliance with the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code and with any applicable provisions of Proposition 218.

SECTION 5. The assessment is levied without regard to property valuation.

SECTION 6. The assessment is levied for the purpose of paying the costs and expenses of maintaining and servicing existing and proposed public landscaping facilities installed and constructed in public places in the City of Banning for the Fiscal Year commencing on July 1, 2018 and ending on June 30, 2019.

SECTION 7. The adoption of Resolution 2018-81 constitutes the levy of an assessment for the Fiscal Year commencing on July 1, 2018 and ending on June 30, 2019.

SECTION 8. The operation, maintenance and servicing of public landscaping facilities shall be performed pursuant to law and the County Assessor/Recorder-Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

SECTION 9. The Interim City Manager or her designee shall deposit all monies representing assessments collected by the County to the credit of a special fund known as Improvement Fund, Landscape Maintenance District No. 1.

SECTION 10. The City Clerk is hereby authorized and directed to file the assessment, or a certified copy of the assessment, with the Riverside County, Assessor's Office, together with a certified copy of Resolution 2018-81 upon its adoption.

SECTION 11. A certified copy of the assessment shall be filed in the Office of the City Clerk, with a duplicate copy on file in the Office of the City Engineer and open for public review.

PASSED, APPROVED AND ADOPTED this 26th day of June 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-81 was duly adopted by the City Council of the City of Banning, California at a regular meeting thereof held on the 26th day of June, 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
Map for Fiscal Year 2018/2019

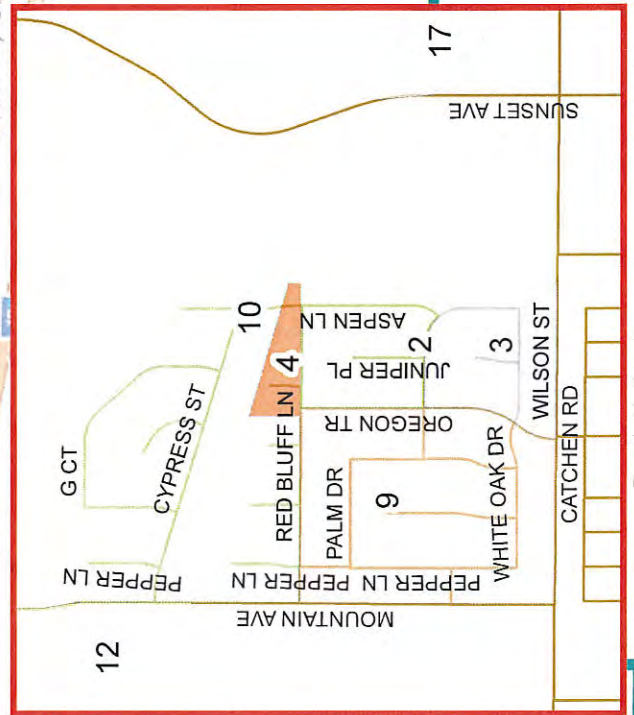
Map of Landscape Maintenance District No. 1 2018-2019



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

<u>Item</u>	<u>Council Meeting</u>
Resolution Initiating Update	February 13, 2018
Resolution of Intention (Approving Engineer's Report)	May 8, 2018 (revised)
Resolution of Intention (Approving Revised Engineer's Report)	June 12, 2018 (revised)
Resolution Confirming Assessment (Public Hearing)	June 26, 2018 (revised)

ATTACHMENT 4

Notice of Public Hearing

Century Group Newspapers:
Fontana Herald News, Record Gazette,
Highland Community News,
Yucaipa/Calimesa News Mirror

Phone:

Fax:

www.centurygroup.com

SONJA DE LA FUENTE LEGAL ADS
CITY OF BANNING LEGALS/Accounts Payable
P.O. BOX 998
BANNING, CA 92220
(951)922-3117

Class Liner Ad #00155898 Summary:

Slug Line: 155898 LMD Public Hearing

Net Cost \$124.10

Prepaid Amount \$0.00

Amount Due \$124.10

Order Detail:

Publication	Run Dates
4015 Banning Record Gazette	6/15/18 - 6/15/18

NOTICE OF PUBLIC
HEARING
PURSUANT TO LAW, NO-
TICE IS HEREBY GIVEN of
a Public Hearing before the
City Council of the City of
Banning, to be held at a
regular City Council Meet-
ing on Tuesday, June 26,
2018, at 5:00 p.m. at the
Banning Civic Center Coun-
cil Chambers, 99 E. Ram-
sey Street, Banning, Cali-
fornia regarding Resolution
No. 2018-81, Confirming a
Diagram and the Levy and
Collection of Assessments
within the City of Banning's
Landscape Maintenance
District No. 1 for Fiscal

Year 2018/19.

ALL INTERESTED PARTIES are invited to attend said hearing and present oral or written testimony on the matter or send their written comments to the City Clerk, P.O. Box 998, Banning, California 92220. Information regarding the foregoing can be obtained by contacting the Engineering Division of the Public Works Department at the above address or by telephone at 951-922-3130. Data relevant to this matter will be available for public viewing at Banning City Hall, 99 E. Ramsey Street, Banning, California for the period of 10 days prior to the Public Hearing.

If you challenge any decision regarding the above proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the City Clerk at, or prior to, the time the City Council makes its decision on the proposal; or, if a public hearing is held on the proposal, you or someone else must have raised those issues at the public hearing or in written correspondence delivered to the hearing body at, or prior to, the hearing (California Government Code, Section 65009).

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

/s/ Sonja De La Fuente,
Deputy City Clerk

City of Banning, California

DATED: June 11, 2018

PUBLISH: June 15, 2018

Published in

The Record Gazette

No. 155896

06/15/2018



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Kevin G. Ennis, City Attorney

MEETING DATE: June 26, 2018

SUBJECT: Hearing on Proposal by Mayor Pro Tem Peterson to Censure
of City Councilmember Welch

RECOMMENDATION:

Staff recommends that the City Council comply with the procedures set forth in Section 10.5 of the Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning ("Manual of Procedures") by conducting a hearing on the proposed censure of Councilmember Welch based on the Statement of Charges presented by Councilmember Peterson. A copy of Section 10.5 is attached hereto as Attachment 1.

BACKGROUND:

At the June 12, 2018 City Council meeting, Councilmember Peterson presented a Statement of Charges against Councilmember Welch, asserting the following violations of City policies and seeking censure:

- Count 1: "Violation of Ethics -- Deceptive Letter to Grand Jury"
- Count 2: "Violation of Ethics -- Giving Direction to City Manager without Knowledge or Consent of the City Council"

The grounds in support of the two charges are provided in the Statement of Charges, attached hereto as Attachment 2. On June 15, 2018, Councilmember Welch delivered a written response to the Statement of Charges to the members of the City Council, attached hereto as Attachment 3. The 2018 Civil Grand Jury Report referenced in Attachment No. 2 is attached at Attachment No. 4. The July 19, 2016 Letter referenced in Attachment 2 and 3 is attached as Attachment No. 5.

RULES AND PROCEDURES FOR CENSURE:

A member of the City Council may be punished through the administration of public censure if he or she violates any general law or regulation; any rule, law, ordinance, or resolution of the City of Banning; or any administrative policy which has been adopted by and is expressly applicable to the City Council. To "censure" a Councilmember means to adopt a motion with a statement of disapproval of his or her conduct.

The rules and procedures for the censure of legislative body members are set forth in Section 10.5 of the City's Manual of Procedural Guidelines. The rules as applied to this proceeding are summarized below, with the full text of Section 10.5 available as Attachment 1:

1. Paragraph (d) of Section 10.5 provides that a member may not be the subject of a motion for censure without first being given notice of the violation and an opportunity to correct the violation, if it can reasonably be corrected. Upon a continued violation or failure to correct, the charged member shall be given notice and an opportunity to be heard.
2. Censure proceedings are initiated with the presentation of a written statement of charges to the member of the legislative body who is the subject of the proposed censure with a copy delivered to the City Clerk. Councilmember Peterson presented a Statement of Charges to Councilmember Welch and to the City Clerk at the June 12, 2018 City Council meeting.
3. The charged member may deliver a written response to other members of the legislative body within 7 days, or may defer his or her response to the hearing. Councilmember Welch's written response is attached to this report.
4. The motion for censure must be agendized and considered at the first regular meeting occurring at least 10 days after the delivery of the Statement of Charges. The June 26th City Council meeting is the first regular meeting following the delivery of the Statement of Charges on June 12th.
5. A hearing must be conducted in open session, and may not be continued except in the case of an absence of a member who is neither bringing nor the subject of the charge. The hearing is conducted by the Mayor and is to proceed in the following order:
 - a. The Mayor announces the item.
 - b. Councilmember Peterson reads the counts against Councilmember Welch and may present witnesses in support of the allegations in the Statement of Charges.
 - c. Councilmember Welch answers in rebuttal.

- d. Members of the public may speak in favor or against the charges.
 - e. The remaining members of the City Council may speak to the charges.
6. Motion for censure. Passage of the motion requires a majority vote of the City Council.

If the motion for censure passes, the motion will become a part of the public record, with a copy being placed in Councilmember Welch's administrative file and made available upon request by a member of the public. The motion will also be taken into account upon evaluation of a request for defense made by Councilmember Welch with respect to any litigation arising from the censured conduct.

If the motion does not pass, the censure proceedings shall be at an end, and Mr. Peterson may not commence censure proceedings on the same grounds for a period of 1 year.

JUSTIFICATION:

Holding a hearing in accordance with the City's established procedures would satisfy the Council's responsibilities under Section 10.5 of the Manual of Procedures.

FISCAL IMPACT:

None.

OPTIONS:

- 1. Conduct hearing in accordance with Section 10.5 of the Manual of Procedural Guidelines
- 2. Continue the hearing only if a councilmember is absent from the meeting.

ATTACHMENTS:

- 1. Section 10.5 of the Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning
- 2. Statement of Charges by Councilmember Peterson against Councilmember Art Welch
- 3. Councilmember Welch's Written Response
- 4. 2018 Civil Grand Jury Report
- 5. July 19, 2016 Letter from City to Civil Grand Jury

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Section 10.5 of the Manual of Procedural
Guidelines for the Conduct of City Council and
Constituent Body/Commission Meetings for the City
of Banning

10.5 Censure of Legislative Body Members

(a) It shall be a violation of this section for any sitting member of a Legislative Body to violate any general law or regulation, and any, rule, law, ordinance or resolution of the City of Banning. It shall also be a violation of this section for any sitting member of a Legislative Body to violate an administrative policy of the City which has been adopted following a vote of the Legislative Body or the City Council on the matter and which by its terms is expressly made applicable to the Legislative Body.

(b) Any violation of the foregoing paragraph by a Legislative Body member may be punished through the administration of a public censure of the member by the member's Legislative Body. Such censure may be in addition to any other punishment applicable to the violation. For purposes of this section, "censure" shall mean the adoption of a motion setting forth a statement of disapproval of a Legislative Body member's conduct.

(c) When evaluating a request for defense made by the censured member in litigation arising from the censured conduct, the record of the censure shall be considered by the Legislative Body. Such record shall not be determinative. Failure of the Legislative Body to censure the conduct of a member does not constitute waiver of the Body's right to refuse to defend the member in an action.

(d) A Legislative Body member may not be made the subject of a motion for censure without first being given notice of the violation and an opportunity to correct the violation, if it can reasonably be corrected. Upon a continued violation or failure to correct, the charged member shall be given notice and an opportunity to be heard as follows:

- (i) Only a sitting member of the Legislative Body whose member commits the violation may initiate proceedings for the censure of one of its members.
- (ii) Proceedings shall be commenced by the presentation of a written statement of charges to the subject Legislative Body member with a copy delivered concurrently to the Clerk/Secretary by the member initiating the charge. Initiation shall not require the prior approval of the Legislative Body. The statement of charges shall be given at least ten days prior to the meeting at which the censure motion is proposed to be brought. The notice shall contain, at a minimum, the designation of the specific rule, law regulation, etc. which the member is claimed to have violated and a statement of the date, place and time at which the violation occurred. The statement shall further contain a description of the conduct of the member which is alleged to constitute the violation. The statement of charges shall be delivered to all other Legislative Body persons.
- (iii) Within seven (7) days after delivery of the statement of charges, the charged member should deliver a written response to the other members of the Legislative Body unless the charged member chooses to defer to response to the hearing.

(e) The motion for censure shall be agendized and considered at the first regular meeting occurring 10 days following the delivery of the statement of charges to the member and Clerk/Secretary. The hearing may not be continued except upon the absence from the meeting of a member of the Legislative Body other than the member bringing the charge or the member who is the subject of the charge.

- (i) The hearing shall be conducted in an open session by the Presiding Officer unless the Presiding Officer is a party to the action, in which case the Vice Chair or some other member shall conduct the proceedings.
- (ii) The hearing shall generally proceed by a reading of the charges by the charging member. The charging member may present witnesses; the charged member may answer in rebuttal; members of the public may speak in favor or opposed to the charge; and the remaining members may speak to the charges in that order.
- (iii) Passage of the motion for censure shall require a majority vote of the members of the Legislative Body. The voting members shall not go into closed session for deliberation.

(f) If the motion for censure does not pass the proceedings shall be at an end. A new motion for censure on the same grounds of violation may not thereafter be commenced against the same Legislative Body member for a period of 1 calendar year from date of the vote. However, new proceedings may be commenced on the same charges within the 1 year period on the vote of 4 members of the Legislative Body.

(g) If the motion for censure does pass, such motion shall become a part of the public record a copy of which shall be made available upon demand to any member of the public and notice of same shall be placed in the administrative file of the Legislative Body member.

ATTACHMENT 2

Statement of Charges by Councilmember Peterson
against Councilmember Art Welch

Rec'd 6/12/2018 Glen K
(SD)

STATEMENT OF CHARGES AGAINST COUNCIL MEMBER ART WELCH

COUNT 1: VIOLATION OF ETHICS – DECEPTIVE LETTER TO GRAND JURY

On July 19, 2016 Councilman Welch sent a letter to the Riverside County Grand Jury in response to their 2016 report. The letter was authorized by unanimous direction given by council, without there being any dissent on record by any council member.

In the letter Welch implied that the City of Banning will no longer conduct business via undocumented handshake agreements. However, only 9 months later, Welch engaged in yet another handshake agreement, this time for brush removal to the benefit of a private business, Diamond Hills Chevrolet.

In the council meeting of May 22, 2018, Welch is on video stating that just because he signed the letter, this *"does not mean (he) agreed with it"*. This means Welch intentionally mislead the Grand Jury into believing that he as Mayor – as well as the City – fully agree with the Grand Jury's recommendation that handshake agreements shall no longer be used in Banning, when in fact he had every intention to continue the practice.

At a very minimum, Welch had an ethical obligation to formally express his dissent with the response, not only to the Grand Jury, but also to the public. Welch failed to do so not only when the response was formulated, but also at the time he signed the letter. This violated the ethical standards set forth in Sec. 9.10 of the "Manual of Procedural Guidelines" of the City of Banning, which reads : "A member of a Legislative Body shall maintain the highest ethical standards and shall adhere to all laws and the ordinances and regulations of the City in carrying out their duties".

COUNT 2: VIOLATION OF ETHICS – GIVING DIRECTION TO CITY MANAGER WITHOUT KNOWLEDGE OR CONSENT OF THE CITY COUNCIL

In their 2018 report, the Grand Jury found that Councilman Welch “directed” the City manager (Michael Rock) to provide brush clearing services for Diamond Hills Chevrolet. This is believed to have occurred in March of 2017. Welch gave the direction as a single councilmember, without knowledge or consent of the rest of the council.

In the council meeting of May 22, 2018 Welch is on video stating that “he never gave direction, but merely made a suggestion”.

However, Welch's denial deserves no consideration as it is irrelevant under the law. The Grand Jury's investigation into the matter lasted for over 9 months, and included the testimony of nine witnesses, including Rock and Welch. With their report, the Grand Jury has acted as a “finder of fact”. The factual finding by the Grand Jury was that Welch indeed gave direction to the City manager.

Pursuant to Sec. 11.9 of the “Manual of Procedural Guidelines”, the Banning City council **must** (not “may” or “should”) consider “legally mandated findings applicable to a matter”. Such findings include those of a Grand Jury. Therefore, this section mandates that the council frame their decision solely based on the factual findings of the Grand Jury. They must not consider their denial by Welch.

It was unethical for Welch to use his position as Mayor and throw his weight around by directing a Staff member, in this case the City manager himself, without first consulting with the rest of the City council.

Welch violated the ethical standards as set forth in Sec. 9.10 of the “Manual of Procedural Guidelines” of the City of Banning. His actions also went against the spirit and intent of City Ordinance 2.08.110, which specifically prohibits council from micromanaging staff.

In a council session of April 11, 2017, Welch is on video admitting wrongdoing when he said: *“Did we go around the idea of bringing it to council, to get a project like that approved? - Probably”*.

ATTACHMENT 3

Councilmember Welch's Written Response



TO: Mayor George Moyer, all City Council Members, City Manager, City Attorney

FROM: Council Member Art Welch

RE: Rebuttal to charges of ethics violations

Date: June 14 2018

Count 1: Violation of Ethics Deceptive Letter to Grand Jury

There is no deceptive letter to my knowledge:

In response to this charge:

On July 19 2016 the City Council sent a letter to the Riverside Grand Jury stating "handshake agreements will no longer be honored" The City Council was unanimous in their vote on the issue. As mayor at this time I signed the letter. The mayor is obligated to do so, even if there had been a simple majority vote.

My statement in the May 22 2018 meeting had nothing to do with the signed letter dated July 19 2016. My statement was in the context of stating that the Mayor (who signs all documents for the council) has an obligation to represent the majority vote of the council. The quote in the charge document " does not mean (he) agreed with it" is totally taken out of context involved of the decision of May 22 2018. I fully agree with the contents of the letter dated July 19 2016.

Count 2: Violation of Ethics: Giving Direction to the City Manager Without Knowledge or Consent of the City Council in response to this charge:

I have been accused of verbally directing the city manager to take an action. It's surprising that the findings of the Grand Jury do not name an individual. Relating to the charge that I engaged in a "handshake" agreement with a local business is NOT TRUE! Nor did I direct any staff member, including the City Manager, to do so.

Being approached by a local business asking for help to complete a project. I stated to them I was not familiar with the process to do the project. I stated I would ask the city manager to contact them. I did. All correspondence from this point was between the city manager and/or staff.

In relation to the statement in the Grand Jury report. I stated on May 22 2018 my objection to the term "directed" and hoped that would be noted in our response to the Grand Jury.

As a city council member I am obligated to work at the highest standard in representing the city and also obligated to present the comments, questions and concerns from our residents and business owners. At no time have I compromised the commitment and obligation.

I am saddened by these charges

ATTACHMENT 4

2018 Civil Grand Jury Report

2017-2018 GRAND JURY REPORT

City of Banning

Background

The city of Banning (City) is located in the San Geronimo Pass, between Mt. San Geronimo to the north and Mt. San Jacinto to the south in Riverside County, approximately 30 miles east of the city of Riverside. The City has been rapidly growing in size and population since the 1990s. According to the 2010 U.S. Census Bureau report, the City has a population of 29,603 residents with a median income of \$38,919. It is primarily a small working-class city with an annual operating budget of approximately \$16 million.

Banning was incorporated in 1913 as a General Law City. General Law cities operate under the general laws of the State of California and have less autonomy than those that adopt their own charter. General Law cities follow laws set forth in the State of California Government Code §34102.

Banning has a Council-Manager form of government with five elected Councilmembers. The City is transitioning from an at-large council election system to one where Councilmembers are elected from individual districts. The City Councilmembers serve four-year terms which are staggered, with three members chosen during one election cycle and two at another. Three of the five Councilmembers were elected from individual districts (Districts 1, 2 and 3) in 2016. The other two will be elected from the remaining districts (Districts 4 and 5) in 2018. Every year, the City Council appoints one of its members as Mayor. Elections are consolidated with general elections in November during even-numbered years. City Councilmembers serve as the legislative branch of city government and vote on laws and proposals relating to various community issues. Councilmembers make legislative decisions dealing with topics such as allocating funds to provide for public services, community development projects, issues of land use, and budget matters.

The City Manager is the Chief Administrative Officer, hired by the City Council and retained on an "at-will" negotiated contract. The City Manager is responsible for the day-to-day operations of Banning. This includes, but is not limited to, the preparation and monitoring of the City's budget. The City Manager supervises the City Departments and staff through department heads, and provides oversight of recruitment, dismissal and disciplining of employees. In addition, the City Manager serves as the main professional and technical advisor to the City Council on government operations.

Methodology

The Riverside County Grand Jury (Grand Jury) obtained information for this report through the review of documents, testimony of officials, and site visitations.

The Grand Jury reviewed the following documents/items:

- a. City of Banning, Council meeting video, April 17, 2017
- b. Manual of Procedural Guidelines for the Conduct of City Council and Constituent Body/Commission Meetings for the City of Banning
- c. Banning City Biennial Budget, Fiscal Years 2013-14 and 2014-15
- d. Banning City Biennial Budget, Fiscal Years 2016-17 and 2017-18
- e. 2015-2016 Riverside County Grand Jury Report (City of Banning-Banning Chamber of Commerce)
- f. Sales Tax Sharing and Operating Agreement between the City of Banning and an auto dealership, February 2017
- g. California Government Code §34102, General Law Cities
- h. State of California, Department of Transportation, Standard Encroachment Permit Application (Form TR-0100, REV. 03/2015), January 18, 2017
- i. Banning Informer article, "Your Tax Dollars at Work: City Workforce Used to Clear Vegetation for Private Business," April 5, 2017 www.thebanninginformer.com/?page_id=9923
- j. The Press-Enterprise article, "Questions raised over use of Banning crews for business benefit," Gail Wesson, April 29, 2017, updated May 2, 2017
- k. California Assembly Bill (AB) 1234, Article 2.4, Ethics Training §53235.1(b)
- l. Letter from the City of Banning Finance Department to the auto dealership to request payment, April 10, 2017
- m. Letter from the City of Banning Finance Department, May 2, 2017, to amend the payment request of the April 10, 2017 letter

- n. Banning, California – Code of Ordinances/Title 2 – Administration/Chapter 2.08 – City Manager/2.08.110 – City council to deal only with city manager

The Grand Jury conducted the following interviews:

- a. City of Banning, Director of Public Works
- b. City of Banning, Interim City Manager/Chief of Police
- c. City of Banning, Director of Administrative Services/Deputy City Manager
- d. City of Norco, City Manager
- e. Three Banning City Councilmembers, individually
- f. City of Cathedral City, City Manager
- g. City of Banning, former City Manager

The Grand Jury conducted a site visit to the Interstate 10 Freeway right-of-way (brush removal site).

Findings

1. A member of the City Council verbally directed the City Manager to assist a local auto dealership by trimming the brush along the Interstate 10 right-of-way adjacent to the business. The shrubbery obscured the view of the business property. The City Manager directed the Public Works Director to arrange for the trimming of the shrubbery by City employees. The Public Works Director applied for, and received, a no-fee public agency encroachment permit from the California Department of Transportation (Caltrans), and City employees completed the project in early April 2017. There was no written agreement between the City and the auto dealership for this project.

After this use of City resources became public knowledge through the local media, the City Council directed the Finance Department to prepare an invoice for City services and submit it to the auto dealership. On April 10, 2017, the City received a check in the amount of \$3,000 prior to an invoice being prepared. Later that same day, the City calculated the cost of the project at \$3,431.66. They then prepared a Reimbursement Request for \$431.66 to cover the balance due to the City and submitted the invoice to the auto dealership for payment.

In a subsequent City Council meeting, a Councilmember questioned whether the amount billed to the dealership reflected the full cost to the City, including use of the City equipment. As a result, the Council directed that an amended invoice be prepared to include the equipment costs. The City Administrative Services Director prepared a second invoice on May 2, 2017, in the amount of \$3,549.64 for equipment use. The auto dealership then issued a second check bringing the total amount received by the City to \$6,981.30, which completed the payment of the amount billed.

A 2015-2016 Riverside County Grand Jury report identified a similar finding of undocumented, informal agreements and recommended:

That Banning formalize its financial dealings and not utilize handshakes or past practices with other entities.

The City continues to engage in informal and undocumented “handshake” agreements with private parties. To date, no policy has been developed or implemented to prohibit the practice of using “handshake” agreements.

2. To benefit a private party, the undertaking of the shrubbery removal project required agreement to an indemnity clause in the Caltrans permit application which was done without legal review or approval of the City Council. This action placed the City at a greater risk of financial liability.

The Caltrans Encroachment Permit Application states:

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the Indemnification provisions stated above shall apply regardless of the existence or degree of

fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees. [sic]

3. The City has no policy addressing the use of public resources and/or equipment to provide services to private parties.
4. The City's Policies and Procedures manual is outdated. Some of the policies are 40 years old and date back to 1977. Additionally, there is no evidence policies and procedures are being reviewed on a regular basis to ensure that they are relevant and accurate.
5. In the past eight years (2010-2017), the City Council has hired seven individuals to serve as City Manager, Interim City Manager, or Contract City Manager, with some serving in that capacity on a repeat basis. Instability in the relationship of the City Council to the City Manager weakens the effectiveness of City management. This poor and *ineffective* relationship has allowed some City Councilmembers to routinely address City staff directly, thereby circumventing the authority and expertise of the City Manager.

Banning Code of Ordinances expressly states:

The city council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry; and neither the city council nor any member thereof shall give orders to any subordinate of the city manager.

6. In the 2016 election, two incumbent City Councilmembers were re-elected and a third individual was newly elected to the Council. Training on critical matters such as ethics, harassment, and the Brown Act, was not made available to the Councilmembers in a timely manner.

Per California AB 1234, Article 2.4, Ethics Training §53235.1(b)

- (b) *Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.*

7. Sales tax sharing agreements are commonly used to encourage businesses to locate and develop large sales tax-generating enterprises within a city. While these can be used to retain a business within a city, they are generally used to attract new businesses. Information obtained from interviews of several city managers revealed these agreements are generally for a short term duration of five to seven years and usually employ an equal sharing of sales tax revenues.

In Banning, a sales tax sharing agreement between the City and an auto dealership was established by the Redevelopment Agency in 2005. Extension clauses were activated and the agreement was renegotiated in 2012 for an additional five years. When the auto dealership was sold in 2016, a condition of the sale was that the City would accept terms of a new sales tax sharing agreement. This new agreement rebated to the auto dealer 85% of the sales tax due to the City up to a maximum of \$3.5 million. These payments will continue for a period not to exceed 15 years or until the auto dealership has received the maximum recoverable amount as defined in the agreement.

The City has been sharing sales tax revenue with this tax-generating business for 13 years. The agreement with the new owner would extend this substantial reduction in sales tax revenue to the City for up to an additional 15 years.

Recommendations

Banning City Council

1. The City immediately discontinue and prohibit the use of undocumented and informal "handshake" agreements. The City adopt strict policies for formalizing agreements and/or contracts with private parties. Stricter policies would preclude the appearance of the gifting or misuse of public funds.
2. The City Manager review all contracts and agreements to ensure any terms affecting liabilities that might be borne by the City are reviewed and evaluated by the City Attorney and approved by the City Council in order to minimize or eliminate any risks of financial liability to the City.
3. The City establish a comprehensive policy to address the use of public resources including City labor and/or equipment when providing services to private parties.

4. The City establish a policy to review and update all City Policies and Procedures on a regular basis. Policies and Procedures should be made available to the public on the City website.
5. The City carefully review and revise its hiring and recruitment processes and procedures, to ensure job objectives and responsibilities for the City Manager's position are clearly defined. The City needs to incorporate and outline expectations and performance measures into the recruitment process for the City Manager. City Councilmembers must comply with City Ordinance 2.08.110 and work with City administrative services exclusively through the City Manager.
6. The City must establish a policy for the training of the new Councilmembers in a timely manner in accordance with AB 1234. Many public and free resources are available for training, including ethics in government, Code of Conduct, proper chain-of-command, transparency in government, and Brown Act obligations. The City Manager should also implement refresher training programs for all City Councilmembers including negotiation skills, civil discourse, and team building.
7. The City should conduct a biennial review and assessment of the financial burden to the City of any tax-sharing agreements which are more than five years old, and report its findings at a regular open City Council meeting.

Continuing agreements should be monitored to ensure that future City leaders agree the City is receiving appropriate benefits in return for the forfeiture of a portion of available sales tax revenue.

Report Issued: 4/30/2018
Report Public: 5/2/2018
Response Due: 7/30/2018

ATTACHMENT 5

July 19, 2016 Letter from
City to Civil Grand Jury



City of Banning Office of the Mayor

July 19, 2016

Harold W. Hopp, Presiding Judge
Riverside County Superior Court
4050 Main Street
Riverside, CA 92501

Re: Response to the Riverside County Civil Grand Jury's Report
Regarding the Banning Chamber of Commerce

Dear Judge Hopp:

On April 27, 2016, the Riverside County Civil Grand Jury issued its report entitled "City of Banning – Banning Chamber of Commerce." The Report focuses on the Chamber of Commerce's compliance with its lease with the former Banning Community Redevelopment Agency, including provisions relating to the establishment of a maintenance fund, the payment of utilities and the naming of the City as an additional insured under the Chamber's insurance policy, among other issues. At the conclusion of the Report, the Grand Jury issued four findings and five recommendations relative to the Chamber lease. We appreciate the opportunity to provide the following responses to these findings and recommendations in accordance with Penal Code §933.05.

The City responds to the specific findings in the Report as follows:

Response to Finding No. 1:

The City agrees with Finding No. 1 in the following respects. The Chamber and the former Community Redevelopment Agency entered into a lease agreement for the City-owned property located at 60 East Ramsey Street on January 18, 2006. The parties entered into Amendment No. 1 to Lease Agreement on May 30, 2006 (the "Lease"). Section 6(b) of the Lease requires the Chamber to establish a \$10,000 maintenance fund to ensure

that the maintenance fund maintains the \$10,000 balance at all times as required under the lease (e.g. placing the money in an escrow account or allowing the City to hold the maintenance fund in a restricted fund within the City's budget). The Chamber also provided satisfactory evidence of insurance that names the City of Banning as an additional insured under the insurance policies as required by Sections 7 of the Lease.

Additionally, the City is also updating its lease and contract policies and procedures to ensure compliance with the provisions in all contracts and leases.

Response to Recommendation No. 2:

The Grand Jury's second recommendation suggests that the City reach an agreement with the Chamber for the payment of past due utility bills in the amount of \$15,795.25. Implementation of the recommendation is ongoing.

On May 26, 2016, the City formally demanded that the Chamber pay its outstanding utility bill obligation in full within 30 days. On June 28, 2016, the Chamber's President, Ron Duncan, publicly requested from the Council an extension of time to comply with the demand and on July 12, 2016, the Council approved the extension until August 23, 2016. If the utility bill obligation is not paid by August 23rd, the City Council will evaluate is available legal remedies, including initiating an action to collect the outstanding utility bill obligation or terminating the lease, at its August 23, 2016 City Council meeting.

Response to Recommendation No. 3:

Recommendation No. 3 is not applicable as the City does not intend to cancel the Chamber's lease so long as the Council's conditions are met by maintaining the \$10,000 maintenance fund and paying off the obligation by August 23, 2016, as discussed above.

Response to Recommendation No. 4:

Implementation of Recommendation No. 4 is ongoing. In order to collect the debt, the City hired attorneys specializing in the debt collection (the McIntyre Law Group). MLG has been tasked with filing a writ of execution on the outstanding judgment along with an application for earnings

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Jennifer McCoy, Purchasing Manager
Laurie Sampson, Executive Assistant

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-71, Establishing a Pre-Approved Information Technology (IT) Vendor List for Fiscal Years 2019 and 2020.

RECOMMENDED ACTION:

City Council approve Resolution 2018-71 establishing a pre-approved vendor list for city wide usage and authorize the purchase of IT supplies and commodities from competitively bid cooperative organizations and or/GSA Schedule 70 (GSA Advantage) for the Fiscal Year 2018-2019 and 2019-2020 concurrent approved budgets

B&H Photo & Electronics Corp	ComDirect
Bear Communications	Dell Computer Corporation
Business Telecommunication Systems (BTS)	Office Depot
Cell Business Equipment (CBE)	PI Manufacturing
CDW-Government (CDW-G)	Transact Technologies
Canon	Vision Security Systems
Card Integrators dba CI Solutions	Win-911
Itron	

BACKGROUND:

The IT Division established a pre-approved vendor list in Fiscal Years 2017 and 2018 to centralize and track the purchases of technology supplies and commodities to better track expenditures and procurement compliance. Established purchase orders are monitored by the IT Division.

JUSTIFICATION:

The IT Division in the City Manager's office purchases hardware, software and miscellaneous equipment on a regular basis for all departments throughout the City. While budgets are approved for all the departments during the regular budget process, specific commodity sources will be controlled by IT for cumulative annual spending. The vendors listed have either been competitively bid through the City's bidding process or through the competitive bidding process of the US General Services Association Schedule 70, National IPA/TCPN and US Communities. Per the City's purchasing policy we are able to utilize competitively bid cooperative agreements.

FISCAL IMPACT:

None

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2018-71
2. City of Banning IT Contract Tracking List
3. Co-op Listings

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-71

RESOLUTION 2018-71

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, PRE-APPROVING A VENDOR LIST FOR THE PURCHASE OF INFORMATION TECHNOLOGY SUPPLIES AND COMMODITIES FOR THE CITY

WHEREAS, the City desires to create a list of pre-approved vendors to provide Information Technology (IT) supplies and commodities for the Fiscal Years 2019 and 2020 concurrent approved budgets; and

WHEREAS, upon evaluation of the City's current contract tracking list and cooperative vendor list the following vendor list was established:

B&H Photo & Electronics Corp	ComDirect
Bear Communications	Dell Computer Corporation
Business Telecommunication Systems (BTS)	Office Depot
Cell Business Equipment (CBE)	PI Manufacturing Corp.
CDW-Government (CDW-G)	Transact Technologies, Inc.
Canon	Vision Security Systems
Card Integrator dba CI Solutions	Win-911
Itron	

WHEREAS, the IT Division in the City Manager's office purchases hardware, software and miscellaneous equipment on a regular basis for all departments throughout the City; and

WHEREAS, budgets will be approved for all of the departments during the regular budget process and specific commodity sources will be controlled by IT for cumulative annual spending; and

WHEREAS, the vendors listed have either been competitively bid through the City's bidding process or through the competitive bidding process of the US General Services Association (GSA) Schedule 70, National IPA/TCPN, Sourcewell and US Communities or as a Sole Source; and

WHEREAS, the procurement compliance will be authorized through the use of cooperative agreements, the GSA Advantage Schedule 70 or the competitive bid process to be reviewed and approved by the Purchasing Manager; and

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

SECTION 1. Resolution 2018-71 is approved, pre-approving a vendor list for the purchase of IT supplies; and

SECTION 2. The City Council authorizes the Purchasing Manager for the City of Banning to execute purchase orders for the IT supplies and commodities from the pre-approved vendor list in accordance with the City's purchasing policies.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-71, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 2

City of Banning IT Contract Tracking List

Vendor	Vendor No.	Description of Item/Service	Compensation Amount	Department
B&H Photo & Electronics Corp	6638	Audio/Video Supplies	\$ 5,000.00	Government Channel 10
Bear Communications	7137	Electronics and Maintenance	\$ 10,000.00	Police Department
Business Telecommunication Syste	6702	Shortel Telephone Communication Equipment and Support	\$ 1,500.00	City Wide
Cell Business Equipment	7033	Copier Maintenance and Overage Fees	\$ 35,335.00	City Wide
CDW-Government	4253	Computer Supplies and Commodities		City Wide
Canon	7078	Copiers/ Lease	\$ 11,900.00	City Wide
Card Integrator dba CI Solutions	5838	Misc. Supplies and Maintenance	\$ 500.00	Police Department
ComDirect	6464	Software and Partner Plan Annual Agreement	\$ 7,250.00	Police Department
Dell Computer Corporation	3787	Computer Supplies and Commodities	\$ 25,000.00	City Wide
		Maintenance for Hardware,Multidock,Software & Endpoint Electronic		
itron	2483	Delivery	\$ 6,300.00	Administrative Services
Office Depot	2460	Computer Supplies and Commodities	\$ 5,000.00	City Wide
PI Manufacturing	6006	Computer Repair Parts	\$ 2,500.00	City Wide
Transact Technologies, Inc.	5622	Receipt Printer Supplies	\$ 1,000.00	Administrative Services
Vision Security Systems	6143	Keypad Repairs and Replacement, as needed security services	\$ 12,500.00	City Wide
Win-911	7206	J1 WIN/Maint R- Annual Software Maintenance and Support	\$ 495.00	Public Works

ATTACHMENT 3

Co-op Listings

Cooperative Organization	Vendor	Category	Contract #	Contract Start Date	Contract Expiration Date
GSA Federal Acquisition Service	Card Integrators Corporation	Cameras, Photographic Printers and Related Supplies and Services	GS-02F-0147V	7/9/2014	7/8/2019
GSA Federal Acquisition Service	Dell Marketing L.P.	IT Equipment, Software and Services	GS-35F-099DA	Schedule 70	11/19/2020
GSA Federal Acquisition Service	Bearcom Operating, LLC	Radio Communication, Emergency Response & Mobile Interoperability Equipment	GS-35F-0197R	Schedule 70	12/9/2019
National IPA/TCPN	Christal Vision, Inc.	Assistive Technology Products & Services	R131701	11/1/2013	10/31/2018
National IPA/TCPN	Don Johnson, Inc.	Assistive Technology Products & Services	R131702	11/1/2013	10/31/2018
National IPA/TCPN	EnableMart	Assistive Technology Products & Services	R131703	11/1/2013	10/31/2018
National IPA/TCPN	HumanWare	Assistive Technology Products & Services	R131704	11/1/2013	10/31/2018
National IPA/TCPN	Lightspeed Technologies, Inc.	Assistive Technology Products & Services	R131705	11/1/2013	10/31/2018
National IPA/TCPN	B&H Photo, Video, Pro Audio	Audio Visual Equipment, Accessories and Services	R160901	10/1/2016	9/30/2019
National IPA/TCPN	Clearwieg Productions Inc.	Audio Visual Equipment, Accessories and Services	R160902	10/1/2016	9/30/2019
National IPA/TCPN	Troxell Communications	Audio Visual Equipment, Accessories and Services	R160903	10/1/2016	9/30/2019
National IPA/TCPN	Kyocera Document Solutions America, Inc.	Copiers & Printers	R150301	6/1/2015	5/31/2020
National IPA/TCPN	Xerox	Copiers & Printers (Includes Non-Xerox Equipment Supplies)	R150302	3/1/2018	5/31/2020
National IPA/TCPN	Convergent	Facility Technology Integration	R170601	7/1/2017	6/30/2020
National IPA/TCPN	CDW-G	Information Technology Solutions	130733	8/18/2013	8/17/2018
National IPA/TCPN	CDW-G	IT Solutions and Services	2018011-01	3/1/2018	2/28/2023
National IPA/TCPN	SHI	IT Solutions and Services	2018011-02	3/1/2018	2/28/2023
National IPA/TCPN	Wesco Distribution, Inc.	Maintenance, Repair & Operations (MRO) Supplies and Related Services	R142106	4/1/2015	3/31/2020
National IPA/TCPN	ADP	Managed Business/Operations Management	R151901	5/1/2016	4/30/2021
National IPA/TCPN	Xerox	Managed Business/Operations Management	R171406	3/1/2018	2/28/2021
National IPA/TCPN	Canon	Managed Print Solutions	R171401	3/1/2018	2/28/2021
National IPA/TCPN	HP	Managed Print Solutions	R171402	3/1/2018	2/28/2021
National IPA/TCPN	Office Depot	Managed Print Solutions	R171404	3/1/2018	2/28/2021
National IPA/TCPN	Group Mobile	Mobile Computing Solutions	171725-02	10/11/2017	10/10/2019
National IPA/TCPN	Panasonic	Mobile Computing Solutions	171725-01	10/11/2017	10/10/2019
National IPA/TCPN	Toshiba	Multifunctional Digital Copiers	CP-011-13	10/1/2013	9/30/2018
National IPA/TCPN	Canon	Multifunctional Digital Copiers	CP-002-13	10/1/2013	9/30/2018
National IPA/TCPN	Mythics, Inc.	Oracle Products and Services	R141801	1/1/2015	12/31/2018
National IPA/TCPN	Anixter	Security Services	R161701	4/1/2017	3/31/2020
National IPA/TCPN	Schneider Electric	Security System Services	R170504	7/1/2017	6/30/2020
National IPA/TCPN	BrightBytes	Software and Related Products and Services	R150401	6/1/2015	5/31/2019
National IPA/TCPN	Carahsoft Technology Corp	Software and Related Products and Services	R150402	6/1/2015	5/31/2019
National IPA/TCPN	Hyland Software, Inc.	Software and Related Products and Services	R150404	10/1/2015	5/31/2019
National IPA/TCPN	PCMG, Inc.	Software and Related Products and Services	R150408	7/1/2015	5/31/2019
National IPA/TCPN	CDW-G	Technology & Interactive Whiteboard Solutions Products & Services	R160201	8/1/2016	7/31/2019
National IPA/TCPN	Connection	Technology & Interactive Whiteboard Solutions Products & Services	R160202	8/1/2016	7/31/2019
National IPA/TCPN	HP	Technology & Interactive Whiteboard Solutions Products & Services	R160203	8/1/2016	7/31/2019
National IPA/TCPN	Office Depot	Technology & Interactive Whiteboard Solutions Products & Services	R160204	8/1/2016	7/31/2019
National IPA/TCPN	Xerox	Copiers, Digital Imaging, Document Technology & Management Solutions	083116-XOX	10/19/2016	10/19/2020
National IPA/TCPN	CDW-G	Technology, Security & Communication Solutions	100614-CDW	12/1/2014	11/18/2018
National IPA/TCPN	FATPOT Technologies	Technology, Security & Communication Solutions	121416-FPT	2/1/2017	2/1/2021
National IPA/TCPN	Mitel Business Systems (ComDirect)	Telecom Phone Systems/Cellular Service	040314-MBS	5/26/2014	5/20/2019
National IPA/TCPN	Ricoh/Savin/Lanier	Document & Print Services	4400003732	2/11/2013	6/30/2019
National IPA/TCPN	Insight Public Sector	Technology Products, Services, Solutions and Related Products and Services	4400006644	5/1/2016	4/30/2019
National IPA/TCPN	Graybar Telecommunications	Telecommunication Supplies	EV2370	2/1/2018	1/31/2023



**CITY OF BANNING
CITY COUNCIL REPORT**

TO: CITY COUNCIL

FROM: Rochelle, Interim City Manager

PREPARED BY: Art Vela, Public Works Director
Holly Stuart, Management Analyst

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-72, Approving the Rate Adjustment for the Collection, Transportation and Disposal of Solid Waste Services and to Proceed with the Proposition 218 Notifications, Setting a Proposition 218 Public Hearing and Directing Staff to Prepare the Fifth Amendment to the Franchise Agreement with Waste Management

RECOMMENDATION ACTION:

The City Council adopt Resolution 2018-72:

1. Approving an annual Consumer Price Index (CPI) adjustment for five consecutive years beginning in 2018 and ending in 2022 and approving a method for establishing the annual CPI adjustment to the service rates for the collection, transportation and disposal of solid waste.
2. Approving the Proposition 218 ("Prop 218") Notice and authorizing staff to mail the notice to customers and property owners in compliance with all requirements of Prop 218.
3. Scheduling a Public Hearing for August 28, 2018 at 5 p.m. to consider all public protest related to the proposed rate adjustment.
4. Authorizing the City Manager or her designee to make necessary budget adjustments, appropriations and transfers related to the Prop 218 notification and public hearing process.

5. Authorizing staff to proceed with the preparation of the Fifth Amendment of the Franchise Agreement with Waste Management to formalize the method for establishing the annual CPI adjustment.

BACKGROUND:

The City of Banning ("City") entered into a Franchise Agreement ("Agreement") for refuse collection, transportation, and disposal with Waste Management of the Inland Empire (WM) in 1993 for an eight-year period. Subsequently, the City Council at its regular meeting on April 24, 2001, adopted Resolution 2001-35, extending the Agreement for an additional five years as allowed per the Agreement, from July 1, 2001 to June 30, 2006. On March 15, 2002 under Resolution 2002-28 the contract was re-negotiated to include automated services and to extend the Agreement for an additional five-year period from July 1, 2006 to June 30, 2011. On June 28, 2011 under Resolution No. 2011-53, the Agreement was modified and the term was extended for an additional ten years from July 1, 2011 to June 30, 2021.

The Agreement allows for an annual CPI adjustment and requires that rate adjustments adhere to the requirements of Prop 218, including: 1) providing notification to all affected property owners and rate payers of the proposed rates and instructions for those who wish to protest the rate increases; 2) holding a public hearing at least forty-five (45) days after mailing the notifications; and 3) rejecting the proposed rate adjustments if written protests are presented by a majority (fifty percent plus one) of affected property owners or rate payers; only one protest per parcel would apply.

A Prop 218 process was previously administered in July of 2016 and approved by rate payers and City Council at a Public Hearing on August 28, 2016. The approval allowed for rates to be adjusted annually for five years (2016 to 2020) based on the CPI for the Los Angeles-Orange County-Riverside index for the March to February period; the index and month range is specifically identified in the Agreement and included in the Prop 218 notice of 2016. To date, CPI adjustments were implemented in October 2016 for fiscal year 2017 and July 2017 for fiscal year 2018.

JUSTIFICATION:

On June 18, 2018 WM requested a CPI annual rate adjustment for fiscal Year 2019. Upon review, it was determined that the United States Department of Labor, Bureau of Labor Statistics had eliminated the Los Angeles-Orange County-Riverside index and replaced it with two new indexes: Los Angeles-Long Beach-Anaheim and Riverside-San Bernardino-Ontario. Therefore, the 2019 CIP adjustment cannot be made according to the method approved by the voters in 2016.

In order to continue the annual CPI adjustment as allowed by the Agreement, staff recommends that the following methodology be applied:

- Adjustment for Fiscal Year 2019: The new Los Angeles-Long Beach-Anaheim index appears to have adopted the historical data of the Los Angeles-Orange County-Riverside index which was previously used. Therefore, staff recommends that the CPI adjustment for Fiscal Year 2019 be made using the Los Angeles-Long Beach-Anaheim index for the March to February period. The CPI increase during this period is 3.33%.
- Adjustment for fiscal years following Fiscal Year 2019: Staff recommends that for all years following Fiscal Year 2019, that the annual CPI adjustment be applied based on the new Riverside-San Bernardino-Ontario index for the March to March period. It should be noted that the data for the new Riverside-San Bernardino-Ontario will only be issued on a bi-monthly schedule beginning January, hence the reason why a March to March period will be used instead of a March to February period.

The abovementioned methods for applying annual CPI adjustments are not consistent with the approved method described in the 2016 Prop 218 notices and therefore, if approved by City Council, a new Prop 218 process will be administered. Staff will mail new Prop 218 notices to rate payers and property owners providing public hearing information, explanation of rate adjustments, a proposed rate schedule and instructions for submitting a protest. A public hearing will be held to announce the quantity of protests received. The public hearing is proposed to be scheduled on August 28, 2018 at 5 p.m.

In addition to the CPI adjustment, WM has requested a revision to the title of the "residential green waste contamination fee" to "residential contamination fee". The existing contamination fee of \$15 will now apply to contamination of the green waste and/or recycling cart. WM has also requested clarification to the "roll off bin rental service" rate (see attached letter from WM).

Lastly, on August 28, 2018, a draft fifth amendment to the Agreement will be presented to the City Council for approval to formally revise the methodology in which CPI rate adjustments are determined, as explained above.

FISCAL IMPACT:

There are two components to the solid waste service rate: 1) Service Component and 2) Disposal/Green Waste Processing Component. The service component, which makes up sixty-five percent (65%) of the solid waste service rate will be adjusted by the CPI as explained above. The Disposal/Green Waste Processing Component, which makes up thirty-five percent (35%), will adjust by the greater of either the CPI adjustment as explained above or the percentage increase in the per ton tipping fee established by the Riverside County Waste Management Department for disposal of Solid Waste and as allowed by the Agreement.

If the methodology described above is approved, the change in the CPI for fiscal year 2019 is 3.33% and will be applied to the service component of the rate. This year, the landfill Tipping Fee increased by 3.61% from \$37.95 to \$39.32 per ton and therefore will

be applied to the disposal/green waste component of the rate. As a result, the overall rate adjustment will reflect a 3.43% increase. The current residential rate for the collection of refuse is \$20.99 per month per household and the rate will increase to \$21.71. The commercial rate will be adjusted accordingly, as shown in the attached proposed residential and commercial rate schedule. The new rate adjustment will be effective October 1, 2018.

Additionally, if the rates are approved, future CPI rate adjustments will be authorized for four additional years. The future rate increases will occur July 1st of 2019, 2020, 2021 and 2022. Staff will report future CPI increases to the City Council prior to implementation.

In regard to the Prop 218 notifications, Refuse Enterprise Fund Account No. 690-9600-453.23-01 (Advertising/Publishing) will be utilized to cover the costs associated with printing and mailing the notifications.


ALTERNATIVES:

City Council may choose to reject staff's recommendation. If rejected, staff cannot implement the Prop 218 process in order to apply the requested rate adjustment. If the rate adjustment is not imposed, WM shall have the right to request a second consideration, and if such increase is again not approved, WM may give 180-day notice of termination and terminate the Agreement.

ATTACHMENTS:

1. Resolution 2018-72
2. WM Rate Adjustment Letter Request
3. Proposition 218 Letter, Proposed Rate Schedule and Protest Voucher
4. Rate Comparison

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-72

RESOLUTION 2018-72

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE RATE ADJUSTMENT FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE SERVICES AND TO PROCEED WITH THE PROPOSITION 218 NOTIFICATIONS, SETTING A PROPOSITION 218 PUBLIC HEARING AND DIRECTING STAFF TO PREPARE THE FIFTH AMENDMENT TO THE FRANCHISE AGREEMENT WITH WASTE MANAGEMENT

WHEREAS, the City of Banning entered into a Franchise Agreement ("Agreement") with Waste Management of the Inland Empire in July of 1993 for an eight-year period, Resolution No. 2001-35, extended the Agreement for an additional five years from July 1, 2001 to June 30, 2006, Resolution No. 2002-28 extended the Agreement for an additional five -year period from July 1, 2006 to June 30, 2011 and Resolution No. 2011-53, extended the Agreement for an additional ten years until June 30, 2021; and

WHEREAS, the Agreement allows for an annual Consumer Price Index (CPI) adjustment and requires that rate adjustments adhere to the requirements of Proposition 218; and

WHEREAS, a Proposition 218 process was administered in July of 2016 and approved by rate payers and City Council at a Public Hearing on August 28, 2016. The approval allowed for rates to be adjusted annually for five years (2016 to 2020) based on the CPI for the Los Angeles-Orange County-Riverside index for the March to February period and subsequently CPI adjustments were implemented in October 2016 for fiscal year 2017 and July 2017 for fiscal year 2018; and

WHEREAS, United State Department of Labor, Bureau of Labor Statistic has eliminated the Los Angeles-Orange County-Riverside index referenced in the Agreement and 2016 Proposition 218 Notice and replaced it with two new indexes: Los Angeles-Long Beach-Anaheim and Riverside-San Bernardino-Ontario and therefore the methodology for calculating the CPI adjustments must be revised as follows:

Adjustment for fiscal year 2019: the CPI adjustment for fiscal year 2019 shall be made using the Los Angeles-Long Beach-Anaheim index for the March to February period. The CPI increase during this period is 3.33%.

Adjustment for fiscal years following fiscal year 2019: the annual CPI adjustment shall be applied based on the Riverside-San Bernardino-Ontario index for the March to March period.

WHEREAS, in order to implement the new method for adjusting the rates based on the CPI a new Proposition 218 process must be administered, which will include the method described above and will include an annual CPI adjustment for five consecutive years beginning in 2018 and ending in 2022; and

WHEREAS, a public hearing will be scheduled for August 23, 2018 at 5:00 p.m.; and

WHEREAS, on August 23, 2018 a draft fifth amendment to the Agreement will be presented to City Council for approval to formally revise the methodology in which CPI rate adjustments are determined.

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

SECTION 1. The Banning City Council adopts Resolution 2018-72 approving an annual CPI adjustment for five consecutive years beginning in 2018 and ending in 2022 and approving a method for establishing the annual CPI adjustment the service rates for the collection, transportation and disposal of solid waste.

SECTION 2. The City Manager or her designee is authorized to proceed with the Proposition 218 notification and public hearing process related to the proposed rate adjustment.

SECTION 3. The City Manager or her designee is authorized to make necessary budget adjustment, appropriations and transfers related to the Proposition 218 notification and public hearing process.

SECTION 4. The City Manager or her designee is authorized to proceed with the preparation of the fifth amendment of the Agreement to adjust the method for implementing a Consumer Prices Index rate adjustment.

PASSED, APPROVED AND ADOPTED this 26 day of June, 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 2018-72, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 2

WM Rate Adjustment Letter Request



June 18, 2018

Mr. Art Vela, P.E.
Director of Public Works/City Engineer
City of Banning
99 East Ramsey Street
Banning, CA 92220

RE: Revised 2018/2019 Rate Adjustment Request

Dear Mr. Vela:

Pursuant to Section 18A8, Annual Rate Adjustment of the franchise agreement, the 2018/2019 rate adjustment was calculated by using the Consumer Price Index as prepared by the United States Department of Bureau of Labor Statistics for the Los Angeles-Orange County-Riverside Metropolitan Area, all urban consumers December-December index.

Summary of Proposed Adjustments

- CPI- The average annual percentage change increase was 2.16% and should be applied to all service components and ancillary charges in the current rate sheet. Overall Rate Adjustment - The overall rate adjustment to the residential customer will be 3.43%.
- Solid Waste Disposal Costs- The Riverside County tipping fee will be increasing by 3.61% and will be applied to all disposal components of the rate structure. The disposal component of the rates will increase from \$37.95 to \$39.32 per ton.

Customer Rate Overview:

Residential Rate - \$21.71

Commercial Rate- \$122.34 [1- 3 yard serviced 1 x per week]

In addition, Waste Management is requesting the outlined below to address service impacts:

- Current Residential Green Waste contamination fee of \$15 be redefined as Residential Contamination fee for either contaminated green waste or recycling cart. Contamination of both green waste and recycling material, causes much damage to the rest of the clean material, that often the whole load is rejected as trash. By

implementing a residential contamination fee, the goal would be to help residents minimize using the greenwaste and recycling carts as a second trash cart.

- Roll off Bin Rental Service
Clarify services fees between 7-day Rental Min Haul and Extended Rental Service. Currently, we lack ability to charge customer who wishes to extend bin rental more than 7-days, but not interested in the extended rental service.

Waste Management respectfully requests your approval of the proposed rate adjustment that will be applied to all service and disposal components effective July 1, 2018.

I look forward to meeting with you and your staff to discuss this matter in more detail. In the meantime, if you have any questions, please contact me at (951) 609-6341. I thank you in advance for your time and consideration.

Respectfully,

Lily V. Quiroa
Public Sector Manager
Waste Management

cc: Holly Stuart, City of Banning

ATTACHMENT 3

Proposition 218 Letter, Proposed Rate Schedule and Notification



**CITY OF BANNING
NOTICE OF PUBLIC HEARING**



**Notice of Public Hearing on Collection, Transportation, and Disposal of Solid Waste
August 28, 2018 at 5:00 P.M.**

City Council Chambers – 99 East Ramsey Street, Banning, CA 92220

In compliance with Article XIID of the California State Constitution and the Proposition 218 Omnibus Implementation Act, the City of Banning is hereby notifying all affected property owners and rate payers of the proposed rate adjustment for the Collection, Transportation and Disposal of Solid Waste.

Public Hearing Information

A public hearing will be held on Tuesday, August 28, 2018 at 5:00 p.m. at Banning City Hall located at 99 East Ramsey Street, Banning, CA, 92220. At the time of the public hearing, the City Council will hear and consider all protest and objections concerning these matters and will consider and may adopt the adjusted rates and charges.

If you oppose the proposed rate adjustments, your protest must be submitted in writing, contain a description of the property, be signed by the property owner and/or rate payer and be received prior to the close of the public hearing to be considered. Only one protest per identified account will be counted. If written protests are submitted by a majority of the affected property owners and/or rate payers, the proposed rate adjustment may not be imposed. Written protests must be sent to the City Clerk, City of Banning; 99 East Ramsey Street, P.O. Box 998, Banning, CA 92220.

Explanation of Rate Adjustments

The City of Banning contracts the collection, transportation and disposal of solid waste services through Waste Management of the Inland Empire. The primary reason for this notice is to update the method for calculating the annual CPI adjustment due to the United States Department of Labor, Bureau of Labor Statistics (BLS) replacing the Los Angeles-Orange County-Riverside Consumer Price Index (CPI) which was previously approved.

By approval of the rate increase future rate increases will be based on the CPI formula (defined below) or an alternative formulaic, automatic adjustment (also defined below) for an additional four-year period without further hearing or protest; such automatic adjustments to be in 2019, 2020, 2021, 2022 commencing on or after July 1 in each of such years. Note: CPI is an index of prices used to measure the change in the cost of basic goods and services in comparison with a fixed based period, also known as a cost-of-living index. The index used to determine the CPI adjustment will be based on All Urban Consumers published by the BLS. The initial rate increase for Fiscal Year 2019, scheduled to be implemented on October 1, 2018, will be based on the Los Angeles-Long Beach-Anaheim index for the March to February period immediately preceding the effective date of the rate adjustment. Beginning July 1st, 2020 and thereafter, CPI rate adjustments will be based on the Riverside-San Bernardino-Ontario index for the March to March period immediately preceding the effective date of the rate adjustment.

The CPI or other measure of automatic annual adjustments to be used will be as follows:

- i. Service Component. The Service Component comprises sixty-five percent (65%) of the rate. The Service Component will be adjusted by the CPI and determined by the methodology identified above.
- ii. Disposal/Green Waste Processing Component. The Disposal/Green Waste Processing Component comprises thirty five percent (35%) of the rate and will be adjusted by the greater of either (1) the CPI for the period immediately preceding the effective date of the rate adjustment as described above; or (2) the percentage increase in the per ton tipping fee established by the Riverside County Waste Management Department for disposal of Solid Waste generated within Riverside County at landfills comprising the County System (Badlands Landfill, Lamb Canyon Landfill, El Sobrante Landfill) for the period immediately preceding the effective date of the rate adjustment.

The City Council may in its discretion adopt such increases without further hearing and protest proceedings. The schedule of proposed rate adjustments covered by this notice will be for a period of five years starting from the effective date of the first increase.

If you wish to legally challenge any action taken by the City on the solid waste rate increases, you may be limited to raising only those issues you or someone else raised prior to or at the public hearing as described in this notice.

Si necesita ayuda para entender la información de esta notificación por favor hable con alguien que puede traducir por usted o llame al (951)922-3185.

NEW RATES FOR RESIDENTIAL AND COMMERCIAL EFFECTIVE : OCTOBER 1, 2018

RESIDENTIAL SERVICES:

	Current Monthly Rate	2018-19* New Rate
Residential Cart Service:		
Basic Rate:	\$20.99	\$21.71
Other Residential Fees:		
Additional 96-Gal Trash Cart	\$8.38	\$8.67
Additional 64-Gal Trash Cart	\$6.71	\$6.94
Additional 35-Gal Trash Cart	\$5.04	\$5.21
Additional Recycle Cart - Any Size	\$2.16	\$2.23
Additional Green Waste Cart - Any Size	\$5.13	\$5.31
Residential Set-up Fee	\$11.02	\$11.40
Cart Exchange - Excess of 1 p/year	\$25.22	\$26.08
Additional Bulky & E-waste - Per Item	\$19.17	\$19.83
Contamination Fee - Green Waste/Recycling	\$15.00	\$15.51
Return Service Fee	\$0.00	\$15.00

COMMERCIAL SERVICES:

	Current Monthly Rate	2018-19* New Rate
Commercial Can Service:		
Commercial Carts - Trash/Recycle Only	\$21.35	\$22.08

	Current Monthly Rate	2018-19* New Rate
Commercial Trash Service:		
2 Yard, 1x a week	\$90.31	\$93.41
2 Yard, 2x a week	\$180.61	\$186.80
2 Yard, 3x a week	\$264.04	\$273.09
2 Yard, 4x a week	\$349.18	\$361.15
2 Yard, 5x a week	\$432.61	\$447.44
2 Yard, 6x a week	\$516.03	\$533.72
3 Yard, 1x a week	\$118.29	\$122.34
3 Yard, 2x a week	\$236.57	\$244.68
3 Yard, 3x a week	\$346.23	\$358.10
3 Yard, 4x a week	\$455.92	\$471.55
3 Yard, 5x a week	\$565.58	\$584.97
3 Yard, 6x a week	\$675.27	\$698.42
4 Yard, 1x a week	\$158.27	\$163.70
4 Yard, 2x a week	\$316.54	\$327.39
4 Yard, 3x a week	\$462.79	\$478.65
4 Yard, 4x a week	\$610.74	\$631.68
4 Yard, 5x a week	\$756.99	\$782.94
4 Yard, 6x a week	\$903.24	\$934.20
6 Yard, 1x a week	\$222.80	\$230.44
6 Yard, 2x a week	\$445.62	\$460.90
6 Yard, 3x a week	\$652.95	\$675.33
6 Yard, 4x a week	\$858.57	\$888.00
6 Yard, 5x a week	\$1,065.92	\$1,102.46
6 Yard, 6x a week	\$1,271.53	\$1,315.12

ROLL-OFF SERVICES:

	Current Monthly Rate	2018-19* New Rate
Temp Roll-Off Service:		
40 Yard with 4 tons	\$394.33	\$407.85
Compactor - plus landfill tipping fee	\$279.45	\$289.03
40 Yard Permanent plus landfill tipping fees	\$216.47	\$223.89
10 Yard Permanent plus tipping fee	\$216.47	\$223.89
Roll-Off Recycle/per load	\$216.47	\$223.89
Other Roll-Off Fees:		
Delivery/Relocate/Trip Charge	\$79.01	\$81.72
Minimum Pull Fee (1 per month)	\$216.47	\$223.89
Industrial Set-up Fee	\$18.37	\$19.00

	Current Monthly Rate	2018-19* New Rate
Commercial Compactors:		
2 Yard, 1x a week	\$125.16	\$129.45
2 Yard, 2x a week	\$250.31	\$258.89
2 Yard, 3x a week	\$368.59	\$381.23
2 Yard, 4x a week	\$488.58	\$505.33
2 Yard, 5x a week	\$606.87	\$627.67
2 Yard, 6x a week	\$725.13	\$749.99
3 Yard, 1x a week	\$170.56	\$176.41
3 Yard, 2x a week	\$341.13	\$352.82
3 Yard, 3x a week	\$503.07	\$520.32
3 Yard, 4x a week	\$665.02	\$687.82
3 Yard, 5x a week	\$826.95	\$855.30
3 Yard, 6x a week	\$988.93	\$1,022.83

	Current Monthly Rate	2018-19* New Rate
Commercial Recycle Service:		
2 Yard, 1x a week	\$84.08	\$86.96
2 Yard, 2x a week	\$168.16	\$173.92
3 Yard, 1x a week	\$107.63	\$111.32
3 Yard, 2x a week	\$215.26	\$222.64
4 Yard, 1x a week	\$142.96	\$147.86
4 Yard, 2x a week	\$285.92	\$295.72
6 Yard, 1x a week	\$185.00	\$191.34
6 Yard, 2x a week	\$370.00	\$382.68
Extra Pick Up - Recycle	\$62.40	\$64.54
Contamination Fee	\$62.40	\$64.54

	Current Monthly Rate	2018-19* New Rate
Commercial Organics Service		
64 Gallon, 1x a week	\$45.49	\$47.05
64 Gallon, 2x a week	\$90.99	\$94.11
64 Gallon, 3x a week	\$136.48	\$141.16
64 Gallon, 4x a week	\$181.98	\$188.22
64 Gallon, 5x a week	\$227.46	\$235.26
64 Gallon, 6x a week	\$272.96	\$282.32
2 Yard, 1x a week	\$254.54	\$263.27
2 Yard, 2x a week	\$509.10	\$526.55
2 Yard, 3x a week	\$763.69	\$789.87
2 Yard, 4x a week	\$1,018.24	\$1,053.15
2 Yard, 5x a week	\$1,272.78	\$1,316.41
2 Yard, 6x a week	\$1,527.34	\$1,579.70

	Current Monthly Rate	2018-19* New Rate
Other Commercial Fees:		
Extra Pick Up - Trash	\$62.40	\$64.54
Lost or Stolen Bin	\$317.90	\$328.80
Burned Bin	\$178.02	\$184.12
Bin Overage Fee	\$75.93	\$78.53
Temporary 3 Yard - one month	\$213.39	\$220.71
Temporary 3 Yard - 7 day	\$130.80	\$135.28
Locking Lids	\$15.26	\$15.78
Haul or Call Fee	\$29.11	\$30.11
Commercial Set-up Fee	\$18.37	\$19.00
Bin Exchange	\$52.39	\$54.19
Replacement Lock	\$31.79	\$32.88
Replacement key	\$6.36	\$6.58
Pull-out service per bin 16-35 feet	\$15.00	\$15.51
Pull-out service per bin 36-50 feet	\$22.00	\$22.75
Pull-out service per bin over 51 feet	\$29.00	\$29.99
Return to Service	\$25.00	\$25.86

*To be adjusted yearly for 5 years in accordance with the formula on the Notice of Public Hearing to which this schedule is attached

***Notice of Proposed Rate Adjustment for the Collection, Transportation
and Disposal of Solid Waste Services***

City Council will consider adoption of the proposed rate adjustment described in this notice on August 28, 2018 at 5:00pm. If written protests against the proposed rates, as outlined in this letter, are not presented by a **majority** of property owners or customers of record, the City Council will be authorized to implement the proposed rates. If adopted, the rate adjustment for the collection, transportation and disposal of solid waste services will be in effect beginning October 1, 2018. Additionally, if the rates are approved, future consumer price index rate adjustments will be authorized for four (4) additional years with future increases occurring July 1st of 2019, 2020, 2021 and 2022.

If you have any questions about the proposed rate changes or would like additional information, please call: (951) 922-3130 8:00 a.m. to 5:00 p.m. Monday through Friday.

DETACH FORM BELOW TO SUBMIT PROTEST:

PROPOSITION 218 PROTEST FORM

SUBMIT TO
CITY CLERK
99 E. RAMSEY STREET
BANNING, CA 92220

SUBMIT BY
5:00 P.M.
August 28, 2018
Must submit protest by close of comment
period at public hearing

By checking the applicable box and signing the form below, I protest the proposed solid rate adjustment. I affirm under penalty of law that I am the owner of the parcel or customer of the address below.

☐

I protest the rate adjustment for the collection, transportation and disposal of solid waste.

Property Owner or Parcel Information

Property Owner Name: _____

Assessor's Parcel Number (APN): _____

Street Address: _____

City, State, Zip Code: _____

Customer Information

Customer Name: _____

Customer Account Number: _____

Service Street Address: _____

City, State, Zip Code: _____

Property Owner or Customer Signature: _____

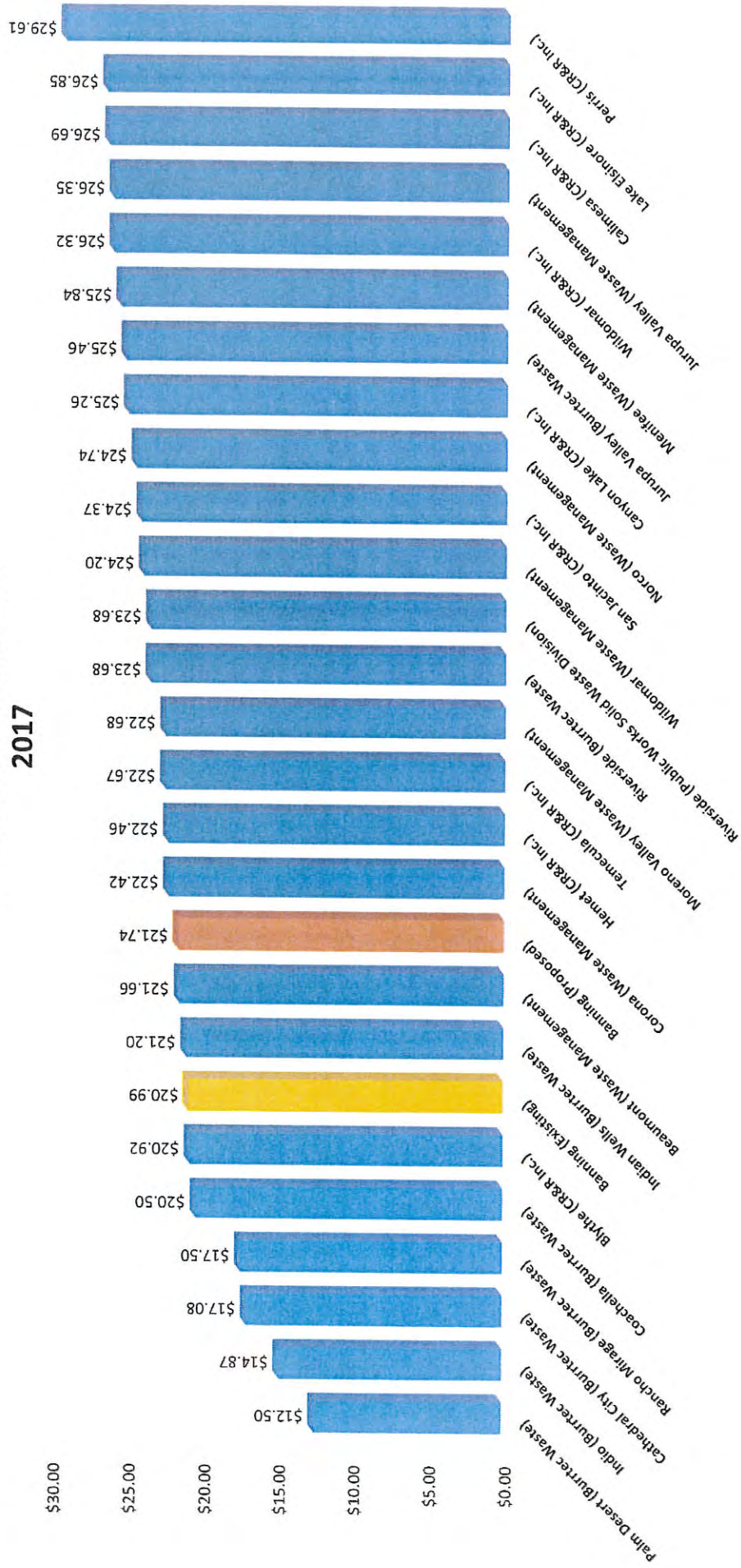
Signature Date: _____

ATTACHMENT 4

Rate Comparison

RATE COMPARISON

Residential Monthly Rates
2017





CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle, Interim City Manager

PREPARED BY: Art Vela, Public Works Director

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-91, Approving an Updated Method for Calculating the Annual Consumer Price Index Adjustment to the Banning Municipal Airport Hangar Rental Rates and Access Fees

RECOMMENDATION ACTION:

That City Council adopt Resolution 2018-91, approving an updated method for calculating the annual consumer price index (CPI) adjustment to the Banning Municipal Airport ("Airport") hangar rental rates and access fees for 2018 and 2019.

BACKGROUND:

On July 14, 2015 the City Council adopted Resolution No. 2015-67, approving the increase of hangar rents and access fees at the Banning Municipal Airport. The rate increases included an initial increase of five percent (5%) in 2015 followed by an annual rate adjustment based on the CPI for years 2016, 2017, 2018 and 2019. The method for establishing the annual CPI adjustment is based on applying the Los Angeles-Orange County-Riverside Index as published by the United States Department of Labor, Bureau of Labor Statistics (BLS) for the March through February period or a two percent (2%) increase, whichever is higher.

It was recently determined that the BLS replaced the Los Angeles-Orange County-Riverside index with two new indexes: Los Angeles-Long Beach-Anaheim and Riverside-San Bernardino-Ontario. Therefore, the annual CPI adjustment cannot be made according to the method approved by City Council for the remaining years (i.e. 2018 and 2019).

JUSTIFICATION:

In order to continue the annual CPI adjustment an updated method must be applied. Staff recommends the following:

- Adjustment for fiscal year 2018/2019: The new Los Angeles-Long Beach-Anaheim index appears to have adopted the historical data of the Los Angeles-Orange County-Riverside index which was previously used. Therefore, staff recommends that the CPI adjustment for 2018 (i.e. fiscal year 2018/2019) be made using the Los Angeles-Long Beach-Anaheim index for the March to February period. The CPI increase during this period is 3.33%.
- Adjustment for fiscal year 2019/2020: Staff recommends that for 2019 (i.e. fiscal year 2019/2020), that the annual CPI adjustment be applied based on the new Riverside-San Bernardino-Ontario index for the March to March period. It should be noted that the data for the new Riverside-San Bernardino-Ontario will only be issued on a bi-monthly schedule beginning January, hence the reason why a March to March period will be used instead of a March to February period.

FISCAL IMPACT:

The Airport operates independently with revenues generated by hangar and tie-down rental fees and fuel sales. The annual CPI adjustments for fiscal year 2018/2019 and 2019/2020 will generate additional revenues that will be utilized for the ongoing operations of the Airport.

ALTERNATIVES:

City Council may choose to reject staff's recommendation. If rejected, staff will not be able to implement the annual CPI adjustments through fiscal year 2019/2020 as previously approved.

ATTACHMENTS:

1. Resolution No. 2018-91

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution No. 2018-91

RESOLUTION 2018-91

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AN UPDATED METHOD FOR CALCULATING THE ANNUAL CONSUMER PRICE INDEX ADJUSTMENT TO THE BANNING MUNICIPAL AIRPORT HANGAR RENTAL RATES AND ACCESS FEES

WHEREAS, on July 14, 2015 the City Council adopted Resolution No. 2015-67, approving the increase of hangar rents and access fees at the Banning Municipal Airport. The rate increases included an initial increase of five percent (5%) in 2015 followed by an annual rate adjustment based on the CPI for years 2016, 2017, 2018 and 2019; and

WHEREAS, Resolution No. 2015-67 included a method for establishing the annual CPI adjustment by applying the Los Angeles-Orange County-Riverside Index as published by the United States Department of Labor, Bureau of Labor Statistics (BLS) for the March through February period or a two percent (2%) increase, whichever is higher; and

WHEREAS, the BLS replaced the Los Angeles-Orange County-Riverside index with two new indexes: Los Angeles-Long Beach-Anaheim and Riverside-San Bernardino-Ontario. Therefore, the annual CIP adjustment cannot be made according to the method approved by City Council for the remaining years 2018 and 2019 (i.e. fiscal years 18/19 and 19/20); and

WHEREAS, the method for establishing the annual CPI adjustment will be revised as follows:

- Adjustment for fiscal year 2018/2019: The new Los Angeles-Long Beach-Anaheim index appears to have adopted the historical data of the Los Angeles-Orange County-Riverside index which was previously used. Therefore, staff recommends that the CPI adjustment for 2018 (i.e. fiscal year 2018/2019) be made using the Los Angeles-Long Beach-Anaheim index for the March to February period. The CPI increase during this period is 3.33%.
- Adjustment for fiscal year 2019/2020: Staff recommends that for 2019 (i.e. fiscal year 2019/2020), that the annual CPI adjustment be applied based on the new Riverside-San Bernardino-Ontario index for the March to March period. It should be noted that the data for the new Riverside-San Bernardino-Ontario will only be issued on a bi-monthly schedule beginning January, hence the reason why a March to March period will be used instead of a March to February period

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

SECTION 1. The Banning City Council adopts Resolution No. 2018-91, approving an updated method for calculating the annual consumer price index adjustment to the Banning Municipal Airport hangar rental rates and access fees for 2018 and 2019.

PASSED, APPROVED AND ADOPTED this 26 day of June, 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 2018-91, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Rochelle Clayton, Interim City Manager
Kevin Ennis, City Attorney

MEETING DATE: June 26, 2018

SUBJECT: Potential Ballot Measure to be Placed on the November 2018 Ballot by the City Council for a Proposed Ordinance Authorizing a Transfer from the City's Electric Fund to the General Fund in an Amount not to Exceed 7.5% of Gross Revenues for Three Years and 5.5% of Gross Revenues Thereafter, and Establish an Electric Utility Rate Freeze for a Period of Three Years.

RECOMMENDED ACTION:

Staff recommends that the City Council:

1. Discuss the possible placement of a Ballot Measure on the November 2018 ballot by the City Council for a proposed Ordinance authorizing a transfer from the City's electric fund to the general fund in an approximate amount of 7.5% of gross revenues for three years and 5.5% of gross revenues thereafter, and establish an Electric Utility Rate Freeze for a period of three (3) years.
2. Review the Draft Ordinance authorizing the general fund transfer and Draft Resolution 2018-84 calling for the proposed Measure placed on the November 2018 ballot and submitted to the voters of the City at the general municipal election to be held on Tuesday, November 6, 2018.

BACKGROUND:

The City's general fund budget has been significantly impacted from fiscal year 2017 to fiscal year 2018. Multiple factors contribute to the negative budget impacts, including, but not limited to:

1. The City's agreement with CAL Fire for fire protection services increased \$400k in 2018, with an additional \$200k in 2019, for a total increase of \$600k over two years.

2. The sunset of the approximate \$500k annual payments received from Riverside County to pay the salaries of four (4) Police Officers as indicated in the Memorandum of Understanding ("MOU") with respect to the expansion of the Smith Correctional Facility at 1627 S. Hargrave Avenue in Banning. To keep the same level of police services, this budget impact was absorbed by the general fund.
3. The City of Beaumont cancelled the agreement to provide animal control services to the City of Banning abruptly at fiscal year-end, leaving the City with only one viable option of contracting with Riverside County for an approximate annual increase of \$50k.
4. The increase from the California Public Employees' Retirement System ("CalPERS") of approximately \$500k each year prospectively to cover the unfunded liability of pensions.

The City does not have any foreseeable significant increase in projected general fund revenue to cover the projected spike in general fund expenses over the next three years.

The City does, however, have two major master-planned community developments as detailed in the development agreements between the City and Pardee Homes and Diversified Pacific. Pardee Homes is on track to break ground by the end of calendar year 2018, which means homes will be ready to market and sell by calendar year 2020, thereby creating a sustainable revenue source for the City by way of increased Property Tax and Sales Tax revenue in the upcoming three to four years.

JUSTIFICATION:

To keep the same level of Police and Fire services, as well as services to the community, including streets, parks, and community center services, an additional source of revenue is required. The proposed general fund transfer from the electric utility is expected to result in approximately \$2.325 million to the general fund in the first three years at a rate of 7.5% of gross revenues to the electric utility. Thereafter, the general fund transfer is expected to result in approximately \$1.7 million to the general fund at a rate of 5.5% of gross revenues to the electric utility. After the transfer, these funds would be available for general municipal services in order to allow for the City to provide the community the same level of public safety service.

The largest cost to the City is the cost of salaries and benefits, and the largest impact to the City's general fund is Police services with the second largest impact being Fire services.

IMPACT TO THE ELECTRIC FUND & RATES:

The transfer from the electric fund to the general fund will not impact or increase rates and the City is able to institute a Freeze of Electric Rates over the next three years, unless there is an extreme Fiscal Emergency.

ALTERNATIVE to Freezing Rates as part of Ballot Measure – Establish an Electric Utility CLEAN COMMUNITY CREDITS PROGRAM for a Period of Three Years.

The Electric Enterprise is exceeding renewable portfolio requirements. The early renewable success enables the electric utility to sell excess carbon allowances (from Cap and Trade) and use the proceeds for clean community credits and mitigate the potential of rate increases over the next three years.

COMMITTEE RECOMMENDATION:

The Budget and Finance Committee reviewed this information and supports the potential Ballot Measure.

NEXT STEPS:

If the City Council provides direction that it would like to adopt the Draft Resolution 2018-24 to call for a the proposed Ballot Measure to be placed on the November 2018 ballot, staff shall take any direction provided and finalize the Draft Resolution to return to Council on July 10, 2018 for adoption and authorization to take steps necessary to place the Draft Ordinance on the November ballot.

ATTACHMENTS:

1. Draft Resolution 2018-84
2. Draft Ordinance

Approved by:



Rochelle Clayton
City Manager

ATTACHMENT 1

DRAFT RESOLUTION 2018-84

DRAFT RESOLUTION NO. 2018-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA CALLING FOR THE PLACEMENT OF A MEASURE ON THE BALLOT AT THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE AUTHORIZING A GENERAL TAX ON ELECTRIC UTILITY CUSTOMER CHARGES IN THE FORM OF A TRANSFER FROM THE CITY'S ELECTRIC UTILITY FUND TO THE CITY'S GENERAL FUND AND ESTABLISHING AN ELECTRIC UTILITY RATE FREEZE FOR A PERIOD OF THREE YEARS, EXCEPT IN CASES OF FISCAL EMERGENCY; APPROVING THE BALLOT LANGUAGE FOR THE MEASURE; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AND PROVIDING DIRECTION REGARDING THE SUBMISSION OF BALLOT ARGUMENTS FOR OR AGAINST THE MEASURE

WHEREAS, the City of Banning operates a public electric utility that provides electrical service to local residents and businesses; and

WHEREAS, the City Council set the current rates for customers of the Electric Utility on April 23, 2013 by adopting Resolution No. 2013-45.

WHEREAS, the electric utility rates established by the City Council were based on a rate study demonstrating that the amounts collected by the Electric Utility are necessary to cover the reasonable cost to operate the City's Electric Utility; and

WHEREAS, notwithstanding the objective of the rate study, in many years the City has collected more revenue than is necessary to cover the City's actual cost to operate the Electric Utility; and

WHEREAS, with that surplus revenue, the City Council authorizes the transfer up to 10% of the City's Electric Utility annual gross revenues from the City's Electric Utility Fund to the City's General Fund, of which approximately 4.5% is to reimburse the City for services and costs provided by the City to the Electric Utility with the remaining approximately 5.5% representing an additional transfer, which additional transfer is hereafter defined to be the "General Fund Transfer"; and

WHEREAS, funds placed in the General Fund via the General Fund Transfer pay for City services such as police protection, fire and paramedic services, street operations and maintenance, parks and recreation services and general municipal services to the public; and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council desires that the voters consider authorizing the General Fund Transfer to a maximum of seven and one half percent (7.5%) of the Electric Utility's Gross Revenues until December

1, 2021, and five and one half percent (5.5%) of the Electric Utility's Gross Revenues thereafter; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218 (California Constitution, Article XIII C, Section 2), an amendment to the State Constitution which requires that all general taxes which are imposed, extended or increased must be approved by a majority vote of the voters; and

WHEREAS, it is the intent of the City Council to submit to the voters a general tax measure in the form of the General Fund Transfer to authorize such funds to be spent for unrestricted general revenue purposes;

WHEREAS, Proposition 218 permits the City Council to call an election to impose, increase or extend a general tax, at a regularly scheduled general election at which city council members are to be elected; and

WHEREAS, the next regularly scheduled general election at which city council members are to be elected is November 6, 2018; and

WHEREAS, the General Fund of the City of Banning has sustained a revenue drop of \$500,000 and expenditure increase of \$1,000,000 from 2017 to 2018, due to the conclusion of payments by Riverside County to pay the salaries of four Police Officers coupled with the increase in expenditures for CAL Fire services, animal control services and Public Employees Retirement System ("PERS"); and

WHEREAS, the City Council has responded to increasing expenditures by deferring capital maintenance, replacement and improvements, and reducing budgets in all departments except Police and Fire; and

WHEREAS, anticipated revenue increases and cost savings will not be sufficient to avoid further reductions to City services, thus impacting Banning's quality of life and long-term economic viability; and

WHEREAS, the City Council finds that there is also a need to have the People of the City of Banning decide the General Fund Transfer so that the Council may prudently budget for the City's expenses; and

WHEREAS, in conjunction with the General Fund Transfer, the City Council also desires that the voters consider a ceiling on further electric system rate increases for a period of three (3) years, during which the City Council would be prohibited from increasing electric rates, except in a case of fiscal emergency declared by unanimous vote of the City Council (the "Rate Ceiling"); and

WHEREAS, the Rate Ceiling portion of this Measure also requires majority voter approval and is hereby submitted to the City's electorate; and

WHEREAS, the City Council finds that the placement of the proposed ballot measure on the ballot is not subject to the California Environmental Quality Act ("CEQA")

pursuant to the State CEQA Guidelines Section 15060(c)(3), because the actions are not a project as defined by the CEQA Guidelines Section 15378 (b)(4). Adoption of the ordinance proposed by the ballot measure relates to the transfer of funds received by the Banning Electric Utility to the City's General Fund and 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.

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

SECTION 1. Findings. The City Council finds that all of the preceding recitals are true and correct, are incorporated herein by this reference, and made an operative part hereof.

SECTION 2. Submission of Measure to the Voters. Pursuant to California Constitution, Article XIII C, Section 2(b), California Government Code Section 53724 and any other applicable requirements of the laws of the State of California relating to general law cities, the City Council, hereby orders the following proposed Measure to be submitted to the voters of the City at the general municipal election to be held on Tuesday, November 6, 2018:

"To allow approximately \$2,325,000 in funding annually for unrestricted general revenue purposes such as police, fire, paramedics, parks, and senior services while stabilizing electric utility rates, shall an ordinance be adopted authorizing a transfer not to exceed 7.5% of annual electric utility gross revenues to the City's General Fund until December 1, 2021 and 5.5% thereafter, for unlimited duration, and establishing an electric utility rate freeze for 3 years, except in cases of financial emergency?"	YES
	NO

SECTION 3. Text of Ordinance. The text of the ordinance to be submitted to the voters is attached as Exhibit A.

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Notice of Election. Notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6. Impartial Analysis. Pursuant to California Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and

the operation of the Measure, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the measure, as set forth in City Resolution No. 2018-84. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: "The above statement is an impartial analysis of Ordinance or Measure. If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (951) 922-3102 and a copy will be mailed at no cost to you."

SECTION 7. The City Council authorizes any and all members of the City Council to file a written argument in favor or against each the above referenced measures in accordance with Article 4, Chapter 3, Division 9 of the Elections Code, including Elections Code Section 9282(b), and to change the arguments until and including the date fixed by the City Clerk after which no arguments for or against the measures may be submitted to the City Clerk. Any voter eligible to vote on the measure, bona fide association of citizens, or any combination of voters and associations may also file a written argument in favor or against each of the above referenced measures with the City Clerk in accordance with Article 4, Chapter 3, Division 9 of the Elections Code, including Elections Code Sections 9282 through 9287.

SECTION 8. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 10th day of July, 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-84, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 10th day of July, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT "A"

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF BANNING
AUTHORIZING A GENERAL TAX ON ELECTRIC UTILITY CUSTOMER
CHARGES IN THE FORM OF A TRANSFER FROM THE CITY'S
ELECTRIC UTILITY FUND TO THE CITY'S GENERAL FUND AND
ESTABLISHING AN ELECTRIC UTILITY RATE FREEZE FOR A PERIOD
OF THREE YEARS, EXCEPT IN CASES OF FISCAL EMERGENCY**

ATTACHMENT 2

DRAFT ORDINANCE

ORDINANCE NO. _____

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF BANNING
AUTHORIZING A GENERAL TAX ON ELECTRIC UTILITY
CUSTOMER CHARGES IN THE FORM OF A TRANSFER FROM THE
CITY'S ELECTRIC UTILITY FUND TO THE CITY'S GENERAL FUND
AND ESTABLISHING AN ELECTRIC UTILITY RATE FREEZE FOR A
PERIOD OF THREE YEARS, EXCEPT IN CASES OF FISCAL
EMERGENCY**

THE PEOPLE OF THE CITY OF BANNING, CALIFORNIA DO HEREBY ORDAIN
AS FOLLOWS:

SECTION 1. Article 1 (Electrical Rates) of Chapter 13.08 (Water, Sewer and Electricity Rates) of Title 13 (Public Services) of the Banning Municipal Code is hereby amended to read as follow:

"Article I. Electrical Rates, Rate Freeze and General Fund Transfer.

13.08.010. Electricity Rates - Customer Charges.

Except as provided in Section 13.08.011 below, the rates, charges and tariffs, including rate schedules, for the operation of the City of Banning Electrical Utility shall be established by resolution of the city council.

13.08.011. Electric Utility Service Rate Freeze, Exception.

- A. Until December 1, 2021, the City Council may not set electric utility service rates for City of Banning customers in an amount that exceeds those rates set by City of Banning Resolution No. 2013-45 (adopted April 23, 2013) (the "Rate Freeze").
- C. The City Council may increase electric utility service rates beyond the maximum amount set forth in subsection (a) only by resolution, duly adopted by a two-thirds vote of the City Council, and making written findings that there exists an emergency to the City's Electric Utility that requires such an increase in rates.
- D. Beginning December 1, 2021, the Rate Freeze shall have no further force or effect and the City Council may set increased electric utility service rates as otherwise permitted by law. However, it may not "back-bill" or apply rates retroactively to the Rate Freeze period.
- E. As a voter-approved ordinance, pursuant to Elections Code Section 9217, this Section 13.08.011 shall apply notwithstanding any ordinance, resolution or other action of the City to the contrary.

13.08.012 General Fund Transfer; General Tax.

A. The City may authorize a General Fund Transfer in an amount determined by resolution of the City Council, but not greater than the following:

- (i) Until December 1, 2021, seven and one-half percent of Gross Revenues; and
- (ii) Beginning December 1, 2021, five and one-half percent of Gross Revenues.

B. The following terms are defined for the purposes of this Article:

(i) "Gross Revenues" shall mean all operating revenues of the City Electric Utility collected during the preceding month, or such other time period determined by resolution of the City Council.

(ii) "General Fund Transfer" shall mean a transfer of revenues from the City Electric Utility to the City general fund for general revenue purposes. The term "General Fund Transfer" does not include any revenues paid to the City general fund to offset Electric Utility expenses borne by the City general fund or any legally required pass through payments or obligations, including but not limited to the Public Benefits Charge or the California State energy surcharge tax.

C. The cost of the General Fund Transfer is passed through to the City's electric utility customers and recovered through a portion of the City's electric service rates and such portion represents a general tax on all electric utility customer charges."

SECTION 2. Limitations on Use of Revenue. The revenue from the General Fund Transfer can be spent for unrestricted general revenue purposes.

SECTION 3. Effective Date. This ordinance is subject to a vote of the citizens of Banning and shall take effect, if approved by a majority of the voters voting at such election, ten (10) days following certification of the election results.

SECTION 4. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The People of the City of Banning hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 5. Certification/Summary. Following certification that the citizens of Banning have approved this Ordinance, the Mayor shall sign this Ordinance and the

City Clerk shall cause the same to be entered in the book of original ordinances of said City.

I hereby certify that the forgoing ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Banning on the _____ day of November, 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, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance ____, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the ____ day of ____, 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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ORDINANCE 1525

AN ORDINANCE OF THE CITY OF BANNING, CALIFORNIA, AMENDING CHAPTER 13.08 OF THE BANNING MUNICIPAL CODE APPROVING THE WATER AND WASTEWATER RATE SCHEDULES

WHEREAS, Chapter 13.08 of the Banning Municipal Code establishes the Water and Wastewater Rate Schedules which lists water and wastewater rates for the City of Banning ("City"); and

WHEREAS, the City Water and Wastewater rates are subject to periodic reviews and adjustments in order to maintain the rates at a level which ensures the City recovers all costs associated with providing water and wastewater services; and

WHEREAS, increasing the water and wastewater rates is essential to generate the revenues to maintain the minimum debt coverage ratio required by bond covenants; cover increasing costs for the water and wastewater systems operations and maintenance; cover costs of the annual replacement program of water and wastewater infrastructure; and cover costs of the construction of new water and wastewater facilities; and

WHEREAS, the City Council last approved an increase in water and wastewater rates in 2010, which increased rates for four years beginning in October 2010; and

WHEREAS, in October 2013 the Banning Utility Authority approved a Professional Services Agreement with Willdan Financial Services to develop a financial plan for the water enterprise and wastewater enterprise which resulted in the "March 7, 2018 Water and Wastewater Rate Study Final Report" attached hereto as Exhibit "A"; and

WHEREAS, on March 30, 2018, the City mailed the "Notice to Property Owners of Public Hearing Regarding Proposed Water and Sewer Rate Changes" to customers and property owners in the City for the proposed update to water and wastewater rates as required by Proposition 218 and its implementing laws; and

WHEREAS, on May 22, 2018, a public hearing was held regarding the proposed update to the City's water and wastewater rates; and

WHEREAS, the City did not receive protests against the proposed update to the City's water and wastewater rates by a majority of property owners or customers of record; and

WHEREAS, the water and wastewater rate schedule increases are recommended in accordance with the Banning Municipal Code; and

WHEREAS, Section 5471 of the Health and Safety Code and Section 13.08.030 of the Banning Municipal Code requires that an increase in water and wastewater rates

be adopted by ordinance approved by a two-thirds vote of the members of the City Council.

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

SECTION 1. Adopt Ordinance 1525 approving the increases to the Water and Wastewater Rate Schedules as set forth in Exhibits "B" and "C", respectively, attached hereto and by reference made apart hereof.

SECTION 2. This Ordinance shall become effective on the thirty-first (31st) day following its passage and adoption.

SECTION 3. Authorize the City Manager, or his/her designee, to implement the necessary annual changes to the City's billing system after the Ordinance becomes effective. All previous Water and Wastewater Rate Structures are hereby rescinded.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 Ordinance 1525 was duly introduced at a regular meeting of the City Council of the City of Banning, held on the 12th day of June, 2018, and was duly adopted at a regular meeting of said City Council on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

EXHIBIT “A”

MARCH 7, 2018

WATER & WASTEWATER RATE STUDY FINAL REPORT

CITY OF BANNING



FINAL REPORT

2018

MARCH 7

WATER

WASTEWATER



RATE STUDY



623
793

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Section 1 - Introduction

1.1. Introduction

Willdan Financial Services ("Willdan") was retained by the City of Banning, California ("City") to conduct a Water and Wastewater Rate Study ("Rate Study") for the City's Water and Wastewater utilities ("Utilities"). This report details the results of the Rate Study analysis for the forecast period, Fiscal Year (FY) 2017-18 to FY 2026-27.

The results of the Rate Study presented herein include a financial plan and rate structure designed to provide revenues sufficient to fund the ongoing operating and Council approved capital costs necessary to operate the City's water and wastewater utilities, while meeting the financial requirements and goals set forth by the City for the water and wastewater enterprise funds.

1.2. Goals and Objectives

The primary goal of the Rate Study was to develop cost based rates that will allow the City to meet its ongoing costs (operations & maintenance and capital), and to maintain industry standard financially prudent cash reserves for the utilities. More specifically the Rate Study was undertaken to:

- Conduct the analysis in accordance with industry standards consistent with American Water Works ("AWWA") and Water Environment Federation ("WEF") guidelines;
- Develop financial plans and rates consistent with industry standards and best practices while recognizing the needs specific to the City;
- Recommend rates that will meet the City's revenue requirements based on City specific water and wastewater utility operating and capital costs and reserve requirements; and
- Recommend rates that adhere to and meet Proposition 218 requirements.

1.3. Overview of the Rate Study Process

The Rate Study process consisted of two primary study components. First, a determination of the adequacy of system revenues to meet system expenses during the study forecast period was made. The result of this analysis, known as the Revenue Sufficiency Analysis, is an assessment of the ability of the existing water and sewer rate revenue streams to meet the projected financial requirements of the



systems during the forecast period. This analysis also identifies, to the extent required, the magnitude and timing of any required rate adjustments.

Second, specific rates and charges were developed which when implemented, would provide sufficient revenue, as identified in the Revenue Sufficiency Analysis, to recover costs in a manner consistent with general rate-making practices. This step is known as the Rate Design Analysis.

1.4. Organization of this Report

This Rate Study presents an overview of the rate-making concepts utilized in the development of the analysis outlined in this report. The analysis is followed by a discussion of the data, assumptions and results associated with each component of the analysis. Finally, appendices with detailed schedules are presented for further investigation into the data, assumptions and calculations which drive the results presented in this Rate Study. The report is organized as follows:

- Section 1 - Introduction
- Section 2 – Overview of Utility Rate-Making Principles, Processes and Issues
- Section 3 – Rate Study Development and Results
- Section 4 – Conclusions and Recommendations
- Appendix A – Water Financial Plan
- Appendix B - Sewer Financial Plan
- Appendix C – Water Rates
- Appendix D – Sewer Rates
- Appendix E – Full Capital Improvements Program



1.5. Reliance on Data

During the course of this project the City (and/or its representatives) provided Willdan with a variety of technical information, including cost and revenue data. Willdan did not independently assess or test for the accuracy of such data – historic or projected. Willdan has relied on this data in the formulation of its findings and subsequent recommendations, as well as in the preparation of this report. As is often the case, there will be differences between actual and projected data, and these differences may be significant. Therefore, Willdan does not take responsibility for the accuracy of data or projections provided by or prepared on behalf of the City, nor does Willdan have responsibility for updating this report for events occurring after the date of this report.

1.6. Acknowledgements

We wish to extend our appreciation to the City and its staff for their cooperation during the progress of this study. In particular, we would like to thank Ms. Rochelle Clayton, Deputy City Manager/Administrative Services Director, Mr. Art Vela, Public Works Director/City Engineer and Ms. Stacy Bouslog, Utility Financial Analyst for their guidance and assistance throughout this project.

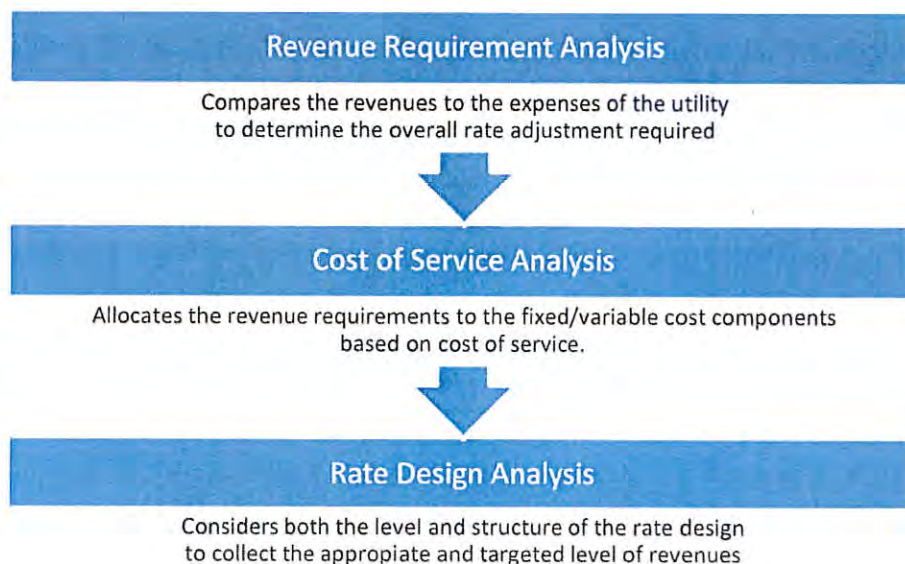


Section 2 - Overview of Utility Rate-Making Principles, Processes and Issues

2.1. Introduction

The scope of this study included the development of cost-based water and wastewater user charges through a cost of service and rate design analysis. Utility rates must be set at a level where operating and capital expenses are met with the revenues received from customers. This is a significant point, as failure to achieve this level could lead to insufficient funds being available to adequately maintain the system. A comprehensive rate study typically consists of following three interrelated analyses:

- I. *Financial Planning/Revenue Requirement Analysis*: Create a ten-year plan to support an orderly, efficient program of on-going maintenance and operating costs, capital improvement and replacement activities, debt financing, and retirement of any outstanding debt. In addition, the long-term plan should fund and maintain reserve balances to adequate levels based on industry standards and the City of Banning's fiscal policies.
- II. *Cost of Service Analysis*: Identifies and apportions annual revenue requirements to functional cost components based on the demand placed on the utility system.
- III. *Rate Design*: Develops an equitable and proportionate fixed/variable schedule of rates for the City's customer base. This is also where other policy objectives can be achieved, such as, promoting the efficient use of water. The policy objectives are harmonized with cost of service objectives to achieve the delicate balance between customer equity, financial stability and resource conservation goals.





The Rate Study utilized generally accepted rate-making principles established by the American Water Works Association (AWWA) in its "M1 Principles of Water Rates Fees and Charges" manual and by the Water Environment Federation (WEF) in its "Financing and Charges for Wastewater Systems, Manual of Practice No. 27 (2004)". The principles used resulted in the development of rates and charges which are projected to: 1) generate sufficient revenue to meet the financial requirements of the water and sewer utilities, and 2) address the need to recover costs from users in a manner which is proportionate to the cost of providing service on a fair and equitable basis relative to the service provided, and which does not exceed the cost of providing the service. A discussion of some of the key principles of rate-making, and how the processes employed herein are guided by those principles, is presented below.

2.2. Discussion of General Rate-Making Principles

While the individual rates for the utility vary based on a variety of factors, the development of rates should, for the most part, be consistent with general rate-making principles set forth in utility rate-making practice and literature, and in compliance with State law (Proposition 218). State Law requires that property-related fees and charges (including water and sewer utility rates) must be based upon the proportionate cost of providing the services, and not exceed the cost of providing the services. The principles by which rate practitioners are guided is that rates designed for any utility should strike a reasonable balance between several key factors. In general, rates designed should:

- Generate a stable rate revenue stream which, when combined with other sources of funds, is sufficient to meet the financial requirements and goals of the utility;
- Be fair and equitable – that is, they should generate revenue from customer classes which is reasonably in proportion to the cost to provide service to that customer class;
- Be easy to understand by customers; and
- Be easy to administer by the utility.

Striking the appropriate balance between the principles of rate-making is the result of a detailed process of evaluation of revenue requirements and cost of service, and how those translate into the rate design alternatives which meet legal requirements and the specific objectives of the utility under the circumstances in which the utility operates.

2.3. The Revenue Sufficiency Process

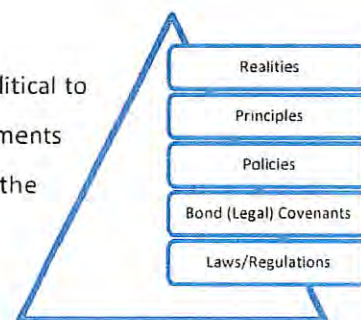
In order to develop rates and charges which will generate sufficient revenue to meet the fiscal requirements of the water and sewer utilities, a determination of the annual rate revenue required must be completed. The first step in the process is the Revenue Sufficiency Analysis. The Revenue Sufficiency Analysis compares the forecasted revenues of the utility under its existing rates to its forecasted operations and maintenance, capital, and reserve costs to determine the adequacy of the existing rates to recover the utility's costs.

The process employed in the Revenue Sufficiency Analysis involves a rigorous review of operating, maintenance and capital budgets for the utility, and results in the identification of revenue requirements of the system, such as operating expenses, capital expenses (minor and major), debt service expense (including a provision for debt service coverage), transfers in and out, and the maintenance of both restricted and unrestricted reserves at appropriate levels. These revenue requirements are then compared to the total sources of funds available during each year of the forecast period to determine the adequacy of projected revenues to meet projected revenue requirements. To the extent that the existing revenue stream is projected to be insufficient to meet the annual revenue requirements of the system during the projection period, a series of rate revenue increases are calculated which would be required to provide revenue sufficient to meet those needs.

2.3.1 Determination of the Revenue Requirements

Considerations in Setting Revenue Requirements

There are a multitude of considerations, ranging from financial to political to legal that must be analyzed or discussed during the revenue requirements process of a rate analysis. This section provides an overview of the considerations that are reviewed during this process.



Capital Budgeting and Financing

Capital needs are defined by the City's Water and Sewer Capital Improvement Plan. As part of its budget and planning process, the City identifies capital improvements that are necessary for the continued delivery of clean, safe, drinking water, and collection and treatment of sewer flows. The Capital Improvement Plan is funded by a variety of sources including system depreciation, water rates, connection (impact) fees, and capital reserves.



Capital Funding: Debt vs. PAYGO

The selection of the most appropriate funding strategy for capital projects is primarily a policy decision between use of cash ("Pay-as-you-go financing" or PAYGO), the issuance of debt, or a combination. PAYGO is the use or build-up of cash to fund capital improvements. With debt financing, capital improvements are funded with borrowed funds (usually through the issuance of bonds) with the obligation of repayment, typically with interest, in future years. Development of an optimal capital financial plan depends on the definition of optimal. Each funding mechanism has a different impact on water rates in the short and long run, different net present values, risks, and legal obligations. Due to the borrowing costs associated with debt, cash funding can be cheaper in the end; however, debt typically ensures greater generational equity for larger and longer lasting capital projects.

The City, as is typical for a public utility, operates its water and sewer utilities on a "cash basis". Under the "cash basis" approach, revenues and expenses are recognized at the time physical cash is received or paid out. Revenue requirements are determined for a specified period of time (in the case of the City an annual fiscal year), by summing the total anticipated expenses to be paid out during the fiscal year. Where cash flows and balances are insufficient, the revenue requirements analysis recommends the needed additional cash flows to meet all funding goals. The two primary categories of expenses are as follows:

- Operations and Maintenance (O&M) expenses, such as salaries and benefits of utility personnel, transfers out, existing and anticipated debt service, and reserves; and
- Capital expenses, such as the annual capital improvement program, including waterline replacements and sewer capacity projects.

Financial Planning

In the development of the revenue requirements, certain parameters are utilized to project future expenditures, growth in customers and consumption, and necessary revenue adjustments. The City's budget documents are used as the baseline, which are then projected over a planning horizon to account for fluctuations in costs from year to year as well as any adjustments to debt service payments. Conservative growth assumptions and prudent financial planning are fundamental in ensuring adequate rate revenue to promote financial stability. The financial model developed for this study considers the City's existing debt service coverage ratio and operating cash balances (cash on hand). The cost of depreciated infrastructure is collected and used to fund annual repair and replacement. As existing debt



is redeemed, additional debt may be utilized to fund additional capital improvements required due to aging infrastructure.

2.4. The Cost Allocation Process

In order to provide guidance to the City as to how to appropriately recover the rate revenue requirements identified in the Revenue Sufficiency Analysis, a Cost of Service Analysis is required.

The process employed in the Cost of Service Analysis results in the identification of the cost to provide water and sewer service to customers. These water and sewer cost allocations are then used as the basis for the assignment of revenue requirements to customer classes, upon which the development of rates and charges is based.

The industry standard approach to the development of a cost of service analysis is the Base-Extra Capacity methodology, as detailed in the American Water Works Association (AWWA) M1 Manual – Principles of Water Rates, Fees and Charges.

The general approach to the development of cost of service allocations under the Base-Extra Capacity methodology is to: 1) identify the costs by functional cost category, 2) allocate the functionalized costs further to cost categories and then 3) allocate rate revenue requirements to customer classes based on the distribution of costs and customer characteristics.

The resulting allocations provide guidance to the rate practitioner which, combined with the other goals and objectives of the utility, provides the necessary information required to proceed to the development of utility rates and charges.

2.5. The Rate Design Process

With the rate revenue requirement determined in the Revenue Sufficiency Analysis, the development of specific rates and charges can be undertaken. Once the rate revenue requirement has been identified, the manner in which those requirements should be recovered, and the billing units to be used to recover the required revenue determined, specific rates and charges can then be developed.

Utilities consider a variety of factors in establishing rates, including cost allocation, customer impact, conservation of resources and ease of administration. The rate design process seeks to find the balance between the need to recover sufficient revenue in a fair and equitable manner and the need to do so within the constraints of other objectives which are unique to each utility. By understanding the types of



customers served by the utility, and the general usage characteristics of those customers, a system of rates and charges can be developed that balances those many objectives while also generating sufficient revenue.

First, the rate design goals of the utility are reviewed to identify areas the utility wishes to address over the course of the Rate Study. Next, an assessment of the existing rate design is undertaken to identify what has worked well for the utility with regard to their specific goals and objectives, and the general goals and objectives of utility rate-making. This assessment typically also identifies areas for improvement which can provide guidance to the rate practitioner with respect to the design of future rates and charges.

After a review of the existing rates and charges, a dialog of how to build on the positive aspects of the existing structure and how to address deficiencies in the existing structure occurs with utility management and staff. For instance, for a utility with a primary goal of encouraging water conservation, the substitution of a uniform rate structure, which charges the same unit price for water regardless of consumption level, with a conservation/inclining block rate structure, which charges a greater unit price as usage levels increase beyond certain thresholds, would better address that primary goal.

With an evaluation of the strengths and weaknesses of the existing rate structure and the goals of the utility going forward, the development of a new rate structure can begin. Development of a new rate structure which recovers the costs to provide water and sewer service in a manner which achieves the goals of the utility in a manner consistent with standard rate-making practice requires an analysis of the projected usage characteristics of the customer base to which the rates will apply. This analysis is typically referred to as a billing frequency analysis.

In the State of California, rates must adhere to and conform to the California Constitution article XIII D, section 6 commonly referred to as Proposition 218 (Prop 218). More specifically, Prop 218 requires that property related fees and charges, such as sewer rates, must not exceed the reasonable cost of providing the service associated with the fee or charge, and shall not exceed the proportional cost of the service attributable to the parcel that is subject to the fee or charge.

Besides ensuring compliance with State law, another key principle for a comprehensive Rate Study is found in economic theory, which suggests the price of a commodity must roughly equal its cost or value if equity among customers is to be maintained – i.e., cost-based. In terms of economic theory, the



principle is that the price of a commodity (water or sewer service) must be proportionately equal to its cost (the City's cost of providing the service).

This Rate Study was performed to allocate the costs of providing service to users to ensure that rates are equitable and in compliance with Proposition 218 requirements.

2.6. Financial Management Goals of the City

The establishment of specific financial management goals of a utility is a key step in developing financial plans which will ensure the financial health of the utility remains strong. The financial management goals of the City are described below.

2.6.1 Minimum Unrestricted Working Capital Balance

In order to maintain a certain level of liquidity, the City has developed a goal of maintaining unrestricted working capital reserves in an amount greater than or equal to approximately 45 days of operating expenses.

2.6.2 Debt Service Coverage

The City currently has outstanding debt which contains covenants requiring the City to maintain rates and charges such that a debt service coverage ratio, defined as Current Year Net Revenues divided by Current Year Debt Service, be maintained at a minimum of 1.20 for water and 1.15 for sewer. The coverage requirements of 1.20x and 1.15x respectively are associated with all outstanding debt for each specific year the coverage is being calculated. The analysis presented herein meets this goal in each year of the forecast period. The debt service coverage requirement is intended to provide assurance to debt holders that the City will be able to meet its annual debt obligations.



Section 3 - Rate Study Development and Results

3.1. Revenue Sufficiency Analysis

3.1.1 General Methodology

The general methodology utilized in the Revenue Sufficiency Analysis was discussed previously in Section 2.3. In summary, however, the level of revenues generated by rates must be sufficient to recover the fiscal requirements, or projected expenditures of the utility. To the extent that the projected revenue stream based upon current water and sewer rates are not sufficient to meet the annual revenue requirements of the systems, a series of rate revenue increases were calculated to provide the revenue necessary to meet those expenditure needs, while satisfying the financial goals and objectives of the utilities. From a financial perspective, the City's utilities must "stand on their own" by meeting its respective financial obligations without assistance from other City funds. The financial plan was developed for the ten-year period fiscal year (FY) 2017-18 through FY 2026-27.

3.1.2 Data Items

Key data items reviewed, discussed and incorporated into the Revenue Sufficiency Analysis were:

- Financial management goals of the City;
- FY 2015-16 fund balance;
- FY 2016-17 and FY 2017-18 budgets; and
- Capital improvement program (CIP).

General assumptions utilized in the analysis include the following:

- Customer growth; and
- Cost escalation factors.

A discussion of the use of each of the above data items and general assumptions is presented below.

3.1.3 FY 2015-16 Fund Balance

To better understand what funds the City will have on hand to start the forecast period, a detailed review of fund balances from the FY 2015-16 period was discussed and reviewed with City staff. Assumptions were made to estimate the actual unrestricted cash (available cash) balances available at the end of FY



2015-16, and therefore at the beginning of FY 2016-17. A summary of the fund balances for the water and wastewater utilities, for the end of FY 2015-16 and therefore the beginning of FY 2016-17, as adjusted and subsequently used in this analysis, is presented in Table 3-1 below.

Table 3-1		
Beginning Fund Balance		
Fiscal Year Ending June 30, 2016		
Description	Water	Sewer
Cash Balance	\$9,278,125	\$1,686,520

3.1.4 FY 2016-17 and FY 2017-18 Budgets

Staff provided Willdan with the FY 2016-17 and FY 2017-18 budgets, and associated line-item detail, as the basis for the projection of financial needs for FY 2018-19 (the base year). The FY 2017-2018 budget was also used as the basis for the projection of future budgetary line-items for the remainder of the forecast period. Cost escalation factors were reviewed by staff (see section 3.1.6.2) and were used to project line-item costs beyond the FY 2017-18 budget. Those factors were applied based on line-item cost classifications.

In order to maintain a certain level of liquidity, the City has developed a goal of maintaining unrestricted working capital reserves in an amount greater than or equal to approximately 45 days of operating expenses. The financial plan was developed such that there would be at least 45 days of working capital reserves for each year of the study period.

A summary of the FY 2017-18 operating budgets for water and wastewater, as well as subsequent projected budgetary expenses through FY 2022-23 is presented in Table 3-2

A more detailed presentation of the line-item budgeted and projected revenues and expenses is presented in Schedules A-3 through A-6 of Appendix A and B-3 through B-5 of Appendix B.



Table 3-2 Operating Budget Fiscal Years Ending June 30						
Description	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Water						
O&M	\$5,604,202	\$5,797,640	\$5,998,828	\$6,208,131	\$6,425,922	\$6,652,608
Debt Service	1,803,846	1,787,863	1,983,063	1,984,563	1,988,563	1,989,813
Transfers	<u>1,077,624</u>	<u>1,104,499</u>	<u>1,132,030</u>	<u>1,160,250</u>	<u>1,189,176</u>	<u>1,218,824</u>
Total Expenses	\$8,485,672	\$8,690,002	\$9,113,921	\$9,352,944	\$9,603,661	\$9,861,245
Sewer						
O&M	\$2,029,965	\$2,084,478	\$2,140,468	\$2,191,978	\$2,257,048	\$2,317,733
Debt Service	388,473	393,781	396,150	393,106	394,106	394,656
Transfers	<u>705,661</u>	<u>714,993</u>	<u>725,261</u>	<u>431,498</u>	<u>442,285</u>	<u>453,342</u>
Total Expenses	\$3,124,099	\$3,193,252	\$3,261,879	\$3,022,582	\$3,093,439	\$3,165,731

3.1.5 Capital Improvements Plan (CIP)

The City provided Willdan with a forecast of capital requirements for the ten-year study period. The City originally identified water related capital needs in the amount of \$95.75 million between FY 2017-18 and FY 2022-23, which would require a cumulative revenue increase of 62% and the issuance of \$69.1 million in debt to finance the capital program. The original sewer related capital program for FY 2017-18 through FY 2022-23 totaled \$43.0 million and required a cumulative revenue increase of 29% and debt a debt issuance of \$20.8 million to fund the capital program. City Council directed staff to reevaluate the capital projects and choose the highest priority items that would be funded due to increases in revenue from 3% annual rate increases. The original capital improvement project list can be found in Appendix E, while the revised list can be found on appendices pages A-6 and B-6.

The capital projects identified by the City are required to maintain service to customers by making investments in the water and sewer systems to repair or replace aging system components as they wear out over time. The City provided cost estimates for capital projects in current day dollars which were subsequently annually escalated at 2.50% using the Engineering News Record (ENR) Construction Cost Index (CCI) to adjust the cost items to real dollars for the years in which construction is estimated to occur. These adjusted capital costs were then used in the analysis for rate-making purposes.

A summary table of the adjusted CIP for the FY 2016-17 – FY 2022-23 study period is presented below in Table 3-3. The CIP for the full forecast period is presented in the Schedules B-6 of Appendix B.



Table 3-3 Capital Improvement Plan Fiscal Years Ending June 30 (\$ thousands)							
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	Total
Capital Costs - W	\$1,602	\$2,306	\$1,681	\$485	\$883	\$113	\$7,070
Capital Costs - S	102	192	149	0	19	0	463
Note: Values are rounded to the nearest \$1,000							

3.1.6 General Assumptions

In order to develop the financial and rate projections, certain assumptions were made with regard to elements of the revenue sufficiency analysis. A summary of those assumptions is presented below.

3.1.6.1. System Growth

The City anticipates population growth of 2.3% per year based on their analysis of current City population growth projections and trends. Through discussions with City staff, it was determined that the 2.3% annual population increase would reasonably translate to a 2.3% annual increase in water and sewer service units respectively, and is consistent with recent system growth trends.

3.1.6.2. O&M Escalation Factors

Willdan worked with City staff to identify reasonable cost escalation factors to be applied to operations and maintenance expenses in recognition of increasing costs over time. It was determined that a 2.5% general inflationary factor represented a reasonable estimate of annual cost increases during the study period. There were, however, some expenses which were anticipated to have increases above the projected 2.5% general inflationary increase. Personnel increases were projected to increase at an annual rate of 3%, electricity costs were projected to increase at the rate of system growth and chemicals at an annual inflationary rate of 4%.

3.1.6.3. Results of the Revenue Sufficiency Analysis

After a thorough review of the above-mentioned data elements, a draft of the Revenue Sufficiency Analysis was developed and reviewed with City staff. This draft provided the forum in which various alternative assumptions were discussed, tested and evaluated for both their reasonableness and their impact upon the ultimate financial health of the utility. Table 3-4 provides a summary of the annual revenue requirements for both the water and sewer utilities incorporating the assumptions in Section 3



of this report as compared to the projected rate revenue described in in more detail in Schedules A-1 and B-1 of the appendices.

Table 3-4					
Revenue Requirements vs. Revenue Under Existing Rates					
Fiscal Years Ending June 30 (\$ thousands)					
	2019	2020	2021	2022	2023
Water					
Revenue Under Existing Rates	\$8,886	\$9,075	\$9,273	\$9,479	\$9,688
Revenue Requirements	10,996	10,795	9,838	10,487	9,974
Difference	(2,110)	(1,720)	(565)	(1,008)	(286)
Sewer					
Revenue Under Existing Rates	\$3,281	\$3,356	\$3,432	\$3,513	\$3,595
Revenue Requirements	3,385	3,411	3,023	3,113	3,166
Difference	(104)	(55)	409	400	429
Note: Values are rounded to the nearest \$1,000					

The resulting financial plans presented herein is the embodiment of the data, assumptions and review process undertaken with City staff.

3.1.6.4. Rate Revenue Increases Required

As discussed in section 3.1.6.2, operations and maintenance expenses are growing at a faster rate than the City's increase in service units (section 3.1.6.1). The average annual increase in revenue requirements (identified in Table 3-4) is projected at 3.50% for water and 2.87% for sewer. Our financial analysis of the utilities indicates that the increase in operating costs is projected to outpace revenue increases through growth in service units alone. Revenue increases above growth in service units are therefore required in order to maintain the financial integrity of the water and sewer utilities.

The analysis indicated that the City would need to increase water and sewer rate revenues by 3%, in addition to the anticipated growth in service units for FY 2018-19, in order to meet revenue requirements (O&M, capital and debt service). Table 3-5 reflects our projections of revenue increases required during the forecast period in order for the City to meet its ongoing operational costs (revenue requirements) and meet minimum prudent financial and system maintenance standards.



Table 3-5 Projected Rate Revenue Increases Fiscal Years Ending June 30		
Description	Water Rate Revenue Increases	Sewer Rate Revenue Increases
2018-19	3.00%	3.00%
2019-20	3.00%	3.00%
2020-21	3.00%	3.00%
2021-22	3.00%	3.00%
2022-23	3.00%	3.00%

A more detailed presentation of the pro forma, including a fund balance reconciliation is presented in Schedules A-1 and B-1 of the appendices.

3.1.6.5. Summary of Revenue Sufficiency Analysis

The resulting financial plan is presented in Table 3-6, which provides for funding of projected revenue requirements based on the current knowledge of expected expenditure forecasts during the forecast period, as provided by the City, and is projected to meet or exceed the financial operations of the sewer utility. A more detailed presentation of the financial plan, including fund balance reconciliations for the forecast period, is presented in appendices A and B.



Table 3-6 Projected Net Operating Fund Results Fiscal Years 2017-18- to 2021-22 (\$ thousands)					
Description	18-19	19-20	20-21	21-22	22-23
Water					
Beginning Fund Balance	\$6,562	\$4,713	\$3,537	\$3,820	\$3,989
Total Operating Revenue	9,147	9,619	10,121	10,656	11,219
Operating Expenses	<u>5,798</u>	<u>5,999</u>	<u>6,208</u>	<u>6,426</u>	<u>6,653</u>
Net Revenue	3,349	3,620	3,913	4,230	4,567
Less:					
CIP, Debt Service and Transfers Out	<u>5,199</u>	<u>4,796</u>	<u>3,629</u>	<u>4,061</u>	<u>3,322</u>
Net Cash Flow	(1,850)	(1,176)	283	169	1,245
Ending Fund Balance	\$4,713	\$3,537	\$3,820	\$3,989	\$5,234
Sewer					
Beginning Fund Balance	\$1,435	\$1,430	\$1,578	\$2,307	\$3,151
Total Operating Revenue	3,379	3,560	3,752	3,956	4,172
Operating Expenses	<u>2,084</u>	<u>2,140</u>	<u>2,198</u>	<u>2,257</u>	<u>2,318</u>
Net Revenue	1,295	1,419	1,554	1,700	1,855
Less:					
CIP, Debt Service and Transfers Out	<u>1,300</u>	<u>1,271</u>	<u>825</u>	<u>856</u>	<u>848</u>
Net Cash Flow	(5)	149	729	844	1,007
Ending Fund Balance	\$1,430	\$1,578	\$2,307	\$3,151	\$4,158
Note: Variances are due to rounding values to the nearest \$1,000					

3.1.6.6. Revenue Sufficiency Analysis Conclusions

Based on the revenue requirements identified in our analysis, it is our opinion that:

- Revenue projections based on existing rates are insufficient to meet the revenue requirements for FY 2018-19 through FY 2022-23;
- Rate revenue adjustments are needed in order to keep pace with increasing O&M and capital costs; and
- The proposed rate revenue increases identified in Table 3-6, maintain the financial integrity of the City's utilities based upon the assumptions contained in this report.



3.2. Rate Design Analysis

3.2.1 General Methodology

With the rate revenue requirement determined in the Revenue Sufficiency Analysis, the development of specific rates and charges was completed as described below.

First, the rate design goals of the City were reviewed to identify areas the City wanted to address over the forecast period included in this Rate Study. Next, an assessment of the existing rate design was completed to identify areas which have worked well for the City with regard to their specific goals and objectives, and the general goals and objectives of utility rate-making. In addition to the City's goals, rate design should seek to achieve the following industry standard objectives:

- Generate a stable rate revenue stream which, when combined with other sources of funds, is sufficient to meet the financial requirements and goals of the utility;
- Be fair and equitable – that is, they should generate revenue from customer classes which is reasonably in proportion to the cost to provide service to that customer class;
- Be easy to understand by customers;
- Be easy to administer by the utility; and
- Be compliant with State law, specifically Proposition 218, whereby the rates must be based upon the proportionate cost of providing sewer service.

This analysis was conducted consistent with the provisions of Proposition 218.

3.2.2 Review of Existing Rate Structure

The City's current water rates are comprised of a fixed monthly charge by meter size and a 3-tier volume rate assessed on a per 100 cubic foot (HCF) basis for all customers except City facilities and parks which are assessed volume rates on a uniform rate basis. As a customer's water use progresses through the higher tiers, the incremental cost per HCF of water use increases. The City's sewer rate structure is comprised of a flat monthly rate per equivalent dwelling unit (EDU) for residential customers and a flat monthly charge per EDU and a flat tertiary charge (both per EDU) for commercial customers. An EDU represents the estimated flow of a single family residential customer. In other words, each single-family customer is



assigned 1 EDU. If a property or customer contributes the equivalent flow of two single family residences, the monthly fee charged to this property or customer will be two times the monthly rate per single EDU.

3.2.3 Cost of Service Analysis

Willdan reviewed the most recent (June 9, 2010 Raftelis Financial Consultants Rate Study, beginning page 21) water cost of service analysis conducted for the City, which used the AWWA base-extra capacity methodology for assigning costs to customers based on each customer classes proportionate cost to be served. The peaking factor as well as the cost allocation and unit cost summaries from the report are provided in Table 3-7 and 3-8.

Table 3-7					
Peaking Factors¹					
Base Extra Capacity Method Components	Factors	Base	Max Day	Max Hour	Total
Base	1.0	100.00%			100.00%
Max Day	1.7	58.82%	41.18%		100.00%
Max Hour	3.0	33.33%	23.33%	43.33%	100.00%

¹ From Table II-12: Peaking Factors, June 9, 2010 Raftelis Financial Consultants Rate Study Report page 23.



Table 3-8
Cost Allocation and Unit Cost Calculation²

	Base	Max Day	Max Hour	Meter Charges	Billing & Cust Serv	Fire Hydrant	General	Total
Allocation %	43.2%	14.3%	5.3%	5.9%	4.5%	0.6%	26.1%	100.00%
Net Op Expense	\$3,056,777	\$1,008,956	\$377,700	\$420,176	\$318,992	\$44,003	\$1,850,672	\$7,027,275
Debt Service	<u>1,189,761</u>	<u>651,215</u>	<u>72,887</u>	<u>88,203</u>	<u>73,815</u>	<u>40,314</u>	<u>180,646</u>	<u>2,296,842</u>
Cost of Service	4,246,538	1,660,171	450,856	508,379	392,807	84,317	2,031,318	9,374,117
Allocation of General Cost	1,188,412	464,606	126,099	142,272	109,929			2,013,318
Allocation of Fire Service				84,317				84,317
Total Modified COS	\$5,163,203	\$1,106,144	\$300,218	\$2,301,816	\$502,736			\$9,374,117
Unit of Measure	hcf	hcf/day	hcf/day	Equiv Meters	Monthly Bills			
Total Units of Service	3,314,078	6,356	3,632	14,028	10,326			
Unit Cost of Service	\$1.56	\$0.48	\$0.23	\$13.67	\$4.06			
Average Unit Cost of Service	\$1.98							

While the costs identified in Table 3-8 have changed since the 2010 study, the City has not experienced any significant changes in its customer base (new industries coming to the City or existing industries leaving, or a significant increase in residential customers) that would result in a change in the overall distribution of accounts and flows by customer class or changes, or in peaking factors identified in Table 3-7. Therefore, the distribution of costs identified in the prior study are believed to remain unchanged for the current study.

As was the case for the prior sewer analysis (June 9, 2010 Raftelis Financial Consultants Rate Study, beginning page 26), the City does not actively monitor sewer flows for different strength characteristics by customer type. Monitoring of strength characteristics is a typical industry accepted approach for assessing different sewer rates to different customer types. Because the City does not monitor individual customer flows, the cost to treat flows is assumed to be consistent across all customer classes, with only the amount or volume of flows from each customer class as the basis for higher fees. The discharge from a single family residence (an equivalent dwelling unit or EDU) is 225 gallons per day (GPD). An EDU value

² From Table II-13: Cost Allocation and Unit Cost Calculation, June 9, 2010 Raftelis Financial Consultants Rate Study Report page 23.



of 225 GPD forms the basis for customers with higher flows paying incrementally higher monthly rates as described in Section 3.2.2.

3.2.4 Revised Rates

Willdan reviewed the cost of service analysis completed in the previous study (Section 3.2.3) with City Staff, and reviewed current system operating data and customer demand characteristics. As discussed in the prior section, there have not been significant changes in operating characteristics, or the composition of customers and customer classes, or customer demand characteristics, which would require the completion of a completely new cost of service analysis and change to the existing rate structure. Similar to the water utility, Willdan reviewed the previous analysis with the City, along with current operating characteristics. Willdan did not identify any issues with the City's existing cost allocations or sewer rate structure, or need to complete a new cost of service analysis with changes to the rate structure, furthermore, through discussions with City staff it was determined that the existing sewer structure is effectively meeting the City's goals and is consistent with both AWWA and WEF rate making practices. As such, no changes are proposed to the current rate structures themselves, but the individual rates are proposed to increase in an across-the-board manner consistent with the financial plan projections. The proposed water rates are summarized in Table 3-9, while the proposed sewer rates are illustrated in Table 3-10.



Table 3-9 Proposed Water Rates Fiscal Years 2018-19 through FY 2022-23					
Monthly Charge/ Volume Rate	18-19	19-20	20-21	21-22	22-23
Fixed Charge - \$/Month					
5/8-inch	\$21.57	\$22.22	\$22.88	\$23.57	\$24.28
3/4-inch	21.57	22.22	22.88	23.57	24.28
1-inch	32.70	33.68	34.69	35.73	36.81
1 ½-inch	60.50	62.32	64.19	66.11	68.10
2-inch	93.87	96.69	99.59	102.58	105.66
3-inch	171.77	176.93	182.23	187.70	193.33
4-inch	283.07	291.57	300.31	309.32	318.60
6-inch	561.13	577.97	595.31	613.17	631.56
8-inch	894.89	921.74	949.39	977.88	1,007.21
Volume Rate - \$/HCF					
0-12 HCF	\$1.90	\$1.95	\$2.01	\$2.07	\$2.13
13-25 HCF	2.41	2.48	2.56	2.63	2.71
26+ HCF	2.72	2.80	2.88	2.97	3.06
City/Parks	0.60	0.62	0.63	0.65	0.67

Table 3-10 Proposed Sewer Rates Fiscal Years 2018-19 through FY 2022-23 (\$/EDU)					
Monthly Charge per EDU	18-19	19-20	20-21	21-22	22-23
Residential	\$19.03	\$19.61	\$20.19	\$20.80	\$21.42
Commercial	19.03	19.61	20.19	20.80	21.42
Tertiary Surcharge	2.06	2.12	2.19	2.25	2.32

Water and sewer rates are further presented in appendices C and D.

3.2.5 Summary of the Rate Study

The Rate Study presented herein utilized generally accepted rate-making principles which resulted in the development of rates and charges which are projected to: 1) generate sufficient revenue to meet the financial requirements of the utility, 2) address the need to recover costs from users in a manner which is fair and equitable relative to service provided, and 3) meet the financial and rate design goals of the City.



Section 4 - Conclusions and Recommendations

4.1. Conclusions

- Projected operating revenues and operating expenses for the forecast period were developed by, and/or in consultation with, City staff and are based upon reasonable projections.
- The projected capital project expenses have been developed by City staff to address water and sewer systems renewal and replacement.
- Based on Conclusions 1 and 2 above, Willdan is of the opinion that the financial projections presented herein demonstrate the sewer utility's ability to meet its obligations with regard to:
 - Operating expenses,
 - Non-operating expenses,
 - Capital project expenses, and
 - Key financial policies, including maintenance of at least 45 days of operating reserve balances.
- The proposed rates presented herein are in conformance with industry standard rate-making practice, Proposition 218 and/or the City's rate policies with respect to:
 - The fair and equitable recovery of costs through water and sewer rates;
 - Water and sewer rates based upon the proportionate cost of providing services, and
 - Generation of sufficient revenue to fully recover system revenue requirements and reserve requirements.

4.2. Recommendations

- It is recommended that the City implement the proposed rates presented in this Report for FY 2018-19 through FY 2022-23.
- It is recommended that the City update the Revenue Sufficiency Analysis portion of this study each year to ensure projected revenue is sufficient to fund projected expenses going forward as assumptions made during this analysis may change and have a material impact upon the analysis.

Banning GA
Pro Forma with Debt Service Coverage and Fund Balance Reconciliation

Line No.		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Operations											
	Water Rate Revenue Increases	0.00%	0.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	0.00%	0.00%	0.00%
	% of Year Rate Increase Effective	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
2	Beginning Unrestricted Fund Balance	\$ 9,278,135	\$ 7,052,011	\$ 6,581,917	\$ 4,712,881	\$ 3,537,042	\$ 3,820,265	\$ 3,989,210	\$ 5,234,034	\$ 5,998,118	\$ 7,927,024	\$ 9,001,110
3	Rate Revenue 1	\$ 7,500,000	\$ 8,500,000	\$ 8,958,365	\$ 9,437,232	\$ 9,913,917	\$ 10,477,808	\$ 11,040,359	\$ 11,633,118	\$ 12,257,698	\$ 12,539,825	\$ 12,828,038
4	Total Rate Revenue	\$ 7,500,000	\$ 8,500,000	\$ 8,958,365	\$ 9,437,232	\$ 9,913,917	\$ 10,477,808	\$ 11,040,359	\$ 11,633,118	\$ 12,257,698	\$ 12,539,825	\$ 12,828,038
5	Other Operating Revenue	127,400	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850
6	Interest Income - Operating Fund	25,000	89,000	82,000	53,000	48,000	49,000	80,000	58,000	80,000	70,000	75,000
7	Total Operating Revenue	\$ 8,052,400	\$ 8,697,850	\$ 9,147,215	\$ 9,619,082	\$ 10,120,767	\$ 10,855,556	\$ 11,219,209	\$ 11,817,966	\$ 12,446,548	\$ 12,738,475	\$ 13,031,888
8	Operating Expenses	(8,429,745)	(5,004,202)	(5,797,640)	(5,998,828)	(6,208,131)	(6,425,922)	(6,652,606)	(6,888,601)	(7,134,349)	(7,390,314)	(7,850,987)
9	Net Revenue	\$ 1,622,655	\$ 3,093,648	\$ 3,349,575	\$ 3,620,254	\$ 3,912,636	\$ 4,229,734	\$ 4,566,601	\$ 4,929,365	\$ 5,312,199	\$ 5,348,161	\$ 5,374,899
	Plus:											
	Other Sources of Funds											
10	Transfers In	-	-	-	-	-	-	-	-	-	-	-
	Less:											
	Other Uses of Funds											
11	Minor Capital	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12	Major Capital Funded with Existing Reserves/Current Cash	(320,000)	(1,602,272)	(2,306,250)	(1,081,000)	(484,601)	(883,050)	(113,141)	(927,755)	(118,869)	(974,722)	(124,889)
13	Transfers Out	(2,028,829)	(2,881,470)	(2,892,382)	(3,115,093)	(3,144,813)	(3,177,739)	(3,208,637)	(3,237,526)	(3,264,425)	(3,299,353)	(3,331,830)
14	Non Operating Expenses	-	-	-	-	-	-	-	-	-	-	-
15	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
16	Existing Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
17	New Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
18	Net Cash Flow	\$ (1,326,174)	\$ (1,390,094)	\$ (1,648,037)	\$ (1,175,039)	\$ 283,223	\$ 108,945	\$ 1,244,824	\$ 794,085	\$ 1,029,308	\$ 1,074,088	\$ 1,918,183
19	Ending Unrestricted Fund Balance	\$ 7,952,011	\$ 6,591,917	\$ 4,712,881	\$ 3,537,042	\$ 3,820,265	\$ 3,989,210	\$ 5,234,034	\$ 5,998,118	\$ 7,927,024	\$ 9,001,110	\$ 10,919,294
20	Months of O&M and R&R Capital	15	14	10	7	7	7	0	10	13	16	17
21	Target Unrestricted Fund Balance	\$ 803,838	\$ 710,805	\$ 758,550	\$ 798,189	\$ 819,289	\$ 841,448	\$ 884,242	\$ 887,091	\$ 911,841	\$ 937,738	\$ 964,380
	Debt Service Coverage Calculations:											
	Revenue Bond Debt Service Coverage											
22	Rate Covenant Debt Service Coverage Test											
	Net Revenue Available for Debt Service Coverage Test	\$ 1,622,655	\$ 3,093,648	\$ 3,349,575	\$ 3,620,254	\$ 3,912,636	\$ 4,229,734	\$ 4,566,601	\$ 4,929,365	\$ 5,312,199	\$ 5,348,161	\$ 5,374,899
23	Revenue Bond Debt Service:											
	Existing Revenue Bond Debt Service	1,008,634	1,803,846	1,787,663	1,983,063	1,984,503	1,988,563	1,989,813	1,988,313	1,984,063	1,987,063	1,986,813
24	New Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
25	Total Revenue Bond Debt Service	\$ 1,008,634	\$ 1,803,846	\$ 1,787,663	\$ 1,983,063	\$ 1,984,503	\$ 1,988,563	\$ 1,989,813	\$ 1,988,313	\$ 1,984,063	\$ 1,987,063	\$ 1,986,813
26	Debt Service Coverage - Rate Covenant	1.01	1.72	1.87	1.83	1.97	2.13	2.29	2.48	2.68	2.69	2.71
27	Debt Service Coverage Requirement	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20

Banning CA
Beginning Fund Balance Reconciliation

BEGINNING BALANCES		
Line No:		Operations
1	Current assets:	
2	Pooled cash and investments	\$ 9,278,185
	Receivables (net of allowance for uncollectibles):	
	Loans	
	Interest	
	Inventories	
3		-
4		-
5		-
6		-
7		-
8	Total Current Assets	\$ 9,278,185
	Current Liabilities:	
	Accounts and contracts payable	
	Accrued Liabilities	
	Accrued Interest	
	Deposits Payable	
	Compensated Absences	
	Bonds, Notes & Capital Leases	
9		-
10		-
11	Total Current Liabilities	\$ -
	Adjustments by:	
12	Removal of Inventories (Not Liquid)	-
13	Other Assets (Unkown Cash)	-
14	Net Adjustments	\$ -
15	Net Beginning Balances (Curr Assets less Current Liabilities - with Adjustments)	\$ 9,278,185

**Banning CA
Revenue**

Line No.	Code	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
		Summary											
1	RR1	Rate Revenue 1	\$ 7,900,000	\$ 8,560,000	\$ 8,956,355	\$ 9,437,232	\$ 9,943,917	\$ 10,477,809	\$ 11,040,359	\$ 11,633,116	\$ 12,257,698	\$ 12,939,625	\$ 13,628,039
2	OR	Other Operating Revenue	127,400	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850	128,850
3	TRIN	Transfers In	-	-	-	-	-	-	-	-	-	-	-
4		Sources - Fund 2	95,000	32,000	-	-	-	-	-	-	-	-	-
5	INT - Fund 2	Sources of Funds - Fund 2	95,000	32,000	-	-	-	-	-	-	-	-	-
6	INT - Fund 1	Interest Earnings - Fund 1	16,000	40,000	33,000	24,000	18,000	19,000	20,000	26,000	30,000	40,000	45,000
7	INT - Fund 2	Interest Earnings - Fund 2	9,000	29,000	29,000	29,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
		Detail											
8		Operations											
9		RR1 - BEARING GROWTH AND RATE INCR											
10	RR1 - Growth	Rate Revenue 1	\$ 7,900,000	\$ 8,560,000	\$ 8,500,000	\$ 8,956,355	\$ 9,437,232	\$ 9,943,917	\$ 10,477,809	\$ 11,040,359	\$ 11,633,116	\$ 12,257,698	\$ 12,939,625
11		Growth	0.00%	0.00%	2.33%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%
12		Revenue Increase	0.00%	0.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
13		Pct of Year Revenue Increase Effective	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
14	RR1	Total Rate Revenue 1 - After Revenue Increase	\$ 7,900,000	\$ 8,560,000	\$ 8,956,355	\$ 9,437,232	\$ 9,943,917	\$ 10,477,809	\$ 11,040,359	\$ 11,633,116	\$ 12,257,698	\$ 12,939,625	\$ 13,628,039
15	OR	Turn on Charges	47,500	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000
16	OR	Dialing, Reconnect Fee	37,500	38,000	38,000	38,000	38,000	38,000	38,000	38,000	38,000	38,000	38,000
17	OR	Backflow Charge	25,500	25,750	25,750	25,750	25,750	25,750	25,750	25,750	25,750	25,750	25,750
18	OR	Miscellaneous Revenues	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
19	OR	Restitution/Subrogation	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
20	OR	Misc. Receipts/Revenue	2,250	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400
21	OR	Meter Installation & Conn	2,150	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200
22		Interest Earnings Calculation											
23		Average Balance	\$ 4,039,000	\$ 3,976,000	\$ 3,281,000	\$ 2,356,000	\$ 1,769,000	\$ 1,910,000	\$ 1,695,000	\$ 2,617,000	\$ 2,699,000	\$ 3,964,000	\$ 4,501,000
24		Assumed Interest Earnings Rate	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
25	INT - Fund 1	Projected Interest Earnings	16,000	40,000	33,000	24,000	18,000	19,000	20,000	26,000	30,000	40,000	45,000

Line No:

[illegible]A-4

Banning CA
Expenses Other than Major Capital Expenses

FUND		Summary - Operations											
#	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	
1	Operating	\$ 8,129,745	\$ 8,684,202	\$ 9,707,840	\$ 9,968,828	\$ 8,208,131	\$ 8,425,922	\$ 8,352,808	\$ 8,888,801	\$ 7,134,349	\$ 7,390,314	\$ 7,858,987	
2	Non Operating	-	-	-	-	-	-	-	-	-	-	-	
3	Minor Capital	-	-	-	-	-	-	-	-	-	-	-	
4	Transfers	2,828,829	2,881,470	2,892,362	3,115,093	3,144,813	3,177,739	3,208,637	3,237,528	3,284,425	3,399,353	3,331,830	
5	Existing Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-	
6	New Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-	
7	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-	
8	New SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-	
9	TOTAL	9,058,574	8,485,672	8,600,202	9,113,921	9,352,944	9,603,661	9,561,245	10,126,127	10,398,774	10,689,667	10,988,817	

Detail														
Annual Expense Escalation	FUND #	Factor	EXPENSES	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
			Detail											
			Operations											
66	1	2.5%	Licenses/Permits/Fees	51,000	45,000	40,125	47,278	48,400	49,072	50,914	52,187	53,492	54,820	56,200
67	1	2.5%	Taxes/Assessments	2,000	2,000	2,050	2,101	2,154	2,208	2,263	2,320	2,378	2,437	2,496
68	1	2.5%	Water Rebate Program	47,500	50,000	51,250	52,531	53,844	55,190	56,570	57,984	59,434	60,920	62,443
69	1	2.5%	Community Promotions	60,000	60,000	61,300	63,038	64,814	66,229	67,885	69,582	71,322	73,105	74,933
70	1	2.5%	Watermaster Services	50,000	50,000	51,250	52,531	53,844	55,190	56,570	57,984	59,434	60,920	62,443
71	1	2.5%	Well/Pump Equip Expense	76,429	75,000	76,875	78,797	80,767	82,789	84,859	86,977	89,151	91,380	93,665
72	1	2.5%	Reservoir Expenses	60,000	60,000	61,300	63,038	64,814	66,229	67,885	69,582	71,322	73,105	74,933
73	1	2.5%	Water Distribution System Expense	262,332	250,000	256,250	262,656	269,222	275,953	282,852	289,923	297,171	304,600	312,215
74	1	2.5%	Meters Expense	24,023	450,000	401,250	472,781	484,901	496,710	509,134	521,862	534,909	548,282	561,989
75	1	2.5%	Tools/Misc Supplies	12,500	12,500	12,813	13,133	13,461	13,798	14,143	14,497	14,859	15,230	15,611
76	1	2.5%	Aggregate/Asphalt	30,000	35,000	35,875	36,772	37,691	38,633	39,599	40,588	41,604	42,644	43,710
77	1	2.5%	Water Reg. Valves, Etc	15,000	15,000	15,375	15,759	16,133	16,507	16,891	17,355	17,830	18,313	18,733
78	1	2.5%	Interfund SVC-Personnel	32,325	33,087	33,914	34,762	35,631	36,522	37,435	38,371	39,330	40,313	41,321
79	1	2.5%	Interfund SVC-C Attorney	38,945	49,720	50,993	52,237	53,543	54,882	56,254	57,660	59,102	60,580	62,095
80	1	2.5%	Interfund SVC-Jan/Maint	27,087	28,767	29,486	30,223	30,979	31,753	32,547	33,361	34,195	35,050	35,928
81	1	2.5%	Interfund SVC-insurance	38,140	37,003	38,543	39,507	40,495	41,507	42,545	43,609	44,699	45,816	46,961
82	1	2.5%	Interfund SVC-Purch & A/P	28,370	27,113	27,791	28,468	29,198	29,928	30,679	31,443	32,229	33,035	33,861
83	1	2.5%	Interfund SVC-Fleet Maint	93,422	134,559	137,923	141,371	144,905	148,528	152,241	156,047	159,948	163,947	168,046
84	1	2.5%	Interfund SVC-Bill/Col	313,446	323,755	331,849	340,145	348,640	357,365	366,299	375,456	384,842	394,463	404,325
85	1	2.5%	Interfund SVC-Air Read SVC	290,910	299,464	308,951	314,825	322,491	330,553	338,917	347,587	356,560	365,868	375,900
86	1	2.5%	Interfund SVC-Financial	71,351	73,382	75,217	77,007	78,824	80,600	82,325	84,001	85,729	87,410	89,145
87	1	2.5%	Interfund SVC-Computer	48,184	48,939	50,102	51,418	52,701	54,019	55,369	56,753	58,172	59,620	61,117
88	1	2.5%	Transf-General Fund	18,000	18,000	18,450	18,911	19,384	19,869	20,366	20,875	21,397	21,932	22,480
89	1	2.5%	TRSF - BJA Water Debt Svc	1,811,559	1,807,081	1,781,113	1,985,313	1,987,813	1,991,813	1,993,083	1,991,563	1,987,313	1,980,313	1,990,083
90	1	2.5%	Lease Payment	470,000	470,000	481,750	493,794	506,129	518,792	531,702	545,050	558,862	572,649	586,955
91	1	2.5%	Bond Paying Agent Fees	2,000	2,000	2,050	2,101	2,154	2,208	2,263	2,320	2,378	2,437	2,496
92	1	2.5%	Building Improvements	30,000	30,000	30,750	31,519	32,307	33,115	33,943	34,792	35,662	36,554	37,468
93	1	2.5%	Fencing Improvements	10,000	10,000	10,250	10,505	10,759	11,038	11,314	11,597	11,887	12,184	12,489
94	1	2.5%	Off Fund/Equip/Fixtures	7,500	7,500	7,638	7,850	8,077	8,279	8,468	8,658	8,815	9,138	9,368
95	1	2.5%	Computer Hardware	4,500	4,500	4,613	4,731	4,851	4,974	5,100	5,229	5,361	5,496	5,634
96	1	2.5%	Computer Software	7,500	7,500	7,638	7,850	8,077	8,279	8,468	8,658	8,815	9,138	9,368
97	1	2.5%	Radio Equipment/Radios	100	100	103	108	109	112	115	118	121	124	127
98	1	2.5%	Machinery/Equipment	10,000	5,000	5,125	5,253	5,384	5,519	5,657	5,798	5,943	6,092	6,244
99	1	2.5%	Planning/Engineering SVC	342	-	-	-	-	-	-	-	-	-	-
100	1	2.5%	Building Improvements	80,000	25,000	26,825	28,260	29,823	27,569	28,280	28,993	29,718	30,461	31,223
101	1	2.5%	Vehicles	50,000	-	-	-	-	-	-	-	-	-	-
102	1	2.5%	Water Debt - Professional Services	1,600	1,600	1,640	1,681	1,723	1,765	1,810	1,855	1,901	1,949	1,998
103	1	0.0%	Interfund Transfer	-	-	-	-	-	-	-	-	-	-	-
104	1	0.0%	Transfer to Repair and Replacement Fund	-	-	-	-	-	-	-	-	-	-	-
105	1	0.0%		-	-	-	-	-	-	-	-	-	-	-

Banning CA
CIP (Inflated)

Line No:	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Capital Projects											
2	City Facility Programming Assessment	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	Water Master Plan Update	-	152,272	-	-	-	-	-	-	-	-	-
4	Flume Consultant Costs	300,000	300,000	-	-	-	-	-	-	-	-	-
5	Replace SCADA Comp Hardware/Software	-	250,000	250,250	-	-	-	-	-	-	-	-
6	Water Line Replacement Locations #2 (Const)	-	400,000	250,250	-	-	-	-	-	-	-	-
7	Water Line Replacement Locations #3 (Const)	-	-	250,250	420,250	-	-	-	-	-	-	-
8	Annual Main Replacement (PS&E)	-	-	-	-	107,089	-	113,141	-	110,869	-	124,886
9	Annual Main Replacement (Const)	-	-	-	-	-	883,050	-	927,795	-	974,722	-
10	Pilot and Drill Well in Cabazon SU	-	500,000	512,500	-	-	-	-	-	-	-	-
11	Equip Well in Cabazon SU	-	-	1,025,000	525,312	-	-	-	-	-	-	-
12	Main to Cabazon Well	-	-	-	735,438	378,912	-	-	-	-	-	-
	Total	\$ 370,000	\$ 1,602,272	\$ 2,308,250	\$ 1,681,000	\$ 484,001	\$ 883,050	\$ 113,141	\$ 927,795	\$ 110,869	\$ 974,722	\$ 124,886
											Total	\$ 9,535,546
Description		2017	2018	2019	Uninflated 2020	2021	2022	2023	2024	2025	2026	2027
Capital Projects												
City Facility Programming Assessment		\$20,000										
Water Master Plan Update			152,272									
Flume Consultant Costs		300,000	300,000									
Replace SCADA Comp Hardware/Software			250,000	250,000								
Water Line Replacement Locations #2 (Const)			400,000	250,000								
Water Line Replacement Locations #3 (Const)					400,000							
Annual Main Replacement (PS&E)						100,000		100,000		100,000		100,000
Annual Main Replacement (Const)							800,000		800,000		800,000	
Pilot and Drill Well in Cabazon SU			500,000	500,000								
Equip Well in Cabazon SU				1,000,000	500,000							
Main to Cabazon Well					709,009	350,000						
		3320,000	\$1,602,272	\$2,250,000	\$1,600,000	\$450,000	\$800,000	\$100,000	\$800,000	\$100,000	\$800,000	\$100,000
	Inflation Factor	100.00%	100.00%	102.50%	105.06%	107.89%	110.38%	113.14%	115.97%	118.87%	Total 121.84%	\$8,922,272 124.89%

Banning, CA
Pro Forma with Debt Service Coverage and Fund Balance Reconciliation

Line No		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Operations											
	Wastewater Rate Revenue Increases	0.00%	0.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	0.00%	0.00%	0.00%
	% of Year Rate Increase Effective	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
2	Beginning Unrestricted Fund Balance	\$ 1,666,520	\$ 1,454,301	\$ 1,434,870	\$ 1,428,855	\$ 1,577,731	\$ 2,308,845	\$ 3,150,778	\$ 4,157,521	\$ 5,288,352	\$ 6,624,343	\$ 7,955,262
3	Rate Revenue 1	\$ 3,200,000	\$ 3,200,000	\$ 3,371,808	\$ 3,552,840	\$ 3,743,562	\$ 3,944,585	\$ 4,158,370	\$ 4,379,529	\$ 4,614,663	\$ 4,720,800	\$ 4,820,378
4	Total Rate Revenue	\$ 3,200,000	\$ 3,200,000	\$ 3,371,808	\$ 3,552,840	\$ 3,743,562	\$ 3,944,585	\$ 4,158,370	\$ 4,379,529	\$ 4,614,663	\$ 4,720,800	\$ 4,820,378
5	Other Operating Revenue	104	104	104	104	104	104	104	104	104	104	104
6	Interest Income - Operating Fund	8,000	7,000	7,000	7,000	8,000	12,000	16,000	21,000	25,000	33,000	40,000
7	Total Operating Revenue	\$ 3,208,104	\$ 3,207,104	\$ 3,378,912	\$ 3,559,944	\$ 3,751,666	\$ 3,956,689	\$ 4,174,474	\$ 4,400,733	\$ 4,640,767	\$ 4,753,904	\$ 4,860,482
8	Operating Expenses	(2,174,108)	(2,029,905)	(2,084,478)	(2,140,408)	(2,197,978)	(2,257,048)	(2,317,733)	(2,380,953)	(2,444,090)	(2,509,892)	(2,577,425)
9	Net Revenue	\$ 1,033,996	\$ 1,177,139	\$ 1,294,434	\$ 1,419,476	\$ 1,553,718	\$ 1,699,641	\$ 1,854,741	\$ 2,020,507	\$ 2,196,677	\$ 2,244,044	\$ 2,292,057
	Plus:											
	Other Sources of Funds	-	-	-	-	-	-	-	-	-	-	-
10	Transfers In	-	-	-	-	-	-	-	-	-	-	-
	Less:											
	Other Uses of Funds	-	-	-	-	-	-	-	-	-	-	-
11	Minor Capital	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12	Major Capital Funded with Existing Reserves/Current Cash	(182,500)	(102,437)	(101,875)	(146,189)	-	(19,317)	-	(20,395)	-	(21,322)	-
13	Transfers Out	(1,083,715)	(1,034,134)	(1,108,774)	(1,121,411)	(824,864)	(836,391)	(847,958)	(859,430)	(870,650)	(881,803)	(893,446)
14	Non Operating Expenses	-	-	-	-	-	-	-	-	-	-	-
15	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
16	Existing Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
17	New Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
18	Net Cash Flow	\$ (232,219)	\$ (19,432)	\$ (6,015)	\$ 148,877	\$ 729,114	\$ 843,933	\$ 1,006,743	\$ 1,140,842	\$ 1,325,981	\$ 1,340,910	\$ 1,394,611
19	Ending Unrestricted Fund Balance	\$ 1,434,301	\$ 1,434,870	\$ 1,428,855	\$ 1,577,731	\$ 2,308,845	\$ 3,150,778	\$ 4,157,521	\$ 5,288,352	\$ 6,624,343	\$ 7,955,262	\$ 9,350,873
20	Months of O&M and Debt Capital	8	8	8	9	13	17	22	27	33	38	44
21	Target Unrestricted Fund Balance	Target	\$ 265,708	\$ 271,083	\$ 278,255	\$ 284,001	\$ 259,108	\$ 265,115	\$ 271,239	\$ 277,482	\$ 283,850	\$ 290,347
	Debt Service Coverage Calculations:											
	Revenue Bond Debt Service Coverage											
	Rate Covenant Debt Service Coverage Test:											
22	Net Revenue Available for Debt Service Coverage Test	\$ 1,033,996	\$ 1,177,139	\$ 1,294,434	\$ 1,419,476	\$ 1,553,718	\$ 1,699,641	\$ 1,854,741	\$ 2,020,507	\$ 2,196,677	\$ 2,244,044	\$ 2,292,057
23	Revenue Bond Debt Service	390,289	388,473	393,781	395,150	393,108	394,108	394,056	394,750	394,406	393,600	397,944
24	Existing Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
25	New Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
26	Total Revenue Bond Debt Service	\$ 390,289	\$ 388,473	\$ 393,781	\$ 395,150	\$ 393,108	\$ 394,108	\$ 394,056	\$ 394,750	\$ 394,406	\$ 393,600	\$ 397,944
27	Debt Service Coverage - Rate Covenant	2.65	3.03	3.29	3.58	3.95	4.31	4.70	5.12	5.57	5.70	5.77
	Debt Service Coverage Requirement	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
	Parity Debt Service Coverage Test:											
28	Net Revenue Available for Debt Service Coverage Test	\$ 1,033,996	\$ 1,177,139	\$ 1,294,434	\$ 1,419,476	\$ 1,553,718	\$ 1,699,641	\$ 1,854,741	\$ 2,020,507	\$ 2,196,677	\$ 2,244,044	\$ 2,292,057
29	Maximum Revenue Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
30	Debt Service Coverage - Parity Test	-	-	-	-	-	-	-	-	-	-	-
31	Debt Service Coverage Requirement	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
	SRF Debt Service Coverage Test											
32	SRF Test:											
	Net Revenue Available for Debt Service Coverage Test	\$ 1,033,996	\$ 1,177,139	\$ 1,294,434	\$ 1,419,476	\$ 1,553,718	\$ 1,699,641	\$ 1,854,741	\$ 2,020,507	\$ 2,196,677	\$ 2,244,044	\$ 2,292,057
33	Less:	\$ (390,289)	\$ (388,473)	\$ (393,781)	\$ (395,150)	\$ (393,108)	\$ (394,108)	\$ (394,056)	\$ (394,750)	\$ (394,406)	\$ (393,600)	\$ (397,944)
34	Net Revenue Available for SRF Debt Service Coverage Test	\$ 643,707	\$ 788,666	\$ 900,653	\$ 1,023,326	\$ 1,160,610	\$ 1,305,535	\$ 1,460,685	\$ 1,625,757	\$ 1,802,271	\$ 1,850,444	\$ 1,894,113
35	Existing SRF Debt Service	\$ 292,691	\$ 292,389	\$ 304,289	\$ 304,289	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
36	New SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
37	Total SRF Debt Service	292,691	292,389	304,289	304,289	-	-	-	-	-	-	-
38	Debt Service Coverage - SRF Test	2.20	2.70	2.96	3.36	-	-	-	-	-	-	-
39	Debt Service Coverage Requirement	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10

Banning CA
Beginning Fund Balance Reconciliation

BEGINNING BALANCES		
Line No:		Operations
1	Current assets:	
2	Pooled cash and investments	\$ 1,686,520
3	Receivables (net of allowance for uncollectibles):	-
4	Loans	-
5		-
6		-
7		-
8		-
9		-
10		-
11		-
12	Total Current Assets	\$ 1,686,520
	Current Liabilities:	
13	Accounts and contracts payable	\$ -
14	Accrued Liabilities	-
15	Accrued Interest	-
16	Deposits Payable	-
17	Compensated Absences	-
18	Bonds, Notes & Capital Leases	-
19	Due to other funds	-
20	Deferred revenue	-
21	Total Current Liabilities	\$ -
	Adjustment:	
22	Removal of Inventories (Not Liquid)	-
23	Other Assets (Unkown Cash)	-
24	Net Adjustments	\$ -
25	Net Beginning Balances (Curr Assets less Current Liabilities - with Adjustments)	\$ 1,686,520

**Banning CA
Revenue**

Line No.	Code	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1		Summary											
2	RRI	Rate Revenue 1	\$ 3,200,000	\$ 3,200,000	\$ 3,371,603	\$ 3,552,840	\$ 3,743,592	\$ 3,944,585	\$ 4,155,370	\$ 4,379,520	\$ 4,614,663	\$ 4,720,800	\$ 4,828,378
3	OR	Other Operating Revenue	104	104	104	104	104	104	104	104	104	104	104
4	TRIN	Transfers In	-	-	-	-	-	-	-	-	-	-	-
5	Sources - Fund 2	Sources of Funds - Fund 2	70,000	18,000	-	-	-	-	-	-	-	-	-
6	INT - Fund 1	Interest Earnings - Fund 1	2,000	10,000	10,000	10,000	13,000	18,000	24,000	32,000	40,000	49,000	58,000
7	INT - Fund 2	Interest Earnings - Fund 2	20,000	72,000	72,000	72,000	73,000	73,000	73,000	74,000	74,000	75,000	75,000
8		Detail											
9		Operations											
10	RRI - Growth	Rate Revenue 1	\$ 3,200,000	\$ 3,200,000	\$ 3,371,603	\$ 3,552,840	\$ 3,743,592	\$ 3,944,585	\$ 4,155,370	\$ 4,379,520	\$ 4,614,663	\$ 4,720,800	\$ 4,828,378
11		Growth	0.00%	0.00%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%
12		Revenue Increase	0.00%	0.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
13		Pct of Year Revenue Increase Effective	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
14	RRI	Total Rate Revenue 1 - After Revenue Increase	\$ 3,200,000	\$ 3,200,000	\$ 3,371,603	\$ 3,552,840	\$ 3,743,592	\$ 3,944,585	\$ 4,155,370	\$ 4,379,520	\$ 4,614,663	\$ 4,720,800	\$ 4,828,378
15	OR	Misc. Receipts/Revenue	104	104	104	104	104	104	104	104	104	104	104
16		Interest Earnings Calculation											
17		Average Balance	\$ 1,647,000	\$ 903,000	\$ 935,000	\$ 1,002,000	\$ 1,295,000	\$ 1,919,000	\$ 2,425,000	\$ 3,152,000	\$ 3,974,000	\$ 4,803,000	\$ 5,775,000
18		Assumed Interest Earnings Rate	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
19	INT - Fund 1	Projected Interest Earnings	2,000	10,000	10,000	10,000	13,000	18,000	24,000	32,000	40,000	49,000	58,000
20		Capital Facility											
21		Capital Facilities Fee	85,000	15,000	-	-	-	-	-	-	-	-	-
22		Capital Frontage Fee	5,000	3,000	-	-	-	-	-	-	-	-	-
23		Transfers In	-	-	-	-	-	-	-	-	-	-	-
24	Sources - Fund 2	Total Sources	70,000	18,000	-	-	-	-	-	-	-	-	-
25		Interest Earnings Calculation											
26		Average Balance	\$ 7,006,000	\$ 7,161,000	\$ 7,203,000	\$ 7,210,000	\$ 7,275,000	\$ 7,312,000	\$ 7,348,000	\$ 7,385,000	\$ 7,422,000	\$ 7,459,000	\$ 7,497,000
27		Assumed Interest Earnings Rate	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
28	INT - Fund 2	Projected Interest Earnings	20,000	72,000	72,000	72,000	73,000	73,000	73,000	74,000	74,000	75,000	75,000
29		Tertiary Fund											
30		Surcharge-Tertiary Reserve	355,000	355,000	-	-	-	-	-	-	-	-	-
31		Non Operating Revenue	-	-	-	-	-	-	-	-	-	-	-
32		Transfers In	-	-	-	-	-	-	-	-	-	-	-
33	Sources - Fund 3	Total Sources	355,000	355,000	-	-	-	-	-	-	-	-	-
34		Interest Earnings Calculation											
35		Average Balance	\$ 3,322,000	\$ 3,575,000	\$ 3,712,000	\$ 3,730,000	\$ 3,749,000	\$ 3,769,000	\$ 3,789,000	\$ 3,805,000	\$ 3,824,000	\$ 3,843,000	\$ 3,863,000
36		Assumed Interest Earnings Rate	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
37	INT - Fund 3	Projected Interest Earnings	7,500	36,000	37,000	37,000	37,000	38,000	38,000	38,000	38,000	38,000	39,000

Banning CA
Expenses Other than Major Capital Expenses

Line No.	Summary - Operations												
	FUND #	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	1	Operating	\$ 2,174,168	\$ 2,029,955	\$ 2,084,478	\$ 2,140,468	\$ 2,197,078	\$ 2,257,048	\$ 2,317,733	\$ 2,380,063	\$ 2,444,006	\$ 2,509,860	\$ 2,577,425
2	1	Non Operating	-	-	-	-	-	-	-	-	-	-	-
3	1	Minor Capital	-	-	-	-	-	-	-	-	-	-	-
4	1	Transfers	1,083,715	1,094,134	1,108,774	1,121,411	824,504	838,301	847,998	859,430	870,696	881,803	897,448
5	1	Existing Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
6	1	New Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
7	1	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
8	1	New SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
9		TOTAL	3,257,883	3,124,089	3,193,252	3,261,879	3,022,582	3,095,349	3,165,731	3,239,493	3,314,706	3,391,663	3,474,871

Detail													
FUND #	Annual Expense Escalation Factor	EXPENSES	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Detail													
Operations													
1	3.0%	Sewer Operations											
1	3.0%	Payroll-Regular	378,024	389,223	400,000	412,927	425,315	438,074	451,216	464,752	478,695	493,056	507,848
1	3.0%	Overtime		3,000	3,090	3,183	3,278	3,376	3,477	3,581	3,688	3,799	3,913
1	3.0%	Incentive Pay		5,892	6,029	6,163	6,299	6,437	6,576	6,717	6,859	7,001	7,147
1	3.0%	Standby Pay		17,800	18,334	18,881	19,441	20,015	20,603	21,205	21,821	22,450	23,093
1	3.0%	Education Incentive Bonus		6,591	6,789	6,993	7,203	7,419	7,642	7,871	8,107	8,350	8,601
1	3.0%	Comp Time Payoff		8,709	9,018	9,289	9,568	9,855	10,151	10,458	10,770	11,093	11,425
1	3.0%	Vacation Payoff		6,408	6,681	6,961	7,247	7,537	7,832	8,131	8,434	8,740	9,051
1	3.0%	Sick Leave Payoff		11,736	12,121	12,485	12,860	13,246	13,643	14,052	14,474	14,908	15,355
1	3.0%	FICA		33,849	33,523	34,529	35,568	36,632	37,731	38,863	40,029	41,230	42,467
1	3.0%	PEFS		93,392	102,954	109,043	115,224	121,501	127,976	134,552	141,229	148,006	154,883
1	3.0%	Workers Comp		15,860	16,234	16,621	17,021	17,434	17,860	18,298	18,748	19,200	19,663
1	3.0%	Unemployment Insurance		2,297	2,514	2,569	2,697	2,747	2,829	2,914	3,001	3,091	3,184
1	3.0%	Life Insurance		767	767	814	838	863	880	918	943	971	1,000
1	3.0%	Health Insurance		4,311	4,311	4,440	4,573	4,710	4,851	4,997	5,147	5,301	5,460
1	3.0%	Dental Insurance		782	782	785	800	833	858	884	911	938	968
1	3.0%	Utility Credit		2,070	2,070	2,132	2,198	2,262	2,330	2,400	2,472	2,546	2,622
1	3.0%	Benefit Allowance		82,884	82,884	85,371	87,932	90,570	93,287	96,080	98,960	101,928	104,986
1	3.0%	Vehicle Allowance		3,015	3,015	3,722	3,835	3,950	4,069	4,191	4,317	4,447	4,580
1	2.5%	Boat Allowance		688	688	910	923	950	980	1,005	1,030	1,056	1,082
1	2.5%	Advertising/Publishing		1,520	1,500	1,538	1,578	1,615	1,655	1,696	1,738	1,781	1,826
1	2.5%	Printing/Binding		500	500	513	528	539	552	566	580	595	610
1	2.5%	Dues/Subscriptions		750	750	750	788	808	828	849	870	892	914
1	2.5%	Postage/Mailings		2,500	500	513	528	539	552	566	580	595	610
1	2.5%	Travel/Conferences		1,250	1,250	1,281	1,313	1,346	1,380	1,415	1,450	1,486	1,523
1	2.5%	Staff Training		500	500	513	528	539	552	566	580	595	610
1	2.5%	Contract Employment Svcs		7,500	-	-	-	-	-	-	-	-	-
1	2.5%	Laboratory Services		12,000	12,000	12,300	12,608	12,923	13,245	13,577	13,916	14,264	14,621
1	2.5%	Sludge Hauling		25,000	25,000	25,025	25,266	25,523	25,788	26,060	26,339	26,625	26,918
1	2.5%	NPCDES Storm Water Expense		25,000	25,000	25,025	25,266	25,523	25,788	26,060	26,339	26,625	26,918
1	2.5%	Contracted WWTP Plant SVC		603,000	678,260	693,167	710,496	728,258	746,464	765,120	784,254	803,880	823,957
1	2.5%	Uniform Purchase/Maint		1,000	1,000	1,025	1,051	1,077	1,104	1,132	1,160	1,189	1,219
1	2.5%	Overtime Meals		250	250	256	262	269	278	283	290	297	304
1	2.5%	Vision Allowance		250	250	256	262	269	278	283	290	297	304
1	2.5%	Utilities-Banning		95,000	95,000	97,135	99,429	101,707	104,048	106,430	108,867	111,361	113,913
1	2.5%	Telephone SVC		550	550	564	578	592	607	622	638	654	670
1	2.5%	Radio Transmission Svcs		400	400	410	420	431	442	453	464	476	488
1	2.5%	Repair/Maint-Buildings		2,850	9,500	9,738	9,991	10,231	10,487	10,740	11,018	11,293	11,575
1	2.5%	Repair/Maint-Plant		5,000	40,000	41,020	42,025	43,076	44,153	45,257	46,386	47,546	48,737
1	2.5%	Repair/Maint-Equipment		17,857	9,500	9,738	9,991	10,231	10,487	10,740	11,018	11,293	11,575
1	2.5%	Repair/Maint-Fencing		5,000	5,000	5,125	5,253	5,384	5,519	5,657	5,798	5,943	6,092
1	2.5%	Repair/Maint-Radios		150	150	154	158	162	166	170	174	178	182
1	2.5%	Repair/Maint-Radios		7,380	9,500	9,738	9,991	10,231	10,487	10,740	11,018	11,293	11,575
1	2.5%	City Hall Lease		10,700	16,700	17,118	17,548	17,985	18,435	18,890	19,360	19,845	20,346
1	2.5%	Professional Services		52,850	40,000	41,020	42,025	43,076	44,153	45,257	46,386	47,546	48,737
1	2.5%	Audit Services		1,800	1,800	1,848	1,891	1,938	1,986	2,036	2,087	2,138	2,192
1	2.5%	Medical/Physical Exams		200	200	205	210	215	220	225	232	238	244
1	2.5%	Departmental Supplies		1,000	1,000	1,025	1,051	1,077	1,104	1,132	1,160	1,189	1,219
1	2.5%	Food/Meals Cost		150	150	154	158	162	166	170	174	178	182
1	4.0%	Chemicals/Gases/Pool Suppl		30,000	36,000	31,200	32,448	33,748	35,098	36,500	37,950	39,448	40,995
1	2.5%	Laboratory Supplies		2,500	2,500	2,563	2,627	2,693	2,760	2,829	2,900	2,973	3,047
1	2.5%	Licenses/Permits/Fees		35,000	35,000	35,875	36,772	37,691	38,633	39,599	40,589	41,604	42,644
1	2.5%	Community Promotion		2,000	2,000	2,050	2,101	2,154	2,208	2,263	2,320	2,378	2,437
1	2.5%	Sewer Coll System Expense		85,000	85,000	87,125	89,303	91,536	93,824	96,170	98,574	101,038	103,564

City of Banning, CA

Sewer Financial Plan

B-4

Banning CA
Expenses Other than Major Capital Expenses

Line No:

Summary - Operations												
FUND #	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Operating	\$ 2,174,100	\$ 2,029,935	\$ 2,084,476	\$ 2,140,493	\$ 2,197,970	\$ 2,257,048	\$ 2,317,733	\$ 2,380,043	\$ 2,444,090	\$ 2,509,660	\$ 2,577,425
2	Non Operating	-	-	-	-	-	-	-	-	-	-	-
3	Minor Capital	-	-	-	-	-	-	-	-	-	-	-
4	Transfers	1,093,715	1,024,134	1,108,774	1,121,411	824,604	838,391	847,998	859,430	870,996	881,603	897,440
5	Existing Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
6	New Bond Debt Service	-	-	-	-	-	-	-	-	-	-	-
7	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
8	New SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
9	TOTAL	3,267,815	3,124,839	3,193,252	3,261,879	3,022,582	3,095,439	3,165,731	3,239,493	3,314,786	3,391,663	3,474,871

Detail													
Annual Expense Escalation													
FUND #	Factor	EXPENSES	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Detail													
Operations													
1	2.5%	Tools/Misc Supplies	8,309	5,500	5,639	5,779	5,923	6,071	6,223	6,379	6,538	6,701	6,869
1	2.5%	Interfund SVC-Personnel	12,107	12,393	12,703	13,021	13,347	13,681	14,023	14,374	14,733	15,101	15,479
1	2.5%	Interfund SVC-Attorney	17,205	14,512	14,875	15,247	15,628	16,019	16,419	16,829	17,250	17,681	18,123
1	2.5%	Interfund SVC-Janis/Mant	10,412	10,703	10,971	11,245	11,526	11,814	12,109	12,412	12,722	13,040	13,368
1	2.5%	Interfund SVC-Insurance	27,572	28,889	29,408	30,141	30,895	31,667	32,459	33,270	34,102	34,955	35,829
1	2.5%	Interfund SVC-Purch & A/P	9,912	10,192	10,447	10,708	10,976	11,250	11,531	11,819	12,114	12,417	12,727
1	2.5%	Interfund SVC-Fleet Maint	23,839	34,339	35,194	36,074	36,976	37,900	38,846	39,819	40,814	41,834	42,880
1	2.5%	Interfund SVC-Bill/Col	233,451	234,589	240,454	246,465	252,827	258,943	265,417	272,052	278,863	285,824	292,970
1	2.5%	Interfund SVC-Financial	26,820	27,584	28,274	28,981	29,706	30,449	31,210	31,990	32,790	33,610	34,450
1	2.5%	Interfund SVC-Computer	27,123	27,683	28,380	29,090	29,817	30,562	31,328	32,109	32,912	33,735	34,578
1	2.5%	Interfund SVC-State Rev Loan FD	300,000	300,000	304,289	304,289	-	-	-	-	-	-	-
1	2.5%	Interfund SVC-BJA WWTR Debt SVC	395,204	393,448	393,781	398,150	393,108	394,106	394,658	394,756	394,406	393,608	397,044
1	2.5%	Lease Payment	181,000	181,000	185,625	190,163	194,917	199,790	204,785	209,905	215,153	220,532	226,045
1	2.5%	Bond Paying Agent Fees	1,975	1,975	2,024	2,075	2,127	2,180	2,235	2,291	2,348	2,407	2,467
1	2.5%	Computer Hardware	1,610	1,600	1,625	1,651	1,677	1,704	1,732	1,760	1,789	1,819	1,849
1	2.5%	Machinery/Equipment	7,500	7,500	7,688	7,880	8,077	8,279	8,486	8,693	8,915	9,138	9,366
1	2.5%	Fencing Improvements	75,000	-	-	-	-	-	-	-	-	-	-
1	2.5%	Machinery/Equipment	115,000	-	-	-	-	-	-	-	-	-	-
1	2.5%	Professional Services - Debt Service Fund	1,350	1,350	1,384	1,419	1,454	1,490	1,527	1,565	1,604	1,644	1,685
1	2.5%	Bond Paying Agent Fees - Debt Service Fund	3,275	3,275	3,357	3,441	3,527	3,615	3,705	3,796	3,893	3,990	4,090
1	3.0%		-	-	-	-	-	-	-	-	-	-	-
Non-Departmental Miscellaneous													
1	3.0%	Unemployment	-	-	-	-	-	-	-	-	-	-	-
1	2.5%	Liability Insurance	-	-	-	-	-	-	-	-	-	-	-
1	3.0%	Salary Contingency	-	-	-	-	-	-	-	-	-	-	-
1	0.0%	Bond Paying Agent Fees	-	-	-	-	-	-	-	-	-	-	-
1	0.0%	Existing SRF Debt Service	-	-	-	-	-	-	-	-	-	-	-
1	2.5%	Interfund Transfer	-	-	-	-	-	-	-	-	-	-	-
1	0.0%	Transfer to Repair and Replacement Fund	-	-	-	-	-	-	-	-	-	-	-
1	0.0%	Loan to PIF Fund	-	-	-	-	-	-	-	-	-	-	-

**Banning CA
CIP (inflated)**

Line No:	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Capital Projects											
2	City Facility Programming Assessment	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	Digester Dome Repairs (PS&E)	20,000	-	-	-	-	-	-	-	-	-	-
4	Digester Cleaning/Dome Repairs (Const)	62,500	-	-	-	-	-	-	-	-	-	-
5	WWTP Fencing	45,000	-	-	-	-	-	-	-	-	-	-
6	Repairs to Heat Exchanger (WWTP)	-	5,000	25,025	-	-	-	-	-	-	-	-
7	Repairs to Boiler Gas Control Valves	-	7,500	33,313	-	-	-	-	-	-	-	-
8	PVC Digester Gas Piping	-	2,500	12,813	-	-	-	-	-	-	-	-
9	Iron Sponge Media Replacement	-	17,500	-	18,388	-	19,317	-	20,295	-	21,322	-
10	Portable Camera System (CCTV)	50,000	-	-	-	-	-	-	-	-	-	-
11	Sewer Master Plan Update	-	69,937	-	-	-	-	-	-	-	-	-
12	Replacement of 30" Trunk to WWTP w/DIP (Design)	-	-	-	-	-	-	-	-	-	-	-
13	Replacement of 30" Trunk to WWTP w/DIP (Const)	-	-	-	-	-	-	-	-	-	-	-
14	WWTP Expansion (D)	-	-	-	-	-	-	-	-	-	-	-
15	WWTP Expansion (C)	-	-	-	-	-	-	-	-	-	-	-
16	Capacity Project C-1	-	-	119,925	-	-	-	-	-	-	-	-
17	Capacity Project C-2	-	-	-	130,803	-	-	-	-	-	-	-
18	Total	\$ 182,500	\$ 102,437	\$ 191,075	\$ 149,189	\$ -	\$ 19,317	\$ -	\$ 20,295	\$ -	\$ 21,322	\$ -
											Total \$	686,734

Description	2017	2018	2019	Uninflated 2020	2021	2022	2023	2024	2025	2026	2027
Capital Projects											
City Facility Programming Assessment	\$5,000										
Digester Dome Repairs (PS&E)	20,000										
Digester Cleaning/Dome Repairs (Const)	62,500										
WWTP Fencing	45,000										
Repairs to Heat Exchanger (WWTP)		5,000	25,000								
Repairs to Boiler Gas Control Valves		7,500	32,500								
PVC Digester Gas Piping		2,500	12,500								
Iron Sponge Media Replacement		17,500		17,500		17,500		17,500		17,500	
Portable Camera System (CCTV)	50,000										
Sewer Master Plan Update		69,937									
Replacement of 30" Trunk to WWTP w/DIP (Design)											
Replacement of 30" Trunk to WWTP w/DIP (Const)											
WWTP Expansion (D)											
WWTP Expansion (C)											
Capacity Project C-1			117,000								
Capacity Project C-2				124,500							
Total	\$ 182,500	\$ 102,437	\$ 187,000	\$ 142,000	\$ -	\$ 17,500	\$ -	\$ 17,500	\$ -	\$ 17,500	\$ -
										Total \$	699,437

Inflation Factor	100.00%	100.00%	102.50%	105.06%	107.69%	110.38%	113.14%	115.97%	118.87%	121.84%	124.89%
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Meter Size \$/Month	Current	Proposed				
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
5/8-inch	\$20.94	\$21.57	\$22.22	\$22.88	\$23.57	\$24.28
3/4-inch	20.94	21.57	22.22	22.88	23.57	24.28
1-inch	31.75	32.70	33.68	34.69	35.73	36.81
1.5-inch	58.74	60.50	62.32	64.19	66.11	68.10
2-inch	91.14	93.87	96.69	99.59	102.58	105.66
3-inch	166.77	171.77	176.93	182.23	187.70	193.33
4-inch	274.83	283.07	291.57	300.31	309.32	318.60
6-inch	544.79	561.13	577.97	595.31	613.17	631.56
8-inch	868.83	894.89	921.74	949.39	977.88	1,007.21
Commodity \$/HCF						
0-12 HCF	\$1.84	\$1.90	\$1.95	\$2.01	\$2.07	\$2.13
13-25 HCF	2.34	2.41	2.48	2.56	2.63	2.71
26+ HCF	2.64	2.72	2.80	2.88	2.97	3.06
City/Parks	0.58	0.60	0.62	0.63	0.65	0.67

Class	Current	Proposed				
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Residential	\$18.48	\$19.03	\$19.61	\$20.19	\$20.80	\$21.42
Commercial (\$/EDU)	18.48	19.03	19.61	20.19	20.80	21.42
Tertiary Surcharge (\$/EDU)	2.00	2.06	2.12	2.19	2.25	2.32

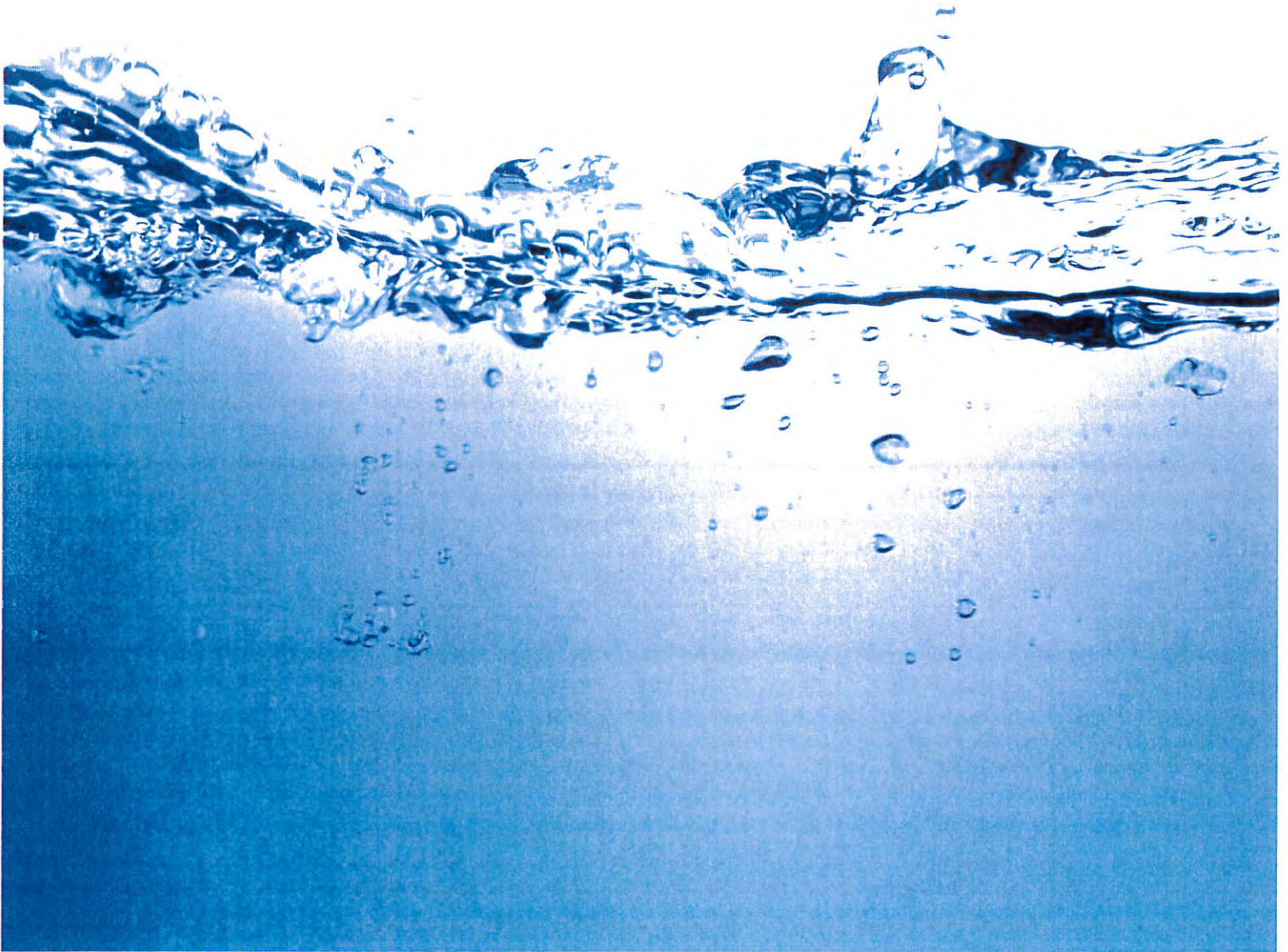
Banning CA
CIP (Inflation)

Line No:	Service	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1		Capital Projects											
2	Water	City Facility Programming Assessment	\$20,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	Water	Water Master Plan Update	-	-	-	-	-	-	-	-	186,624	-	-
4	Water	Plume Consultant Costs	300,000	300,000	307,500	-	-	-	-	-	-	-	-
5	Water	Replace SCADA Comp Hardware/Software	-	250,000	256,250	262,950	-	-	-	-	-	-	-
6	Water	Water Line Replacement Locations #2 (Const)	-	650,000	-	-	-	-	-	-	-	-	-
7	Water	Water Line Replacement Locations #3 (Const)	-	-	600,250	-	-	-	-	-	-	-	-
8	Water	New Transmission Main for Upper Main Reservoir 1	-	-	-	537,820	2,765,763	2,259,505	-	-	-	-	-
9	Water	New Transmission Main for Foothill West Reservoir 1 (Butterfield)	-	-	-	381,033	2,008,401	1,946,619	-	-	-	-	-
10	Water	New Transmission Main for Proposed Lower Main Well C-8	-	414,000	-	-	-	-	-	-	-	-	-
11	Water	New Transmission Main for Proposed Upper Main C-9	-	-	-	-	-	-	480,113	-	-	-	-
12	Water	Fireflow Improvement 1	-	120,000	-	-	-	-	-	-	-	-	-
13	Water	Fireflow Improvement 2	-	29,000	-	-	-	-	-	-	-	-	-
14	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)	-	341,000	-	-	-	-	-	-	-	-	-
15	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)	-	511,000	-	-	-	-	-	-	-	-	-
16	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)	-	-	412,050	172,353	-	-	-	-	-	-	-
17	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)	-	-	1,019,975	1,209,210	-	-	-	-	-	-	-
18	Water	Fireflow Improvement 4	-	-	-	-	82,460	-	-	-	-	-	-
19	Water	Fireflow Improvement 5	-	-	-	-	234,919	-	-	-	-	-	-
20	Water	Fireflow Improvement 6	-	-	-	-	31,220	-	-	-	-	-	-
21	Water	Fireflow Improvement 7	-	-	-	-	156,149	-	-	-	-	-	-
22	Water	Fireflow Improvement 8	-	-	-	-	87,844	-	-	-	-	-	-
23	Water	Fireflow Improvement 9	-	-	-	-	33,384	-	-	-	-	-	-
24	Water	Fireflow Improvement 10	-	-	-	-	31,220	-	-	-	-	-	-
25	Water	Fireflow Improvement 11	-	-	-	-	203,512	-	-	-	-	-	-
26	Water	Fireflow Improvement 12	-	-	-	-	156,149	-	-	-	-	-	-
27	Water	Fireflow Improvement 13	-	-	-	-	135,688	-	-	-	-	-	-
28	Water	Fireflow Improvement 14	-	-	-	-	236,018	-	-	-	-	-	-
29	Water	Fireflow Improvement 15	-	-	-	-	-	69,540	-	-	-	-	-
30	Water	Fireflow Improvement 16	-	-	-	-	-	915,981	-	-	-	-	-
31	Water	Fireflow Improvement 16	-	-	-	-	-	-	482,748	-	-	-	-
32	Water	Fireflow Improvement 16	-	-	-	-	-	-	703,728	-	-	-	-
33	Water	Fireflow Improvement 17	-	-	-	-	-	-	358,394	-	-	-	-
34	Water	Fireflow Improvement 18	-	-	-	-	-	-	488,951	-	-	-	-
35	Water	Fireflow Improvement 18	-	-	-	-	-	-	408,951	-	-	-	-
36	Water	Fireflow Improvement 20	-	-	-	-	-	-	-	1,793,458	-	-	-
37	Water	Two Additional Pump Stations	-	-	747,225	-	-	-	-	-	-	-	-
38	Water	Add VFD to Well C-6	-	-	-	-	-	183,233	-	-	-	-	-
39	Water	Add VFD to Well C-8	-	-	-	-	-	183,233	-	-	-	-	-
40	Water	Proposed Upper Main Reservoir 1	-	-	-	1,383,120	7,139,785	5,854,824	-	-	-	-	-
41	Water	Proposed Foothill West Reservoir 1	-	-	-	587,299	3,012,903	2,470,233	-	-	-	-	-
42	Water	Proposed Zone Main Zone Well C-6	-	342,000	1,763,775	1,438,293	-	-	-	-	-	-	-
43	Water	Proposed Upper Main Well C-9	-	-	-	-	-	-	480,348	2,464,349	2,020,788	-	-
44	Water	Altitude Valves (City's Existing CIP)	-	250,000	-	-	-	-	-	-	-	-	-
45	Water	New Pressures Reducing Valve for Rancho San Geronimo	-	-	-	-	-	-	-	-	-	-	-
46	Water	Pipeline Age Replacement Program	-	-	-	-	107,889	863,050	113,141	927,795	118,899	-	-
47	Water	Water Line Replacement: Jacinto View/Cherry (City's Existing CIP)	-	-	30,750	577,844	-	-	-	-	-	-	-
48	Water	San Geronimo Reservoir Site R&R	-	-	-	-	-	-	-	434,885	448,757	-	-
49	Water	Southwest Reservoir Site R&R	-	-	-	29,418	-	-	-	-	-	-	-
50	Water	Mountain Reservoir Site R&R	-	-	105,025	169,151	230,455	-	-	-	-	-	-
51	Water	High Valley Reservoir Site R&R	-	181,000	185,525	-	-	-	-	-	-	-	-
52	Water	Sunset Reservoir Site R&R	-	-	-	-	-	-	858,160	-	-	-	-
53	Water	Hargrave & John PRV R&R	-	-	35,875	-	-	-	-	-	-	-	-
54	Water	Well 1 Site R&R	-	133,000	-	-	-	-	-	-	-	-	-
55	Water	Well 3 Site R&R	-	-	-	-	16,307	-	-	-	-	-	-
56	Water	Well C-2 Site R&R	-	-	-	-	475,210	-	-	-	-	-	-
57	Water	Well C-5 Site R&R	-	-	-	-	-	-	426,724	-	-	-	-
58	Water	Well C-6 Site R&R	-	-	-	-	-	14,390	-	-	-	-	-
59	Water	Well M-3 Site R&R	-	-	-	-	-	-	14,700	-	-	-	-
60	Water	Well M-11 Site R&R	-	-	-	-	-	-	-	28,992	-	-	-
61	Water	Well Enclosures (City's Existing CIP)	-	80,000	-	84,050	-	88,305	-	92,775	-	-	-
62	Water	Well Rehabilitation (City's Existing CIP)	-	150,000	-	157,294	-	165,572	-	173,854	-	-	-
63	Water	Multi Site Projects (Emergency Power & Safety Reloints)	-	273,000	279,825	286,821	293,991	301,341	308,974	316,590	324,511	-	-
64	Water	Pipeline Rehabilitation Asset Study	-	249,000	-	-	-	-	-	-	-	-	-
65	Water	Security Camera at Water yard (City's Existing CIP)	-	33,000	-	-	-	-	-	-	-	-	-
66	Water	Work Truck (City's Existing CIP)	-	-	-	42,825	43,073	-	-	-	-	-	-
67	Water	Automatic Meter Reading (AMR) (City's Existing CIP)	-	1,500,000	2,059,000	-	-	-	-	-	-	-	-
68	Water	Advanced Metering Infrastructure (AMI) (City's Existing CIP)	-	-	768,750	-	-	-	-	-	-	-	-
69	Water	Computer Information System/ERP (City's Existing CIP)	-	-	-	797,969	807,608	-	-	-	-	-	-
70	Water	Chromium 6 Treatment Pilot Study, Design and Construction (City's Existing CIP)	-	-	184,500	1,213,261	8,304,493	27,505,392	-	-	-	-	-
		Total	\$ 320,000	\$ 6,134,090	\$ 6,963,175	\$ 9,140,916	\$ 23,628,358	\$ 42,639,358	\$ 4,533,553	\$ 6,879,878	\$ 3,891,868	\$ -	\$ -

Line No.	Service	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1		Capital Projects											
2	Water	City Facility Programming Assessment	\$20,000	\$20,000									
3	Water	Water Master Plan Update									151,000		
4	Water	Flume Consultant Costs	300,000	300,000	300,000								
5	Water	Replace SCADA Comp Hardware/Software		250,000	250,000	250,000							
6	Water	Water Line Replacement Locations #2 (Cont)		850,000									
7	Water	Water Line Replacement Locations #3 (Cont)			650,000								
8	Water	New Transmission Main for Upper Main Reservoir 1				512,000	2,559,000	2,047,000					
9	Water	New Transmission Main for Foodst West Reservoir 1 (Butterfield)				373,000	1,895,000	1,492,000					
10	Water	New Transmission Main for Proposed Lower Main Well C-8		414,000									
11	Water	New Transmission Main for Proposed Upper Main C-9								414,000			
12	Water	Fireflow Improvement 1		120,000									
13	Water	Fireflow Improvement 2		20,000									
14	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)		341,000									
15	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)		511,000									
16	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)			402,000	105,000							
17	Water	Fireflow Improvement 3 (Includes PRV & Check Valves)			895,000	1,150,000							
18	Water	Fireflow Improvement 4					60,000						
19	Water	Fireflow Improvement 5					220,000						
20	Water	Fireflow Improvement 6					20,000						
21	Water	Fireflow Improvement 7					145,000						
22	Water	Fireflow Improvement 8					63,000						
23	Water	Fireflow Improvement 9					31,000						
24	Water	Fireflow Improvement 10					20,000						
25	Water	Fireflow Improvement 11					169,000						
26	Water	Fireflow Improvement 12					145,000						
27	Water	Fireflow Improvement 13					125,000						
28	Water	Fireflow Improvement 14					220,000						
29	Water	Fireflow Improvement 15						63,000					
30	Water	Fireflow Improvement 15						823,000					
31	Water	Fireflow Improvement 16							400,000				
32	Water	Fireflow Improvement 16							622,000				
33	Water	Fireflow Improvement 17							315,000				
34	Water	Fireflow Improvement 18							441,000				
35	Water	Fireflow Improvement 19							441,000				
36	Water	Fireflow Improvement 20								1,512,000			
37	Water	Two Additional Pump Stations			729,000								
38	Water	Add VFD to Well C-8						166,000					
39	Water	Add VFD to Well C-8						166,000					
40	Water	Proposed Upper Main Reservoir 1				1,320,000	6,030,000	5,304,000					
41	Water	Proposed Foodst West Reservoir 1				550,000	2,787,000	2,238,000					
42	Water	Proposed Zone Main Zone Well C-8		342,000	1,711,000	1,369,000							
43	Water	Proposed Upper Main Well C-9							425,000	2,125,000	1,700,000		
44	Water	Atitude Valves (City's Existing CIP)		266,000								341,000	
45	Water	New Pressure Reducing Valve for Rancho San Geronimo											100,000
46	Water	Pipeline Age Replacement Program					100,000	800,000	100,000	800,000			
47	Water	Water Line Replacement Jacinto View/Cherry (City's Existing CIP)			30,000	550,000			800,000				
48	Water	San Geronimo Reservoir Site R&R									375,000	375,000	
49	Water	Southwest Reservoir Site R&R				28,000							
50	Water	Mountain Reservoir Site R&R			181,000	181,000	214,000						
51	Water	High Valley Reservoir Site R&R			181,000	181,000							
52	Water	Sunset Reservoir Site R&R							582,000				
53	Water	Hargrave & John PRV R&R			35,000								
54	Water	Well 1 Site R&R		133,000									
55	Water	Well 3 Site R&R					17,000						
56	Water	Well C-2 Site R&R					627,000						
57	Water	Well C-5 Site R&R							388,000				
58	Water	Well C-6 Site R&R						13,000					
59	Water	Well M-3 Site R&R							13,000				
60	Water	Well M-11 Site R&R									25,000		
61	Water	Well Enclosures (City's Existing CIP)		80,000		80,000		80,000			80,000		
62	Water	Well Rehabilitation (City's Existing CIP)		150,000		150,000		150,000			150,000		
63	Water	Multi Site Projects (Emergency Power & Safety Rebuilds)		273,000	273,000	273,000	273,000	273,000	273,000	273,000	273,000	273,000	
64	Water	Pipeline Rehabilitation Asset Study		240,000									
65	Water	Security Cameras at Water yard (City's Existing CIP)		33,000									
66	Water	Work Truck (City's Existing CIP)			40,000		40,000						
67	Water	Automatic Meter Reading (AMR) (City's Existing CIP)		1,800,000	2,000,000								
68	Water	Advanced Metering Infrastructure (AMI) (City's Existing CIP)			750,000								
69	Water	Computer Information System/ERP (City's Existing CIP)			150,000	150,000	150,000	25,000,000					
70	Water	Crematorium & Treatment Plant Study, Design and Construction (City's Existing CIP)			180,000	1,250,000	5,000,000						
			\$320,000	\$5,132,000	\$8,647,000	\$8,986,000	\$22,127,000	\$36,921,000	\$4,007,000	\$5,754,000	\$2,543,000	\$0	\$0
	Initiation Factor		100.00%	100.00%	102.50%	105.00%	107.60%	110.38%	113.14%	115.87%	118.67%	121.84%	124.80%

Banning CA
CIP (Inflated)

Line No:	Service	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1		Capital Projects											
2	Sewer	City Facility Programming Assessment	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	Sewer	Digester Dome Repairs (PS&E)	20,000	-	-	-	-	-	-	-	-	-	-
4	Sewer	Digester Cleaning/Dome Repairs (Const)	62,500	-	-	157,594	-	-	-	-	-	-	-
5	Sewer	WWTP Fencing	45,000	-	-	-	-	-	-	-	-	-	-
6	Sewer	Repairs to Heat Exchanger (WWTP)	-	10,000	51,250	-	-	-	-	-	-	-	-
7	Sewer	Repairs to Boiler Gas Control Valves	-	15,000	66,625	-	-	-	-	-	-	-	-
8	Sewer	PVC Digester Gas Piping	-	5,000	25,025	-	-	-	-	-	-	-	-
9	Sewer	Portable Camera System (CCTV)	50,000	-	-	-	-	-	-	-	-	-	-
10	Sewer	WWTP Expansion (D)	-	250,000	-	-	-	-	-	-	-	-	-
11	Sewer	WWTP Expansion (C)	-	-	1,703,750	15,759,375	16,768,908	-	-	-	-	-	-
12	Sewer	Gravity Mains Along Williams Street	-	-	-	-	-	320,108	-	-	-	-	-
13	Sewer	Gravity Mains Along Charles Street	-	450,000	-	-	-	-	-	-	-	-	-
14	Sewer	Northern Segment of Gravity Main Along Hainaway St	-	-	-	-	330,605	-	-	-	-	-	-
15	Sewer	Casing Under I-10	-	-	-	485,427	-	-	-	-	-	-	-
16	Sewer	Gravity Main Along Hathaway St	-	-	1,019,875	-	-	-	-	-	-	-	-
17	Sewer	Gravity Main Along Ramsey Street	-	-	-	-	-	147,342	-	-	-	-	-
18	Sewer	Gravity Main Along Livingston Street	-	-	-	-	-	-	350,025	-	-	-	-
19	Sewer	Gravity Main Along Fourth Street	-	-	-	-	-	-	-	181,869	-	-	-
20	Sewer	Butterfield Offsets Trunk	-	-	-	-	2,677,150	-	-	-	-	-	-
21	Sewer	Butterfield -Loma Linda Offsite Trunk	-	-	-	-	-	1,098,294	-	-	-	-	-
22	Sewer	Butterfield -Loma Linda Offsite Trunk	-	-	-	-	-	548,995	-	-	-	-	-
23	Sewer	RSG Main Trunk	-	-	-	-	-	1,646,989	3,868,285	1,052,563	-	-	-
24	Sewer	Westward Lift Station Bypass	-	-	-	-	-	-	-	828,551	-	-	-
25	Sewer	Gravity Main Along Wilson Street	-	-	-	-	-	-	-	-	1,304,439	-	-
26	Sewer	Annual Sewer Replacement	-	60,000	350,750	-	61,813	388,335	-	60,582	416,040	-	-
27	Sewer	Westward Lift Station Site Improvements	-	60,000	-	-	-	-	-	-	-	-	-
28	Sewer	Caltrans Lift Station Site Improvements	-	-	-	-	43,078	-	-	-	-	-	-
29	Sewer	Lift Station Telemetry	-	-	51,250	-	-	-	-	-	-	-	-
		Total	\$ 182,500	\$ 682,000	\$ 3,418,375	\$ 16,382,386	\$ 13,927,426	\$ 4,000,218	\$ 4,215,627	\$ 2,905,032	\$ 1,602,348	\$ -	\$ -
Current Day Dollars													
Line No:	Service	Description	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1		Capital Projects											
2	Sewer	City Facility Programming Assessment	\$5,000										
3	Sewer	Digester Dome Repairs (PS&E)	20,000										
4	Sewer	Digester Cleaning/Dome Repairs (Const)	62,500			136,000							
5	Sewer	WWTP Fencing	45,000										
6	Sewer	Repairs to Heat Exchanger (WWTP)		10,000	50,000								
7	Sewer	Repairs to Boiler Gas Control Valves		15,000	65,000								
8	Sewer	PVC Digester Gas Piping		5,000	25,000								
9	Sewer	Portable Camera System (CCTV)	50,000										
10	Sewer	WWTP Expansion (D)		250,000									
11	Sewer	WWTP Expansion (C)			1,750,000	15,000,000	10,000,000						
12	Sewer	Gravity Mains Along Williams Street						250,000					
13	Sewer	Gravity Mains Along Charles Street		450,000									
14	Sewer	Northern Segment of Gravity Main Along Hainaway St				443,000	307,000						
15	Sewer	Casing Under I-10											
16	Sewer	Gravity Main Along Hathaway St			905,000								
17	Sewer	Gravity Main Along Ramsey Street						307,000					
18	Sewer	Gravity Main Along Livingston Street							307,000				
19	Sewer	Gravity Main Along Fourth Street								153,000			
20	Sewer	Butterfield Offsets Trunk					2,468,000						
21	Sewer	Butterfield -Loma Linda Offsite Trunk						995,000					
22	Sewer	Butterfield -Loma Linda Offsite Trunk						497,000					
23	Sewer	RSG Main Trunk						1,492,000	3,419,000	1,423,000			
24	Sewer	Westward Lift Station Bypass							713,000				
25	Sewer	Gravity Main Along Wilson Street									845,000		
26	Sewer	Annual Sewer Replacement		60,000	350,000		60,000	350,000		60,000	350,000		
27	Sewer	Westward Lift Station Site Improvements		60,000									
28	Sewer	Caltrans Lift Station Site Improvements											
29	Sewer	Lift Station Telemetry			50,000		40,000						
		Total	\$ 182,500	\$ 882,000	\$ 3,285,000	\$ 15,693,000	\$ 12,893,000	\$ 3,624,000	\$ 3,726,000	\$ 2,505,000	\$ 1,348,000	\$ -	\$ -
Inflation Factor													
			100.00%	100.00%	102.50%	105.06%	107.69%	110.38%	113.14%	115.97%	118.87%	121.84%	124.89%



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665
835

EXHIBIT “B”

WATER RATE SCHEDULE

Section 13.08.040 of Chapter 13.08 (Water, Sewer and Electricity Rates) of Title 13 (Public Services) is hereby amended to read as follows:

"13.08.040 Water Rate Schedule

Water rates for the city are as follows:

Water Rate Schedule--July 2018

Customer Base Charge

MONTHLY FIXED CHARGE						
Meter Size	Current	8/1/2018 FY 2019	7/1/2019 FY 2020	7/1/2020 FY 2021	7/1/2021 FY 2022	7/1/2022 FY 2023
5/8"	\$20.94	\$21.57	\$22.22	\$22.88	\$23.57	\$24.28
3/4"	\$20.94	\$21.57	\$22.22	\$22.88	\$23.57	\$24.28
1"	\$31.75	\$32.70	\$33.68	\$34.69	\$35.73	\$36.81
1 1/2"	\$58.74	\$60.50	\$62.32	\$64.19	\$66.11	\$68.10
2"	\$91.14	\$93.87	\$96.69	\$99.59	\$102.58	\$105.66
3"	\$166.77	\$171.77	\$176.93	\$182.23	\$187.70	\$193.33
4"	\$274.83	\$283.07	\$291.57	\$300.31	\$309.32	\$318.60
6"	\$544.79	\$561.13	\$577.97	\$595.31	\$613.17	\$631.56
8"	\$868.83	\$894.89	\$921.74	\$949.39	\$977.88	\$1,007.21

Commodity Charge

COMMODITY CHARGE PER HUNDRED CUBIC FEET (HCF)						
Tier	Current	8/1/2018 FY 2019	7/1/2019 FY 2020	7/1/2020 FY 2021	7/1/2021 FY 2022	7/1/2022 FY 2023
Tier 1 - 0-12 HCF	\$1.84	\$1.90	\$1.95	\$2.01	\$2.07	\$2.13
Tier 2 - 13-25 HCF	\$2.34	\$2.41	\$2.48	\$2.56	\$2.63	\$2.71
Tier 3 - 26+ HCF	\$2.64	\$2.72	\$2.80	\$2.88	\$2.97	\$3.06
Municipal Accounts						
City Facilities/Parks	\$0.58	\$0.60	\$0.62	\$0.63	\$0.65	\$0.67

Municipal Accounts

Meter Size	Customer Fixed Charge
All	None

Commodity Charges

COMMODITY CHARGE PER HUNDRED CUBIC FEET (HCF)						
	Current	8/1/2018 FY 2019	7/1/2019 FY 2020	7/1/2020 FY 2021	7/1/2021 FY 2022	7/1/2022 FY 2023
MUNICIPAL ACCOUNTS						
City Parks/Facilities	\$0.58	\$0.60	\$0.62	\$0.63	\$0.65	\$0.67

EXHIBIT “C”

WASTEWATER RATE SCHEDULE

Section 13.08.070 of Chapter 13.08 (Water, Sewer and Electricity Rates) of Title 13 (Public Services) is hereby amended to read as follows:

"13.08.070 Wastewater rate schedule.

Wastewater rates for the city are as follows:

Wastewater Rate Schedule--July 2018

	Current	8/1/2018 FY 2019	7/1/2019 FY 2020	7/1/2020 FY 2021	7/1/2021 FY 2022	7/1/2022 FY 2023
Residential	\$18.48	\$19.03	\$19.61	\$20.19	\$20.80	\$21.42
Commercial (\$/EDU)	\$18.48	\$19.03	\$19.61	\$20.19	\$20.80	\$21.42
Tertiary Surcharge (\$/EDU)	\$2.00	\$2.06	\$2.12	\$2.19	\$2.25	\$2.32

*Note: EDU is Equivalent Dwelling Unit."



**CITY OF BANNING
CITY COUNCIL AND HOUSING
AUTHORITY REPORT**

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Ted Shove, Economic Development Manager

MEETING DATE: June 26, 2018

SUBJECT: Resolution 2018-66 and 2018-02 HA, Participation in Riverside County Mortgage Certificate Program

RECOMMENDED ACTION:

That the City Council and Housing Authority Board approve Resolutions 2018-66 and 2018-02HA, authorizing participation in the Riverside County Mortgage Credit Certificate ("MCC") Program.

BACKGROUND:

Over the last decade, the City has participated in the Riverside County MCC Program. The County recently contact staff to determine if the City would be willing to again participate in the program. In order to participate, a City Council approved resolution is necessary, formalizing the City's intent to participate. The program has no fiscal impact to the City and can be a tool to reducing barriers for residents to achieve homeownership.

Program Overview

The Mortgage Credit Certificate (MCC) entitles qualified home buyers to reduce the amount of their federal income tax liability for an amount equal to 20% of the mortgage interest paid during the year on their primary mortgage loan. The advantages to the home buyer include:

- Home buyers can qualify more easily for their primary mortgage loan-lenders may factor in the tax credit when underwriting the loan application, which may allow the borrower to (i) qualify for a larger loan amount, or (ii) improve the borrower's qualifying debt ratios.

If the amount of the MCC exceeds the homebuyer's tax liability, the unused portion of the credit can be carried forward to the next three years or until used, whichever comes first.

Homebuyer Eligibility Criteria

There are three basic criteria for determining a home buyer's eligibility for the MCC tax credits:

1. The borrower must be a first time Home Buyer defined as a person who has not had an ownership interest in improved-upon residential real property for the previous three (3) years.*
2. The borrower's annual income must fall within the program income limits as follows:
 - Max Income Outside Target Area¹
 - Household w/ 1-2 persons: \$73,300
 - Household w/ 3+ persons: \$84,295
 - Max Income Inside Target Area¹
 - Household w/ 1-2 persons: \$87,960
 - Household w/ 3+ persons: \$102,620

¹ Target Areas are census tracts designated by the Federal government to encourage investment. (ATTACHMENT 2 – Banning eligible census tracts)

3. The home being purchased must fall within the program purchase price limits as follows:
 - Max Home Purchase Price
 - Outside Target Area: \$349,411
 - Inside Target Area: \$427,058

*If the home is located in a Target Area census tract, then the first-time buyer requirement does not apply and the income and purchase price limits are higher.

The residence purchased in conjunction with an MCC must be the borrower's principal residence and may not be used as a business, rental or vacation home. The home may be a new or re-sale, detached or attached single-family home,

condominium unit, a co-op unit, or a manufactured home on a permanent foundation.

Mortgage Credit Certificate Application Process

The jurisdiction in which the home is located must be a participant in the County MCC program administered by the EDA. The application process is as follows:

1. Borrowers must apply for a MCC through a Participating Lender.
2. The Participating Lender will perform an initial qualification and assist the borrower in completing the MCC submission forms.
3. Buyer makes offer on home and goes into escrow.
4. The Lender then submits the MCC application to the County.
5. The County reviews Borrower and property qualifications and, if they meet the program guidelines, issues a letter of commitment to the Lender.
6. The Commitment Letter must be issued prior to the close of the loan.
7. The loan must close within 60 days of the commitment.
8. Upon loan closing, the Lender submits the MCC Closing Package to the County and the County issues the MCC, with the Lender and borrower each receiving a copy.
9. The borrower may then claim the tax credit on their Federal Income Tax Returns.
10. Borrowers can realize the tax credit annually as a tax refund or adjust their W-4 withholding allowances form to receive the benefit via an increased pay check.

The following table illustrates how an MCC may increase a borrower's "effective home buying power":

Effective Home Buying Power With and Without an MCC		
	Without MCC	With MCC
First Mortgage Amount	\$300,000	\$300,000
Mortgage Interest Rate	4%	4%
Monthly Mortgage (Principal & Interest Only)	\$1,432	\$1,432
MCC Rate	N/A	20%
Monthly Credit Amount	N/A	\$200
"Effective" Monthly Mortgage Payment	\$1,432	\$1,232
Annual Income Needed *	\$61,371	\$52,800

* Annual Income Needed is based on monthly Principal and Interest (P&I) not exceeding 28% of monthly income.

JUSTIFICATION:

The Mortgage Certificate Program creates an opportunity for residents to achieve homeownership by reducing tax liability through monthly mortgage payments. Residents of Banning have taken advantage of this program for the last decade with 9 mortgage credit certificates issued since 2012. The City has participated in this program dating back to at least 2009 and staff recommends approval and participation going forward in the next application cycle (July 2018).

FISCAL IMPACT:

None.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2018-66
2. Resolution 2018-02HA
3. Banning Census Tract Map
4. Mortgage Credit Certificate Program Brochure

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-66

RESOLUTION 2018-66

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE COUNTY OF RIVERSIDE MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM

WHEREAS, the Tax Reform Act of 1986 established the Mortgage Credit Certificate Program ("MCC Program") as a means of assisting qualified individuals with the acquisition of new and existing single family housing; and

WHEREAS, pursuant to Division 31, Part 1, Chapter 3.5, Article 3.4 of the California Health and Safety Code Sections 50197 et seq, local issuers are authorized to issue Mortgage Credit Certificates ("Certificates") and administer MCC Program; and

WHEREAS, the Board of Supervisors of the County of Riverside has authorized the Riverside County Economic Development Agency ("EDA") to administer the MCC Program pursuant to the applicable federal, state and local policies and procedures, and to enter into those agreements for efficient administration of the MCC Program; and

WHEREAS, the County of Riverside ("County") will be applying to the California Debt Limit Allocation Committee ("CDLAC") for a mortgage credit certificate allocation in July 2018 or thereabouts; and

WHEREAS, the City of Banning ("City") wishes to participate in the MCC Program administered by the EDA in connection with mortgage loans it will make available for the acquisition of new and existing single-family housing in Riverside County; and

WHEREAS, the adoption of this resolution is necessary to include the City of Banning as a participating unit of general government under County's MCC program; and

WHEREAS, the City agrees to cooperate with the County of Riverside to undertake the MCC program within City jurisdiction to assist persons or households of limited income to purchase new and existing single family residences located in the city; and

WHEREAS, the City by adopting this Resolution, hereby gives notice of its election to participate in the Riverside County MCC program.

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

SECTION 1. The Banning City Council adopts Resolution 2018-66 authorizing participation in the County of Riverside Mortgage Credit Certificate Program.

SECTION 2. The City of Banning is authorized to participate in the MCC Program administered by the EDA in connection with mortgage loans it will make available for the acquisition of new and existing single-family housing in Riverside County.

SECTION 3. The City is authorized to assist the County of Riverside in marketing the MCC Program within the city's jurisdictional boundary by publishing a general public notice at least twice a year through various forms of local media.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 2018-66, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 2

Resolution 2018-02HA

RESOLUTION 2018-02 HA

A RESOLUTION OF THE CITY OF BANNING HOUSING AUTHORITY ALLOWING THE CITY TO PARTICIPATE IN THE RIVERSIDE COUNTY MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM FOR MORTGAGE LOANS AVAILABLE TO FIRST TIME HOME BUYERS IN BANNING

WHEREAS, the Tax Reform Act of 1986 established Mortgage Credit Certificate ("MMC") Program as a means of assisting qualified individuals with the acquisition of new and existing single-family home; and

WHEREAS, pursuant to Division 31, Part 1, Chapter 3.5, Article 3.4 of the California Health and Safety Code Section 50197 et seq, local issuers are authorized to issue Mortgage Credit Certificates ("certificates") and administer MCC Program; and

WHEREAS, the Board of Supervisors of the County of Riverside adopted Resolution No. 87-564 on December 22, 1987 establishing a Mortgage Credit Certificate Program; and

WHEREAS, the Board of Supervisors of the County of Riverside has authorized the Riverside County Economic Development Agency ("EDA") to administer the MCC Program pursuant to the applicable federal, state, and local policies and procedures, and to enter into those agreements necessary for efficient administration of the MCC Program; and

WHEREAS, the County of Riverside ("County") will be applying to the California Debt Allocation Committee ("CDLAC") for a mortgage credit certificate allocation in January 2012 or thereabouts; and

WHEREAS, the City of Banning wishes to participate in the MCC Program administered by the EDA in connection with mortgage loans it will make available for the acquisition of new and existing single-family homes in Riverside County; and

WHEREAS, adoption of this resolution is necessary to include the City of Banning as a participating unit of general government under County's MCC Program; and

WHEREAS, the City agrees to cooperate with the County of Riverside to undertake the MCC program within City jurisdiction to assist persons or households of limited income to purchase new and existing single-family homes located in the City; and

WHEREAS, the City by adopting this Resolution, hereby gives notice of its election to participate in the Riverside County MCC Program.

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

The City of Banning Housing Authority agrees:

SECTION 1. The Banning City Council adopts Resolution 2018-02HA authorizing participation in the County of Riverside Mortgage Credit Certificate Program.

SECTION 2. The City of Banning is authorized to participate in the MCC Program administered by the EDA in connection with mortgage loans it will make available for the acquisition of new and existing single-family housing in Riverside County.

SECTION 3. The City is authorized to assist the County of Riverside in marketing the MCC Program within the city's jurisdictional boundary by publishing a general public notice at least twice a year through various forms of local media.

PASSED, APPROVED, AND ADOPTED this 26th day of June, 2018.

George Moyer, Chairperson
Banning Housing Authority

ATTEST:

Sonja De La Fuente, Authority Secretary
Banning Housing Authority

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

Kevin G. Ennis, Legal Counsel
Richards, Watson & Gershon

CERTIFICATION:

I, Sonja De La Fuente, Authority Secretary of the Banning Housing Authority, Banning California, do hereby certify that the foregoing Resolution 2017-01 HA was duly adopted at a joint meeting of the Banning Housing Authority thereof held on the 26th of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Authority Secretary
Banning Housing Authority
City of Banning, California

ATTACHMENT 3

Banning Census Tract Map

The map displays the city of Banning, California, with a focus on two census tracts. Census Tract 441.01 is highlighted in the upper right, and Census Tract 442 is highlighted in the lower right. The map includes a topographic inset in the bottom left corner, showing the terrain of the area. A logo for Banning, CA is located in the bottom right corner. The map also shows various streets, including Fraser St, Moore St, W. King St, W. Lincoln St, and E. Gorman St. The map is oriented with North at the top.

Census Tract 441.01

Census Tract 442

BANNING, CA

STAGECOACH TOWN USA

Provided by: Banning, CA - Banning, CA

ATTACHMENT 4

Mortgage Credit Certificate Program Brochure



Who is Eligible?

- The property to be purchased must be within Riverside County and may include single family homes, condominiums or townhouses, and manufactured homes.
- If the property is in a targeted area, the applicant does not have to be a first time homebuyer. If the property is outside the target area, the applicant must be a first time homebuyer.
- The purchase price of the home and the income limits of the homebuyer must meet MCC requirements:

Max Income	Outside Target	Inside Target
Household	\$73,300	\$87,960
1-2 Persons		
Household	\$84,295	\$102,620
3+ Persons		
Max Home Purchase Price	Outside Target Area	Inside Target Area
New/Existing	\$349,411.50	\$427,058.50

Maximum income refers to the gross annual household income of the mortgagor(s) and all persons who will live in the residence.

Who We Are

Riverside County government has a strong commitment to ensure there is an ample supply of affordable and suitable housing made available to all persons, regardless of their economic status or functional ability. Two agencies are responsible for implementing the County's housing programs. The Economic Development Agency (EDA) is a federal entitlement jurisdiction that receives an annual allocation of federal funds from the U.S. Department of Housing and Urban Development (HUD). The Housing Authority provides rent subsidies and owns and operates affordable housing complexes.

EDA has set forth a number of housing programs designed to provide decent, safe and sanitary housing affordable to low- and moderate-income households in the County of Riverside.

The housing programs offered through EDA are funded primarily through the Community Development Block Grant Program, the Home Investment Partnerships Act Program (HOME), the Emergency Shelter Grant Program, and the Continuum of Care Homeless Assistance Program.



For additional information please contact
COUNTY OF RIVERSIDE
ECONOMIC DEVELOPMENT AGENCY
 5555 ARLINGTON AVE. RIVERSIDE, CA 92504
 OFFICE: 951-343-5469
www.rchomelink.com



Mortgage Credit Certificate Program



Mortgage Credit Certificate Program

Homebuyers in Riverside County can now obtain financial assistance through the Mortgage Credit Certificate (MCC) Program Administered by the Riverside County Economic Development Agency (EDA).

What is a Mortgage Credit Certificate (MCC)?

An MCC reduces the amount of federal income taxes owed by a qualified borrower by 20% of the annual interest paid on the mortgage. This credit effectively increases the homebuyer's purchasing power, which helps the buyer qualify for a mortgage.

Effective Home Buying Power with/without an MCC

	Without MCC	With MCC
	\$300,000	\$300,000
Mortgage Interest Rate	5%	5%
Monthly Mortgage (Principal & Interest)	\$1,610	\$1,610
MCC Rate	N/A	20%
Monthly Credit Amount	N/A	\$250
"Effective" Monthly Mortgage Payment	\$1,610	\$1,360
Annual Income Needed	\$69,011	\$58,295

MCC may be used with fixed rate, fully amortized FHA 203(b), VA, USDA, and conventional mortgage loans.

COUNTY OF RIVERSIDE FEDERALLY-DESIGNATED TARGETED AREAS	
City/Community	Census Tract(s)
Banning	441.01, 442.00
Beaumont	440.00
Blythe	461.02, 462.00
Cabazon	9404.00
Canyon Lake	429.01
Cathedral City	449.15, 449.16, 450.00
Coachella	456.04, 456.09, 457.03, 457.04, 457.05, 457.06, 469.00
Corona	414.10, 414.11, 415.00, 416.00, 417.03, 417.04
Desert Hot Springs	445.07, 445.09, 445.10, 445.15, 445.16, 472.01
Indio	452.07, 452.09, 452.13, 453.02, 453.03, 455.01, 455.02, 495.00
Jurupa Valley	402.03, 402.04, 403.01, 405.03
Lake Elsinore	429.01, 429.02, 430.01, 430.03, 430.06, 464.02
La Quinta	452.13, 456.05, 456.09
Menifee	427.41
Moreno Valley	424.04, 424.05, 425.05, 425.08, 425.10, 425.11, 425.12, 425.15, 425.18, 425.19, 425.20, 467.00
Norco	407.02
Palm Desert	451.18

Palm Springs	448.06, 449.07, 449.26, 9414.00
Perris	420.10, 426.17, 427.06, 427.23, 428.00, 429.01, 429.04
Riverside	303.00, 304.00, 305.01, 305.02, 305.03, 310.02, 313.00, 317.01, 410.01, 410.02, 411.01, 412.01, 422.09, 422.10, 425.05, 465.00, 467.00
San Jacinto	429.03, 436.01, 436.02, 436.09

What Areas Target Areas?

Target Areas are census tracts designated by the Federal Government to encourage investment. There are ninety-five (95) target areas inside the participating jurisdiction of the MCC program. A list of target areas is included on the reverse panel. Homebuyers must obtain a primary mortgage loan from an MCC participating lender. Lenders participating in this program will process mortgage loan applications. For a list of participating lenders, please visit www.rchomelink.com.

What Areas are Eligible?

The MCC Program may be utilized to purchase a home in following locations only:

Banning	Corona	Norco
Beaumont	Desert Hot Springs	Palm Desert
Blythe	Indio	Palm Springs
Calimesa	Jurupa Valley	Perris
Canyon Lake	La Quinta	Riverside
Cathedral City	Lake Elsinore	San Jacinto
Coachella	Menifee	Temecula
	Moreno Valley	



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Rochelle Clayton, Interim City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director/Interim ASD

MEETING DATE: June 26, 2018

SUBJECT: Adopt Resolutions approving: the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the City of Banning, Banning Utility Authority and Successor Agency; the Five-Year Capital Improvement Program for Fiscal Years 2018-2019 through 2022-2023; the Gann Limit (Appropriations Limit); and amending the Classification and Compensation Plan

RECOMMENDATION:

1. Adopt Resolution No. 2018-85 approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the City of Banning
2. Adopt Resolution No. 2018-09 UA approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the Banning Utility Authority
3. Adopt Resolution No. 2018-03 SA approving the Two-Year Budget for Fiscal Years 2018-2019 and 2019-2020 for the Banning Successor Agency
4. Adopt Resolution No. 2018-86 approving the Gann Limit for Fiscal Year 2018-2019
5. Adopt Resolution No. 2018-92 amending the Classification and Compensation Plan

JUSTIFICATION:

The Proposed Budget was presented to the Budget and Finance Committee at its meeting on June 18, 2018.

Staff is presenting a comprehensive budget to meet the City's standards, objectives and goals, while also meeting the State requirements for California Cities and complying with the Banning Municipal Code Section 2.08.080 (H). This budget is presented as a two-year budget. The first year is balanced and the second year will be evaluated and adjusted accordingly at the mid-cycle, in approximately June 2019, to ensure year two of the budget is balanced based on more accurate revenue projections.

BACKGROUND:

The proposed budget was presented to Council at Budget Workshop on May 22, 2018 and June 12, 2018. There are no changes in General Fund revenue since that presentation, however, changes in expenditures since the June 12, 2018 Budget Workshop are as follows:

Positions

- Addition of Electric Engineering Manager to – Electric Fund 670

Modifications

- Decreased Police Department overtime budget by \$200,000
- Decreased Fire budget by \$100,000 due to actuals have been coming in lower than estimated contract amount.
- Decreased CalPERS Unfunded accrued liability payment to reflect reduced prepayment option – savings of \$94,541 across funds.
- Increase Election account by another \$14,000 to accommodate three ballot measures instead of two on the November Election.
- Added cost of fleet leasing to the General Fund, Water Fund, Wastewater Fund, Electric Fund and Gas Tax Street Fund with a reduction to the cost allocation of fleet maintenance to the respective departments.

Other

- Need to Transfer General Fund Reserves to the Gas Tax Street Fund (100) to cover the deficit in FY2018-2019 of \$279,024 pending additional changes and revenues that may be available to fund the short-fall in Fund 100 over the next fiscal year and will be re-evaluated at the mid-cycle review

Finally, the Gann Limit calculation sets the appropriations limit of each government agency for each fiscal year; it is the amount which total annual appropriations subject to limitation may not exceed and is established under Article XIIB of the California Constitution. The appropriations limit applies only to those revenues defined as “proceeds of taxes.”

FISCAL IMPACT:

FY 2018-2019 Expenditures of \$88,808,439

FY 2019-2020 Expenditures of \$88,186,721

OPTIONS:

1. Adopt Resolutions and approve the Proposed Budget for Fiscal Years 2018-19 and 2019-20
2. Provide direction to staff on amending the Proposed Budget for Fiscal Years 2018-19 and 2019-20

ATTACHMENTS:

1. Fiscal Year 2018-19 and 2019-20 Proposed Two Year Budget & Fiscal Year 2018-19 through 2022-2023 Proposed Five Year Capital Improvement Program
2. Resolution No. 2018-85 approving the Two-Year Budget for the City of Banning
3. Resolution No. 2018-09 UA approving the Two-Year Budget for the Banning Utility Authority
4. Resolution No. 2018-03 SA approving the Two-Year Budget for the Banning Successor Agency
5. Resolution No. 2018-86 approving the Gann Appropriations Limit for Fiscal Year 2018-2019
6. Resolution No. 2018-92 amending the Classification and Compensation Plan

Approved by:



Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Fiscal Year 2018-19 and 2019-20
Proposed Two Year Budget
& Fiscal Year 2018-19 through 2022-
2023 Proposed Five Year Capital
Improvement Program

City of Banning

FISCAL YEAR 2018-2019 & 2019-2020

TWO YEAR BUDGET



STAGECOACH TOWN USA

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OFFICIALS

George Moyer.....Mayor/
Housing Authority Chairperson
Don Peterson.....Mayor Pro Tem
Art Welch Council Member
Debbie Franklin..... Council Member
Daniela Andrade..... Council Member
John McQuownCity Treasurer
Marie CalderonCity Clerk

EXECUTIVE STAFF

Rochelle Clayton
Interim City Manager

Suzanne Cook..... Interim Administrative Services Director/Deputy Finance Director
Art Vela.....Public Works Director
Patty NevinsCommunity Development Director
Heidi Meraz.....Community Services Director
Thomas Miller Electric Utility Director
Robert Fisher Interim Police Chief
Tim Chavez.....Fire Battalion Chief (CalFire)



CITY OF BANNING BUDGET MESSAGE FISCAL YEARS 2018/19 and 2019/20

June 26, 2018

Honorable Mayor and City Council:

I am pleased to submit the Draft Annual Fiscal Year 2018-2019 and 2019-2020 Operating and Capital Budgets for your consideration. The FY 2018-19 Proposed General Fund Budget is balanced and staff is estimating that there will be increases in property tax revenues of approximately 5% and increases in sales tax revenues of approximately 2% over the conservative budget projections to add to the General Fund balance.

Overall the economy is improving and Riverside County property values have increased by 5% from fiscal year 2017 to fiscal year 2018. While the assessment cannot increase more than 2% annually, home sales have also increased so the City has experienced an increase of 12% in supplemental property tax revenue and 15% in property transfer tax revenue. It is expected that property and sales tax will continue to grow in the 2018-19 fiscal year as well. With the economy improvement, sales tax revenue has also increased by 20% from fiscal year 2017 to fiscal year 2018. Staff have conservatively projected no increase in sales tax revenue for fiscal year 2019, but anticipate at least an additional \$100,000 in new sales tax revenue over the two-year budget, or 2% per year.

GENERAL FUND

General Fund Revenues

General Fund Revenues in FY 2018-19 are projected to be \$18,167,303; an increase of approximately 10.4% over FY 2017-18. The increase is due to the overall improving economy and the planned development in the City.

General Fund Expenditures

General fund expenditures for FY 2018-19 are projected to be \$18,112,689; an increase of 10.1% from FY 2017-18. The increase of overall expenditures is necessary due to the increase in the City's contracts for services with both CAL Fire and animal control services, the increase in Police services to absorb the cost of four police officer salaries that were previously paid for by Riverside County, and the rising cost of CalPERS, which added approximately \$1.46M to expenditures.

SUMMARY OF REVENUES

Property Tax

Property tax revenues projected at \$5.2 million, an increase of 9% over FY 2016-17 and represents 28.4% of total general fund revenues.

Sales Tax

Sales tax revenues projected at \$3.4 million, an increase of 15.3% over FY 2016-17 and represents 18.65% of total general fund revenues.

Other Taxes

Other tax revenues, including transient occupancy tax ("TOT"), franchise and mining taxes are projected at \$2.4 million, an increase of \$370,000 or 18.2% over FY 2016-17.

SUMMARY OF EXPENDITURES

This has been a challenging budget as staff has evaluated and made many changes to the FY 2019 and FY 2020 budgets from prior years. The primary cause for this evaluation is to substantiate a basis for the inter-fund transfers between departments to pay for the cost on internal services, such as payroll, accounts payable, purchasing and procurement, contract processing and monitoring, accounts receivable, human resources and risk management, fleet, and building maintenance.

Many other factors contribute to the significant increase in projected expenditures for the upcoming fiscal years, which are summarized as follows:

- The City has received the new contract for fire service with the County, increasing from the FY 2018 budget of \$3,027,389 by approximately 11.7% or \$353,387, to a total FY 2019 budget of \$3,380,776
- In FY 2020, the Fire Contract will continue to increase to \$3,561,029; an increase of \$180,253 or 5.3%
- Cancellation of City's Animal Control contract by the City of Beaumont will cost the City an additional \$50,000 with a new contract with County of Riverside
- The increase in City's obligation to Pre-fund CalPERS unfunded accrued liability; the fiscal impact (increase) in 2018-2019 is \$459,515 (reduced by \$94,541 by using prepayment for allocation) and 2019-2020 is \$427,680

POLICE & CODE ENFORCEMENT

- Increase in Salaries and Benefits to absorb the 4 officers funded by the Riverside County MOU; the FY 2019 increase is \$472,772 and FY 2020 increase is \$513,418

- \$81,803 in FY 2019 for the Final Vehicle Lease Purchase, which is funded by the Fleet Replacement Fund
- Eliminate the 2 unfilled Code Enforcement Officers approved at FY 2018 Mid-Year until funding has been established for the positions through successful ballot measure. Reduces budget by \$180,740 for 2018-2019

COMMUNITY DEVELOPMENT

- An increase in Professional Services for Charles Abbot at 91% building permit and PC Fees, Increase in budget of \$154,570
- Begin work on the General Plan Update and Downtown Master Plan. FY 2019 \$200,000 to \$400,000 expected for General Plan Update and \$175,000 for Downtown Master Plan. Same for 2019-2020; staff previously earmarked funds for projects
- Increase in Training of \$12,838 for Planning Commissioners Academy

POSITION UPDATES

- Reclassification of an Accountant to Accountant II, Part Time Human Resource Technician to Full Time, Human Resource Technician to Senior Human Resource Technician, and Utility Billing Representative to Lean Customer Service Representative
- Addition of Electric Engineering Manager to the Electric Department, Fund 670
- Decreased Police Department overtime budget by \$200,000

Labor Agreements

Fiscal year 2018-2019 is the second year of three-year Memorandum of Understandings ("MOUs") with the International Brotherhood of Electrical Workers ("IBEW") Utility, IBEW General and the Teamsters Local Union No. 1932 Management group.

In FY 2019, the City is in its final year of a three-year MOU with the Banning Police Officer's Association ("BPOA") and a two-year MOU with the Banning Police Management Association ("BPMA"). Negotiations will begin prior to FY 2020 and staff will make every effort to have a new MOU for the City Council to consider sometime in the next fiscal year.

The salary and benefit increases for all MOUs are reflected in the draft budget.

Conclusions

This has been a challenging budget due to the budget restructure coupled with the increasing costs of providing public safety and customer service to the residents of Banning. The City is receiving

inquiries on a weekly basis for commercial, mixed use and residential developments. We expect this to continue and anticipate the economy to further improve in the City of Banning.

Finally, I would like to acknowledge the incredibly hard work and cooperation of all employees of the City. I would like to recognize the Directors for working so synergistically with the City Manager on all City matters.

In particular I would like to acknowledge the increasing demand due the upcoming development in the City which has tasked the Public Works Director, Art Vela, and Community Development Director, Patty Nevins far beyond the average workload and they have performed exceptionally.

I would also like to acknowledge the Deputy Finance Director, Suzanne Cook for creating a more concise, justifiable, transparent and more informative budget. She has significantly changed the budget development and compiled clear documentation of that development so that the data can be gathered with ease to develop future budgets.

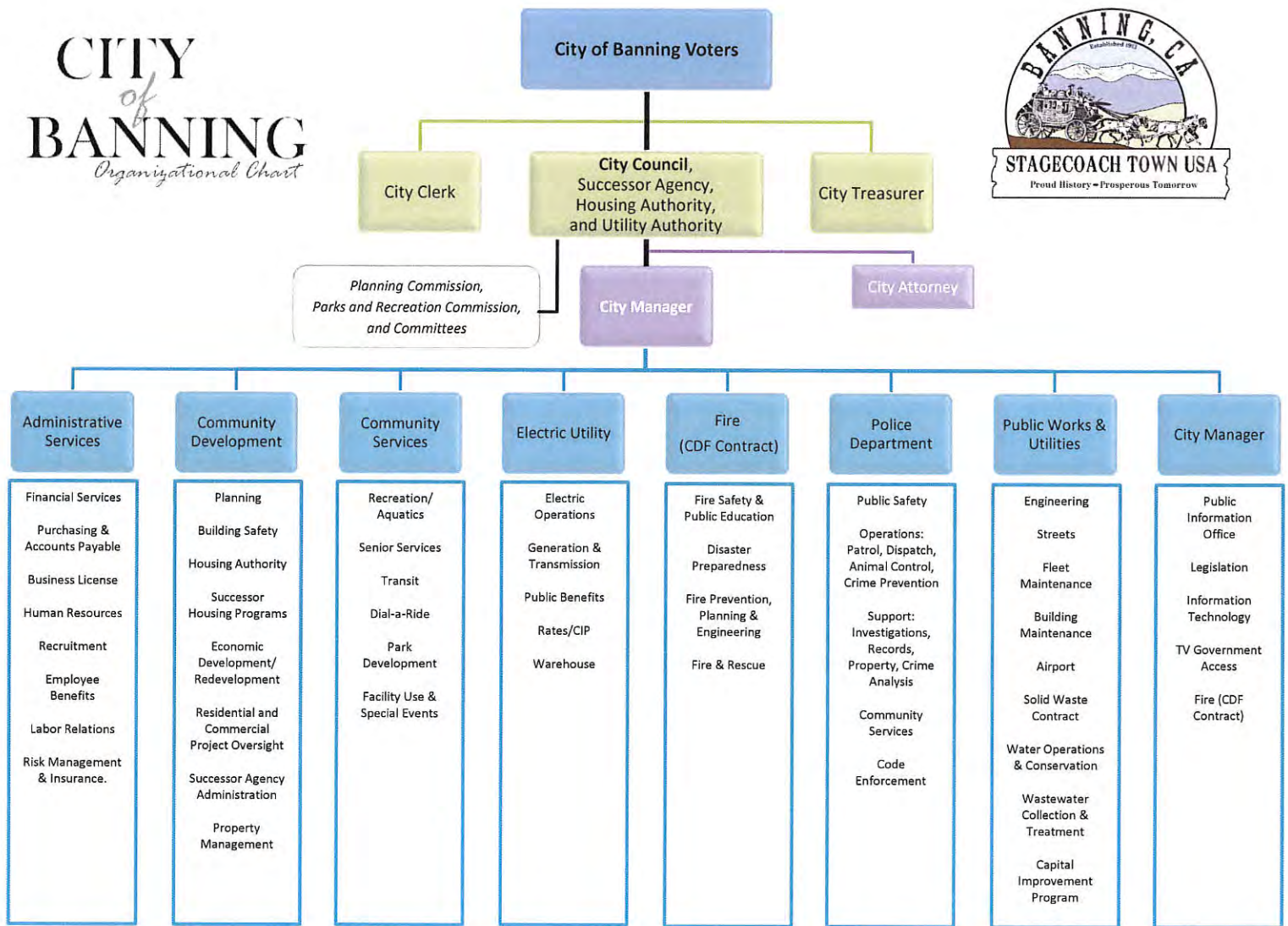
Respectfully Submitted,



Rochelle Clayton
Interim City Manager

CITY of BANNING

Organizational Chart



CITY of BANNING

Summary of Acronyms

AB – Assembly Bill
ADA – Americans with Disabilities Act
AED – Automatic External Defibrillator
AQMD – Air Quality Management District
ASP – After School Program
BFA – Banning Financing Authority
BPAL – Banning Police Activities League
BTA – Banning Transit Authority
BUA – Banning Utility Authority
BUSD – Banning Unified School District
CAD – Computer Aided Dispatch
CALBO – California Building Officials
CalHome – General Home Buyer Assistance Program
CD – Certificate of Deposit
CDBG – Community Development Block Grant
CERT – Computer Emergency Response Team
CFD – Community Facilities District
CIP – Capital Improvement Program
COPS – Citizens Opt for Public Safety
CPR – Cardio Pulmonary Resuscitation
CRA – California Redevelopment Agency
D.O.D. – Department of Defense
D.O.J. – Department of Justice
DARE – Drug Abuse Resistance Education
DUI – Driving Under the Influence
EMS – Emergency Medical Services
EOC – Emergency Operations Center
EOPS – Enforceable Obligation Payment Schedule
FAA – Federal Aviation Agency
FY – Fiscal Year
GASB – Government Accounting Standards Board
GIS – Geographical Information System
HAZMAT – Hazardous Material
HCD – Housing and Community Development
HHW – Household Hazardous Waste
HUD – Housing and Urban Development
HVAC – Heating Ventilating Air Conditioning
ICSC – International Council of Shopping Centers
IT – Information Technology
ITS – Information Technology Services
JPA – Joint Power Authority
LAIF – Local Agency Investment Fund
LF – Landfill

LLC – Limited Liability Company
LMD – Landscape Maintenance District
MIS – Management Information System
MOU – Memorandum of Understanding
NFIRS – National Fire Incident Reporting System
NPDES – National Pollutant Discharge Elimination System
OPEB – Other Post-Employment Benefits
OTS – Office of Traffic Safety
PD – Police Department
PDF – Portable Document Format
PEG – Public Educational & Government
PERS – Public Employees Retirement System
POST – Police Officers Standards and Training
RCTC – Riverside County Transportation Commission
RDA – Redevelopment Agency
RPTTF – Redevelopment Property Tax Trust Fund
RMS – Records Management Systems
ROPS – Recognized Obligation Payment Schedule
SA – Successor Agency
SCAQMD – South Coast Air Quality Management District
SEMS – Standardized Emergency Management System
TAB – Tax Allocation Bond
TAPB – Tax Allocation Parity Bond
TOT – Transient Occupancy Tax
TUMF – Transportation Uniform Mitigation Fees
VLF – Vehicle License Lee
WDA – Wastewater District Assessments
WRCOG – Western Regional Council of Governments
WWTP – Wastewater Treatment Plant



CITY of BANNING

Glossary of Terms

Accrual Basis of Accounting: A basis of accounting in which transactions are recognized at the time they are incurred, as opposed to when cash is received or spent.

Allocations: These are charged to all operating funds based on their fair share of the service provided, which is based on experience and/or a proportionate share (based on factors such as payroll, vehicle repair trends, etc.).

Appropriation: Legal authorization by the City Council to make expenditures and to incur obligations for specific purposes.

Assessed Valuation: A dollar value that is established for real estate or other property, by Riverside County, as a basis for levying property taxes.

Assessments: Charges made to parties for actual services or benefits received.

Audit: A financial audit is a review of the accounting system and financial information to determine how government funds were spent and whether expenditures were in compliance with the legislative body's appropriation.

Bond: A Municipal Bond is a written promise from a government to repay a sum of money on a specific date at a specified interest rate. Bonds are most frequently used to finance large capital projects, such as buildings, streets, and bridges.

Budget: A plan for financial operation listing an estimate of proposed appropriations and the proposed means of financing them for a particular time period. Once the budget has been approved by the City Council it then considered the "adopted" budget.

Budget Adjustment: A procedure to revise a budget appropriation or revenue estimate.

Budget Document: The instrument used to present a comprehensive financial plan of operations to the City Council and the public.

Budget Message: The opening section of the budget which provides the City Council and the public with a general summary of the most important aspects of the budget and changes from the previous fiscal year.

Building Permit: Fee required for new construction or any alterations or addition to a residence or commercial building. The fee is based on square footage and valuation.

Business License Tax: A fee collected from those conducting business within the City.

Capital or Community Improvements: Capital or community improvements are major construction, acquisition or

maintenance/repair projects. Typical examples of major construction would include new street improvement, park development and public buildings. Acquisitions include land. Major maintenance/repairs may include street resurfacing and modifications to public buildings.

Capital Outlay: Expenditure for non-expendable equipment, which has a usable life greater than one year.

Contingency (Operating): Funds set aside by the City within the budget for emergencies and economic uncertainties.

Contingency (Emergency Reserve): Funds set aside by that City within the fund balance for emergencies and economic uncertainties.

Contra: This term is only used in the General Fund and covers some of the budgeted expenditures related to Human Resources, Fiscal Services, Purchasing & A/P, and Building Maintenance. These departments provide direct services to other funds and operations. These costs are then recovered from other funds.

CVC Fines: The City's portion of California Vehicle Code (CVC) fines collected upon conviction of a misdemeanor or infraction committed within City boundaries. The majority of the fines are allocated through the Court system.

Debt Service: The City's obligation to pay the principal and interest of all bonds and other debt instruments according to a predetermined payment schedule.

Disbursement: Payment for goods and services in cash or by check.

Employee Services: Salaries and fringe benefits earned by employees of the City for work performed.

Encumbrances: The commitment of appropriated funds to purchase goods which have not yet been received, or services that have yet to be rendered.

Enterprise Funds: Funds established to account for the total costs of those governmental facilities and services that operate in a manner similar to private enterprise. These programs are entirely, or predominately, self-supporting, and render services on a user charge basis to the general public.

Expenditure: The cost of goods received or services rendered.

Fiscal Year: A 12-month period of time to which an annual operating budget applies. The City of Banning has specified July 1 through June 30 as its fiscal year.

Fixed Assets: Assets of long-term character such as land, buildings, machinery, furniture and other equipment.

Fund: A self-balancing set of accounts. Governmental accounting information is organized into funds, each with separate revenues, expenditures and fund balances. There are seven major types of funds: General, Special Revenue, Capital, Debt, Internal Service, Enterprise, and Trust & Agency.

Fund Balance: The difference between a fund's assets and liabilities. Portions of the fund balance may be reserved or designated for various purposes, such as contingencies, encumbrances or specific projects.

Function: A group of related programs crossing organization (departmental) boundaries and aimed at accomplishing a broad goal or a major service.

General Fund: The City's major operating fund. The activities budgeted in the General Fund represent the daily on-going services provided to the citizens of Banning. General government services, e.g. Police, Fire, Planning, Code Enforcement, Parks and Recreation expenditures are accounted for in this fund.

Grant: Contributions of gifts or cash or other assets from another governmental entity to be used or expended for a specific purpose, activity, or facility. An example is the Community Development Block Grant allocated by the Federal Government.

Internal Service Fund: This fund type is used to account for the payment of goods and services provided by one department or agency to other departments or agencies of the City, on a cost reimbursement basis. The City of Banning operates four internal service funds: Insurance; Fleet Maintenance; Information Services, and Utility Billing Administration.

Investment Income: Revenue received as interest from investment of funds not currently required to maintain current operation.

Line-Item Budget: A budget that lists each expenditure category (salary, materials, telephone service, travel, etc.) separately, along with the dollar amount budgeted for each specified category. Line item budgets are produced and used internally for budgetary control purposes only.

Modified Accrual Accounting: A basis of accounting in which revenues are recognized in the accounting period when they become available and measurable. Expenditures are recognized in the accounting period in which the fund liability is incurred.

Operating Budget: The portion of the budget that pertains to the daily operations of the City which provides basic governmental services. The operating budget contains appropriations for such expenditures as personnel, supplies, materials and capital assets required to maintain service levels.

Ordinance: A formal legislative enactment by the City Council. An ordinance has the full force and effect of law within the City boundaries, unless it is in conflict with any higher form of law, such as a State statute or constitutional provision. The difference between an ordinance and a resolution is that the latter requires less legal formality and has a lower legal status. Revenue raising measures, such as the imposition of taxes, special assessments and service charges, universally require ordinances.

Program: Group activities, operations, or organizational units directed to attaining specific purposes or objectives.

Redevelopment Agency: An entity created by a legislative body in accordance with state statutes which has elected to exercise the powers granted to it for planning, development, redesign, clearance, reconstruction, or rehabilitation of an area. Eliminated by the State through ABX1 26 January, 2011. The wind down is managed by the Successor Agency.

Reserve: Used to earmark a portion of the fund balance as segregated for a specific use.

Retained Earnings: The accumulated earnings of an Enterprise or Internal Service Fund which have been retained in the fund and which are not reserved for any specific purpose.

Revenue: An account used to indicate that a portion of a fund's balance is legally restricted for a specific purpose and is, therefore, not available for general appropriation.

Resolution: A special order of the City Council, which requires less legal formality than an ordinance in terms of public notice and the number of public readings prior to approval. A resolution has lower legal standing than an ordinance. The Budget is approved by resolution, and requires a majority vote of the Council Members present.

Risk Management: An organized attempt to protect a government's assets against accidental loss in the most economical manner.

Subventions: That portion of revenues collected by other government agencies on behalf of the City.

Tax Increment Financing (TIF): Tax increment financing is an economic tool used by redevelopment agencies to finance economic development and rehabilitation costs within a project area. Additional property taxes generated by new development within a district formed are used to finance these development and infrastructure costs. A tax increment (TI) is that portion of property taxed generated by the development above what the taxes would have been had the development not occurred.

Transfers: Funds transferred between funds for specific purposes, such as an operating fund transfer to a debt service fund, in order for debt service payments to be made.

Transient Occupancy Tax (TOT): Bed tax imposed on hotels, motels, inns or other lodging facilities. The rate in Banning is 12%.

Self-Insurance: Assuming risk of loss through the maintenance of reserves or some other plan instead of through the purchase of insurance coverage.

User Fees: The payment of a charge or fee for direct receipt of a service by the party benefiting from the service. For example, fees charged to use a community swimming pool rather than a broad-based tax on the community.

CITY of BANNING

Description of Funds

(001) General Fund

The General Fund is the general operating fund of the city. All general tax receipts and fee revenue not allocated by law, council policy or contractual agreement to other funds are accounted for in the General Fund. General Fund expenditures include operations traditionally associated with activities that are not required to be accounted for or paid by another fund.

Special Revenue Funds

Special Revenue Funds account for revenues derived from specific sources that are required by law or administrative regulation to be accounted for in a separate fund. Funds included are (Ordered by fund number):

(002) Developer Deposits – Community Development: This fund accounts for deposits required of developers that are used by the City for studies and reports required due to the development. These funds are combined with the General Fund for financial statement reporting.

(003) County of Riverside – MOU: In February, 2007 an agreement was executed between the County of Riverside and the City of Banning with respect to expansion of the Smith Correctional Facility located in Banning, California. To mitigate the potential impacts of this expansion on the citizens of the City of Banning, the County will, over the course of 10 years, provide the City with 4.5 million dollars and implement a reverse 9-1-1 system; in exchange, over the same period, the City will use these funds to hire four sworn police officers.

(005) Successor Agency Administration Fund -- The Successor Agency Administration Fund accounts for the receipt of revenue associated with the expenses and debt repayment from the City of Banning's former Redevelopment Agency. All expenses included in this proposed budget must be approved by the City's Oversight Board, which has the fiduciary responsibility to holders of enforceable obligations, as well as to the local agencies that would benefit from property tax distributions from the former redevelopment project area

(100) Gas Tax: The Street Division is responsible for the maintenance of streets and storm drains or operation of traffic controls and related facilities. The Division uses State and local standards to ensure protection and maintenance of public infrastructure.

(101) Measure A Street: Measure "A" was approved by the voters of Riverside County authorizing an additional half-cent sales tax specifically for transportation improvement purposes. This fund accounts for the receipt and expenditures of the money collected under the Measure "A" program.

(103) SB300 Street Improvement: This Fund pertains to Senate Bill 300 where the State participates in local transportation projects meeting the eligibility criteria under the State-Local Transportation Partnership Program.

(104) Article 3 – Sidewalk Construction: This program provides grants under Senate Bill 821 for Bicycle and Pedestrian Facilities on a competitive basis. Projects are submitted by the local agencies annually to the Riverside County Transportation Commission.

(110) C.D.B.G.: Accounts for monies received and expended by the City as a participant in the Federal Community Development Block Grant Housing Program.

(111) Landscape Maintenance Assessment District #1: This fund is responsible for the maintenance of landscaping installed in public right-of-ways within Landscape Maintenance District No. 1. The City collects the assessments through the County of Riverside Tax Collector's office. The Engineer's Report and all paperwork is prepared in-house by staff on an annual basis and assessments are recorded on individual parcels within the district, subject to the approval of the City Council.

(132) Air Quality: The Air Quality Management District (A.Q.M.D.) Fund proceeds are intended for improving the air quality within Riverside County. Quarterly allocations are received from the District for governmental agencies to improve air quality. Qualifying fund uses include alternative fuel vehicles that are used for City operations and compressed natural gas (CNG) fueling stations.

(140) Asset Forfeiture: The Asset Forfeiture Fund is used as a depository for assets forfeited as a result of Police Department arrests, narcotics-related arrests, etc. The forfeited assets then become available for operating costs or capital equipment needs in the continuation of drug enforcement within the Police Department.

(148) Supplemental Law Enforcement: This program was approved in FY 1996-97. This funding is restricted to front line law enforcement programs. Funding for this program is considered each year by the State and is not guaranteed.

(149) Public Safety – Sales Tax: The adoption of a one-half cent sales tax strictly used for public safety operations was authorized by Proposition 172. The sales tax is recorded in a separate fund and subsequently transferred to the City's General Fund to subsidize fire and police operations.

(150) State Park Bond Act: This fund was established during Fiscal Year 2003 to account for funds received through the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 and the Clean Water, Clean Air, Safe Neighborhoods Parks, and Coastal Protection Bond Act of 2002. This fund ensures that the monies expended and reimbursed on bond funded projects is tracked separately from other funding sources.

(190) Housing Authority: Undertakes a variety of housing projects provided in the Housing Authority Law including: leasing housing, multiple family housing, mobile home housing, housing certificates and other State and Federal housing programs.

(200) Special Donations: This fund was established during Fiscal Year 1989-90 to account for special donations received by the City. This separate fund ensures that the monies received will be applied toward the specific purpose named in the donation.

(201) Senior Center Activities: This separate fund ensures that the monies received will be applied toward the specific purpose named in the donation.

(202) Animal Control Reserve: This separate fund ensures that the monies received will be applied toward the specific purpose named in the donation.

(203) Police Volunteer: The Volunteer Citizen Patrol Program is designed to relieve regular officers of duties not specifically defined as law enforcement activities. This separate fund ensures that the monies received will be applied toward the specific purpose named in the donation.

(300) City Hall COP Debt Service: This fund was created to record the debt service transactions for the 1997 City Administration Certificates of Participation Refunding Bonds. The bonds were refinanced in FY11. The new debt matures in 2020.

(360) Sun Lakes CFD #86-1: This fund is used to record the financial activities of the Sun Lakes Community Facilities District (C.F.D.) #86-1 Refunding Bond's annual debt service and related administrative costs. The original bond proceeds were used to create an overpass for the railroad. A bridge and thoroughfare district was created to mitigate the cost of the capital improvement from future development in the area.

Each year the City certifies and collects a special tax through the County of Riverside property tax collection program to provide funds for the District's expenditures. The refunding bonds matured in 2005. The fund still exists to track bridge and thoroughfare revenue.

(365) Assessment District - #91-1 Wilson St. Debt: This fund is used to record the principal, interest and related administrative costs for the Wilson Street Assessment District #91-1 Bond debt service activities. The proceeds were used to develop infrastructure in new residential subdivisions. The improvements are an obligation of the property owners located within the District and no City Funds are used to subsidize any costs associated with the District.

Each year the City certifies an assessed amount for the property owners to the County of Riverside and collects the amounts due through the County's property tax system. The bonds have a final maturity in 2012 and may be prepaid at any time by a property owner. The prepayment proceeds can only be used to call outstanding District bonds.

(370) Area Police Computer: This fund has been created to isolate the costs associated with the Area Police Network. The network increases communication to each agency and provides the capability to obtain information from Sacramento. Three Riverside County cities are currently participating in the program, which is administered by the City. The participating agencies include Banning, Beaumont, and Hemet. The City of Banning's portion of this program is reflected in the Police department's budget located in the General Fund.

(375) Fair Oaks 2004-1 Debt Service: This fund was used to record the deposit and use of funds provided by Century Homes to develop an assessment district relating to the Fair Oaks Ranch Estates Development. In 2004-05 the Fair Oaks Assessment District was formed. In May 2005 bonds in the amount of \$2,898,000 were issued to finance the cost of constructing and acquiring certain public improvements funded by the District. Since FY 2005-06, this fund has been used to track the debt service activity related to the bond issue.

(376) Cameo Homes: This fund was used to record the deposit and use of funds provided to develop an assessment district.

Capital Improvement Funds

(400) Police Facilities Development: This fund was created to mitigate the cost of needed additional police facilities resulting from new development that has increased the City's population. Expenditures from this fund are restricted to the development of new, or expansion of existing, police sites and the acquisition of capital equipment such as vehicles.

(410) Fire Facility Development: This fund has been created to record the financial activities related to the increased fire

service level impact resulting from new development. The fee is collected at the time a building permit is requested. The fees are used to mitigate the cost of increased service levels resulting from additional population. The fees can be used to develop additional fire stations or acquire additional capital projects.

(420) Traffic Control Facility: Traffic Control Facilities Fees are the impact fees paid by the new developments for construction of traffic signals at various locations within the City.

(421) Ramsey & Highland Home Traffic Signal: This fund has been created to segregate payments made by developers to subsidize a capital infrastructure project. The project has been isolated to ensure developer payments are being used specifically for the intended improvement.

(430) General Facilities: This fund has been created to reserve funds obtained from new development to update the City's General Plan and to construct City Hall Annex. Fees are collected at the time a building permit is issued and are intended to update the City Hall Facilities.

(441) Sunset Grade Separation Fund: This fund was created to isolate payments made with the intent to fund the capital improvement in the future.

(444) Wilson Median: This fund was created to isolate developer payments made with the intent to fund a capital improvement in the future. Only costs associated with the capital improvement project are to be expensed to this fund.

(451) Park Development: The Park Development Fund is used for the acquisition and development of parks and recreation facilities. Functions include land acquisition, planning and design, grant funding acquisition, identification and administration of rehabilitation and improvement projects, establishment and collection of developer fees, and development of leases.

(470) Capital Improvement Funds: This fund is used to record the receipt and expenditure of the one-time upfront lease payment received from the Banning Utility Authority. In as much as this lease payment came from bond proceeds, it can only be used to fund capital expenditures. The Council initially earmarked these for a variety of projects.

Banning Utility Authority

The Banning Utility Authority was created in 2005 for the purpose of, among other things, providing financing for capital improvement projects for water and wastewater.

(660) Water Operations: The Water Department is responsible for providing domestic water to residences, businesses and industries within the City. The Division is also

responsible for providing adequate flows for the City's fire protection system. The City's main source of water supply is water wells in the City's water canyon along with wells scattered throughout other parts of the City. The Water Division is an enterprise function; i.e. all costs relative to the production and delivery of water (maintenance, replacement and expansion) are paid with user fees and capital connection fees.

(661) Water Capital Facility Fee: The Water Capital Facility Fees are a one-time charge collected from new developments or existing developments requesting new services from the City's Water Distribution System. The fees collected can be utilized for the Water Department Capital Improvement Programs.

(662) Irrigation Water: The Irrigation Water Fund is being used to track the project costs for the Recycled Water line on Lincoln street. Current funding for the project is coming from revenues collected through the Wastewater Tertiary Fund.

(663) BUA Water Capital Project Fund: A portion of the water 2005 revenue bonds was set aside to fund specific water utility capital improvement projects.

(669) BUA Water Debt Service Fund: The Banning Utility Authority issued \$35,635,000 in Water Bonds dated November 1, 2005. The proceeds of the Water Bonds were used to (i) pay costs of certain capital improvements to the Water Enterprise; (ii) defease the 1986 Water Certificates; (iii) defease the 1989 Water Certificates; (iv) make an initial up-front lease payment to the City; and pay costs of issuance of the Water Bonds. Debt service costs are funded by net water revenues. The bonds are scheduled to mature in the year 2035.

(680) Wastewater Operations: The Wastewater Department collects the effluent from the city's residential, commercial and industrial facilities and discharges the effluent after required treatment in compliance with the Discharge Permit issued by the State Water Quality Control Board. The Wastewater Treatment Facilities are operated by United Water Environmental Services, on a contract basis.

(681) Wastewater Capital Facility Fees: The Wastewater Capital Facility Fee is a one-time charge collected from new development or existing development requesting new services from the City's wastewater collection system. The fees collected can be utilized for Wastewater Division Capital Improvement Programs.

(682) Wastewater Tertiary Fund: The rate charged is intended to offset costs for wastewater system operations, maintenance of utility equipment, replacement of wastewater infrastructure, future construction of tertiary facilities, loan or

bond indebtedness, maintaining the minimum bond coverage ratio, and other unforeseen expenses.

(683) BUA Wastewater Capital Project Fund: A portion of the wastewater 2005 revenue bonds was set aside to pay for specific wastewater utility capital improvement projects.

(685) State Revolving Loan: The City has completed the renovating and expanding of the wastewater treatment plant. To fund the project construction, the City submitted an application for low-interest financing under the State Revolving Loan Program. As part of the requirements of the State Revolving Loan Program, the State requires that the City dedicate a special fund to ensure the ability of the City to repay the loan. This fund was created in FY 1998-99 to comply with this requirement.

(689) BUA Wastewater Debt Service Fund: The Banning Utility Authority issued \$7,100,000 in Wastewater Bonds dated November 1, 2005. The proceeds of the Wastewater Bonds were used to (i) pay costs of certain capital improvements to the Wastewater Enterprise; (ii) defease the 1989 Wastewater Certificates; and pay costs of issuance of the Wastewater Bonds. Debt service costs are funded by net wastewater revenues. The bonds are scheduled to mature in the year 2035.

Enterprise Funds

(600) Airport: The Banning Municipal Airport is an element of the national and local transportation system, which significantly affects the economic development of the City of Banning. The Airport Fund reflects annual revenues, expenditures and proposed capital improvement projects. A sound and realistic planning of Airport operations has the means to increase its contribution to the economy of the community.

(610) Transit Operations: The Fixed Transit Route Division operates fixed-route bus services that serve the City of Banning and provides service between Banning and Cabazon. The Dial-A-Ride Division provides curb-to-curb transit services to elderly and disabled citizens residing within the City of Banning.

(690) Refuse: The City provides solid waste disposal through a franchise agreement with Waste Management. The City tracks collections of revenue and the costs to provide the service in this fund.

(670) Electric Operations: The Electric Department provides economical, reliable, and safe distribution of electricity to residents and businesses in the City of Banning. The Department contracts with both public and private entities for the provision of specialized services.

(672) Rate Stability: Accumulated funds are used to offset operational costs to mitigate the need for rate increases. There is a minimum reserve of 20% required per the Available Fund Balance Reserve policy.

(673) Electric Improvement: Fund 673 is for the financial tracking and accounting of Electric Utility capital projects that are funded from the Electric Fund. This assures a clear financial separation between operation and maintenance work, and capital projects.

(674) Electric Bond Project Fund: The Banning Financing Authority was created in 2003 for the purpose of, among other things, providing financing for the acquisition or construction of public capital improvements. A portion of the electric revenue bonds proceeds was set aside to fund certain improvements to the Electric System.

(675) Public Benefit Fund: The California electric restructuring legislation, Assembly Bill 1890, requires publicly owned utilities to maintain a usage based Public Benefits Charge to be used for Public Benefit Programs. Among the provisions of this legislation are requirements for utilities to collect and spend monies on any or all of the following four categories:

1) Cost-effective demand-side management programs that promote energy-efficiency and conservation. 2) New investments in renewable energy sources. 3) Research, development and demonstration programs to advance science or technology. 4) Services provided to low-income customers.

(678) Electric Debt Service Fund: The Banning Financing Authority issued \$45,790,000 in Electric Bonds dated July 3, 2007. The proceeds of the Electric Bonds are being used to (i) finance certain improvements to the City's Electric System; and pay costs of issuance of the Bonds. Debt service costs are funded by net electric revenues. The bonds are scheduled to mature in the year 2038.

Internal Service Funds

(700) Risk Management: Costs associated with liability exposures, employee related cost for worker's comp and unemployment insurance, and the cost of the City's legal services are accounted for here. The Council has adopted a policy of maintaining a minimum fund balance of \$500,000 in this fund to be available for unknown lawsuits and other insurance costs.

(702) Fleet Maintenance: The Fleet Maintenance Division is responsible for the maintenance and repair of all City owned vehicles and equipment. Costs of maintaining and repairing vehicles and equipment are assessed to each division, including an appropriate share of overhead costs.

(703) Information Systems Services: The Information Technology Services Division is responsible for the effective utilization of information technology throughout the City and for implementation of information systems planning consistent with the City's business systems plan.

(761) Utility Billing Services: The Utility Billing Operations is responsible for preparing and collecting bills for electric, water, wastewater and refuse (trash), and also serves as the central revenue collection point for the City. The Utility Meter Services Operations is responsible for meter reading.

Successor Agency Funds

(Fund Descriptions may change subject to the implementation of ABX1 26.)

(805) Redevelopment Obligation Retirement: Is intended as the repository for property taxes received Redevelopment Property Tax Trust Fund ("RPTTF") from the County Auditor-Controller to pay enforceable obligations as set forth in the Enforceable Obligation Payment Schedule ("EOPS") and the Recognized Obligation Payment Schedule ("ROPS").

(810) Successor Housing Agency (Previously Low/Mod Housing): The fund was used to provide, facilitate and develop housing programs for the rehabilitation or construction of housing for low/moderate income persons. Per ABX1 26, this activity has been eliminated. The Due Diligence Review required by the State has been completed.

(830) Debt Service Fund: The Debt Service Fund is the fund which: 1) makes principal and interest payments on agency debt service, and 2) was used to allocate payment for pass thru's.

(840) Bond Expenditure Agreement (BEA) Fund Project fund for the excess bond proceeds from TABs 2007 and TABS 2003 project funds due to Refunding Bond Series 2016 (taxable) where the City may spend on any project, program or activity authorized by the Mayor and the Common City

Council, consistent with the original bond covenants. (replaces Fund 855 & 856)

(841) Bond Expenditure Agreement (BEA) Low/Mod Fund Project fund for the excess bond proceeds from Low/Mod TABs 2003 project funds due to Refunding Bond Series 2016 (taxable) where the City may spend on any project, program or activity authorized by the Mayor and the Common City Council, consistent with the original bond covenants. (replaces Fund 857)

(850) Successor Agency Fund (Previously Administration Fund): This fund accounts for costs associated with the administration of the Agency.

(855) Tax Allocation Bonds-2007 Tabs: Proceeds from this bond issue may be used for a variety of improvements. The Agency Board has developed and approved a number of programs intended to upgrade the appearance of the project area, stimulate investment, produce jobs and revitalize the area. Per ABX1 26 and AB 1484, these funds may be utilized once the Notice of Completion is issued by the State Department of Finance.

(856) Tax Allocation Bonds-2003 Tabs: Proceeds from these bonds may be used for a variety of improvements. The Agency Board has developed and approved a number of programs intended to upgrade the appearance of the project area, stimulate investment, produce jobs and revitalize the area.

(857) Low/Mod Tax Allocation Bonds-2003 Tabs: A portion of the proceeds from the bond sale are to be used exclusively for the rehabilitation and construction of housing for low and moderate-income persons. The essence of the use of these funds is: 1) to result in the fulfillment of the Housing Element and the adopted Redevelopment Implementation Plan Goals and Policies, 2) to improve the visual image of the community and 3) to assist in the removal of blight.



CITY of BANNING

Budgetary and Fiscal Policies

I. PHILOSOPHY

To maintain a financially viable City that can provide an adequate level of municipal services and to ensure a stable and diverse financial condition of the City through budgeting and fiscal policies.

II. METHODS

Operational Policies

Operational Policies

1. The City will maintain a budgetary control system to ensure compliance with the budget. The City will prepare monthly status reports comparing actual revenues and expenditures to budgeted amounts. Where practical, the City will develop performance measures to be included in the operating budget.
2. The City will provide for adequate maintenance of capital plant and equipment and for the orderly replacement thereof.
3. The City will project its equipment replacement and maintenance needs for the next several years and will update this projection each year. For this projection, a maintenance and replacement schedule will be developed and followed.
4. During the budget process, the City will reassess services and service levels. Staff may seek citizen input by surveys, citizen's forums and similar methods to accomplish this evaluation.
5. The City will strive to maintain all of its assets at an adequate level in order to protect the City's capital investment and to minimize future maintenance and replacement costs.

Capital Improvement Policies

Capital Improvement Policies

1. Capital improvements are to be funded primarily by user fees, service charges, assessments, special taxes or developer agreements when benefits can be attributed to users of the facility.
2. The City will require that project costs and related funding be submitted with requested capital projects. "Full life" costs including operating, maintenance and demolition, if any, should be identified.
3. Although the City will strive to finance projects on a pay-as-you-go basis, the City Council may conclude, based on a study of the economy and other matters, that the most equitable way of financing a project that benefits the entire community would be debt financing (pay-as-you-use) in order to provide the services in a timely manner. The City will use the following criteria to evaluate the use of long-term financing and pay-as-you-go funding for capital projects:

Factors favoring pay-as-you-go

- current revenues and excess reserves are available or project phasing can be accomplished.
- debt levels adversely affect credit rating.
- market conditions are unstable or marketing difficulties exist.

Factors favoring long-term financing

- revenues available for debt service are determined to be sufficient and reliable to provide funding for long-term financing which can be marketed with investment grade credit ratings.
- the facility securing the financing is of the type that will support an investment grade credit rating.
- market conditions present favorable interest rates and demand for City financing.
- a project is mandated by state and/or federal requirements and current revenues or fund surplus balances are insufficient.
- the facility is immediately required to meet or relieve capacity needs.
- the life of the asset financed is ten years or longer.

Revenue Policies

Revenue Policies

1. The City will strive to maintain a diversified revenue system to protect it from short-run fluctuations in any one revenue source.
2. State and Federal funds may be utilized, but only when the City can be assured that the total costs and requirements of accepting funds are known and judged not to adversely impact the City's General Fund.
3. The City, where allowed by law, will review all fees for licenses, permits, fines, utility user fees and other miscellaneous charges on a periodic basis. They will be adjusted as necessary after considering inflation, processing time, expenses to the City, and any other factors pertinent to the specific item. A regular review and implementation of index escalators will be applied wherever authorized by resolution or ordinance.
4. An administrative fee will be charged where allowed by law for administrative services, provided the fee is based on the reasonable estimated costs incurred.
5. All proposed projects will have a detailed capital budget specifying total costs and total revenues, and shall identify the source of proposed revenues.

Debt Management Policies

Debt Management Policies

1. The City will not use long-term debt to finance current operations. Long-term borrowing will be confined to capital improvements or similar projects with an extended life which cannot be financed from current revenues.
2. Debt payments shall not extend beyond the estimated useful life of the project being financed. The City will try to keep the average maturity of bonded debt at or below 20 years.
3. The City will maintain good communications with bond rating agencies concerning its financial condition.
4. The City may utilize lease purchasing with specific approval of the City Manager. The useful life of the item must be equal to or greater than the length of the lease. A lease purchase will require City Council approval beyond a five-year lease term or principal amount over the City Manager's authorized contract level.
5. The City will not obligate the General Fund to secure financing unless the marketability of the issue will be significantly enhanced.
6. A feasibility analysis shall be prepared for each request for long-term financing which analyzes the impact on current and future fiscal year budgets for debt service and operations. The analysis shall also address the reliability of revenues supporting annual debt service.
7. The City shall conduct financing on a competitive basis unless, for reasons of market volatility, the use of an unusual financing structure or a complex security structure indicates the negotiated financing is preferred.
8. The City will monitor all forms of debt on an annual basis and report concerns or suggested restructuring, if any, to the City Council as part of the budget hearing process.
9. Enterprise and Property owner based financing will only be issued under the assumption that the issue is self-supporting from user fees and charges, assessments and special taxes without impacting the General Fund.
10. The City's minimum acceptable rating objective on any direct debt is "Baa/BBB". Appropriate credit enhancements, such as insurance or letters of credit shall be considered for marketing purposes, availability and cost effectiveness.
11. The City shall diligently monitor its compliance with bond covenants and ensure its compliance with federal arbitrage regulations.
12. The City may issue interfund loans rather than outside debt instruments. Interfund loans will be permitted only if an analysis of the lending fund indicates excess funds are available, and the use of these funds will not impact the fund's current operations. The average annual interest rate, as established by the Local Agency Investment Fund (LAIF), will be paid to the lending fund.

General Fund Balance Reserve Policy

General Fund Balance Reserve Policy

This Fund Balance Policy establishes the procedures for reporting unrestricted fund balance in the General Fund financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the City against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Administrative Services

Director to prepare financial reports which accurately categorize fund balance as per Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.

PROCEDURES

Fund balance is essentially the difference between the assets and liabilities reported in a governmental fund. There are five separate components of fund balance, each of which identifies the extent to which the City is bound to honor constraints on the specific purpose for which amounts can be spent.

- Nonspendable fund balance (*inherently nonspendable*)
- Restricted fund balance (*externally enforceable limitations on use*)
- Committed fund balance (*self-imposed limitations on use*)
- Assigned fund balance (*limitation resulting from intended use*)
- Unassigned fund balance (*residual net resources*)

The first two components listed above are not addressed in this policy due to the nature of their restrictions. An example of nonspendable fund balance is inventory. Restricted fund balance is either imposed by law or constrained by grantors, contributors, or laws or regulations of other governments. This policy is focused on financial reporting of unrestricted fund balance, or the last three components listed above. These three components are further defined below.

Committed Fund Balance

The City Council, as the City's highest level of decision-making authority, may commit fund balance for specific purposes pursuant to constraints imposed by formal actions taken, such as an ordinance or resolution. These committed amounts cannot be used for any other purpose unless the City Council removes or changes the specified use through the same type of formal action taken to establish the commitment. City Council action to commit fund balance needs to occur within the fiscal reporting period; however, the amount can be determined subsequently.

- General Fund Emergency Contingency
The City's General Fund balance committed for emergency contingencies is established at a minimum of \$1.5 million or up to 25% of operating appropriations if funds are available. The Emergency Contingency is reserved for economic uncertainties, local disasters, recession or other financial hardships; to subsidize unforeseen operating or capital needs; and for cash flow requirements. The City Council may, by the affirming vote of three members, change the amount of this commitment and/or the specific uses of these monies.

Assigned Fund Balance

Amounts that are constrained by the City's intent to be used for specific purposes, but are neither restricted nor committed, should be reported as assigned fund balance. This policy hereby delegates the authority to assign amounts to be used for specific purposes to the Administrative Services Director for the purpose of reporting these amounts in the annual financial statements. A few examples of assigned fund balance follow.

- Continuing Appropriations
Fund balance levels must be sufficient to meet funding requirements for projects approved in prior years and which must be carried forward into the new fiscal year.
- Debt Service
Established to provide for future debt service obligations.
- Capital Replacement
In the event that all other committed and assigned fund balance requirements have been met, the remaining available fund balance will be assigned for capital repairs and replacement needs.

Unassigned Fund Balance

These are residual positive net resources of the General Fund in excess of what can properly be classified in one of the other four categories.

Fund Balance Classification

The accounting policies of the City consider Restricted Fund Balance to have been spent first when an expenditure is incurred for purposes for which both Restricted and Unrestricted Fund Balance is available. Similarly, when an expenditure is incurred for purposes for which amounts in any of the Unrestricted classifications of fund balance could be used, the City considers Committed amounts to be reduced first, followed by Assigned amounts and then Unassigned amounts.

This policy is in place to provide a measure of protection for the City against unforeseen circumstances and to comply with GASB Statement No. 54. No other policy or procedure supersedes the authority and provisions of this policy.

Available Fund Balance Reserve Policies

Available Fund Balance Reserve Policies

1. Each fund shall maintain, if necessary, an appropriate Available Fund Balance reserve to fund prior year's incomplete capital projects, continuing appropriations, cash flow needs and any other financial need not included in the current fiscal year budget.
2. The BUA Water and Wastewater operational funds shall maintain a minimum Available Fund Balance reserve of 10% of the upcoming fiscal year's total operating appropriations and debt service payments.
3. The Electric operational fund shall maintain a minimum Available Fund Balance reserve of 10% of the upcoming fiscal year's total operating appropriations and debt service payments. The Available Fund Balance for the Electric Rate Stability Fund shall be maintained at a minimum of 20% of the upcoming fiscal year's total operating appropriations and debt service payments.
4. The Self-Insurance Fund shall maintain a \$500,000 minimum Available Fund Balance reserve which is in excess of the estimated loss reserve as reported at the end of the fiscal year by the City's claims administrator.

Electric Administrative Transfer Policy

Electric Administrative Transfer Policy

The Electric Operation Fund's administrative transfer to the General Fund is authorized at 10% of operational revenues. The rate will be reviewed by the City Council during the budget process.

Budget and Budgetary Accounting Policies

Budget and Budgetary Accounting Policies

The City uses the following procedures in establishing the budget:

1. Before the beginning of the budget cycle, the City Manager submits to the City Council a proposed budget commencing July 1.
2. A budget workshop(s) may be conducted every two years or as needed to obtain citizen comments.
3. The budget is subsequently adopted through passage of a resolution.
4. For a given fiscal year, all appropriations are as originally adopted or as amended by the City Council. At year end, all unencumbered budgeted amounts lapse, subject to requests for continuing appropriations. Outstanding encumbrances will be carried forward into the new fiscal year with City Manager approval.
5. Continuing Appropriations requests and Authorized Capital Projects are approved by the City Manager after the adoption of the original budget. The original budget is then adjusted accordingly.
6. The legal level of budgetary control is at the fund level. A Department Head may transfer budget appropriations within a major category in a department or fund under his authority. The City Manager's approval must be obtained when a budget appropriation transfer request moves from one major appropriation category to another within a department.
7. The City Council may, at any time, amend the budget or delete appropriations, transfer appropriations within a fund, or change appropriation transfers between funds.

Accounting, Auditing & Financial Reporting Policies

Accounting, Auditing & Financial Reporting Policies

1. Ordinance No. 1445 established section 3.21, Financial Procedures as follows:

3.21.010 Warrants

All disbursements except petty cash are made on warrants. A combined demand-warrant is employed and signed by use of check signature plates (or most current technology) to imprint signatures approved by resolution of the City Council.

The warrants shall be drawn on the City of Banning bank account.

Warrants shall be of four types:

1. General;
2. Payroll;
3. Return of Deposit;
4. Such other warrants as may be necessary for expenditures from certain restricted and special accounts.

All warrants issued must be properly documented. No warrants shall be made payable to "bearer" or "cash".

All warrants appear on the warrant registers in numerical sequence. Voided or canceled warrants are so indicated on the registers and are properly defaced. There may be separate warrant registers to cover the different types of warrants.

Warrants may be issued by the Finance Department on a weekly basis for demands which are accompanied by supporting documents. Such disbursements shall only be for items which have followed the procurement procedures prescribed by this code and for which funds have been appropriated by the city council. Monthly warrant registers for these disbursed items shall be submitted to the city council for ratification at the next regularly scheduled council meeting after the issuance thereof.

3.21.020 Accounting Methods

The basis of accounting is in conformity with generally accepted principles of municipal accounting.

3.21.030 Audit

An audit of the accounts and records is made annually by a certified public accountant.

3.21.040 Receipts, Deposit and Safekeeping of Moneys

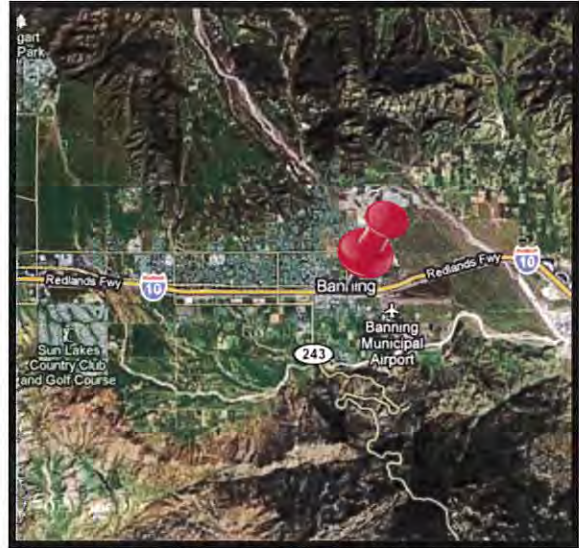
All collections of cash are the responsibility of the Administrative Services Director, who outlines the procedures pertaining to the physical aspects of the receipt, deposit and safekeeping of all moneys. Receipts are issued for all collections in a form as prescribed by the director and suitable to the nature of the collection. Cash is deposited daily. Cash on the premises shall be safeguarded through the use of locked cash drawers, safes, or other protective devices. Persons having access to cash shall be kept to a minimum and adequately bonded.

2. Periodic financial reports will be submitted to the City Council for review.
3. The Administrative Services Director will annually submit an investment policy to the City Council for review and approval.

CITY of BANNING

Historical Information

The City of Banning is strategically located in Riverside county along the route of U.S. Interstate 10 approximately 25 miles northwest of Palm Springs and 82 miles east of Los Angeles. Beautifully located in the San Geronio Pass between the two highest mountain peaks in Southern California, Banning is only minutes away from many desert and mountain resorts. One of Banning's unique characteristics is that it provides the serenity of a rural setting yet has easy access to major metropolitan areas. Its unique location is at a relatively high altitude (2,350 feet) in the pass which provides a favorable year-round climate and air quality. Its municipal boundaries encompass 22.117 square miles.



Banning has a rich and colorful history. Its first permanent landmark, an adobe house, was built on a tract of land now known as the Gilman place, in 1854. The house was used as a stagecoach station and meal stop for many years. The Colorado Stage and Express Line included Banning on its route from Los Angeles to the Colorado River in 1862, where gold had been discovered. The railroad replaced the stagecoach in 1876.

Incorporated in 1913, Banning is a general law city with a council/manager type administration. The City has five elected council members. Mayor is appointed by the City Council. The City Manager is the Chief Administrative Officer and is appointed by the City Council.

The City of Banning is a full service municipal government, which owns and operates its own electric and water utilities. It also offers its residents an airport, local police protection, municipal bus service, seven parks, a swimming complex, a seasonally operated play house bowl, as well as youth and leisure programs. Recreation opportunities are also abundant in nearby areas, which offer golfing, fishing, hiking, and equestrian trails.

GANN LIMIT CALCULATION

Article XIII B of the California State Constitution was adopted by California voters in November 1979, and is more commonly referred to as the Gann Limit. The Article places limits on the amount of revenue which can be appropriated (spent) each fiscal year. Only revenues which are considered proceeds of taxes are subject to the limit. The limit is different for each agency and changes each year, modified for changes in inflation and population.

Fiscal Year	(1) Prior Year Gann Limit	(2) Previous Year's Population	(3) Current Year's Population	(4) * City Population Change %	(5) * County Population Change %	(6) % Change In Per Capita Income	(7) Current Year Gann Limit
08-09	28,297,580	28,272	28,348	0.19%	2.71%	4.29%	30,311,309
09-10	30,311,309	28,348	28,457	1.10%	1.44%	0.62%	30,938,428
10-11	30,938,428	28,457	28,751	0.70%	1.40%	-2.54%	30,574,728
11-12	30,574,728	28,751	29,844	1.14%	1.81%	2.51%	31,909,447
12-13	31,909,447	29,844	29,965	0.81%	0.99%	3.77%	33,440,246
13-14	33,440,246	29,965	30,170	0.40%	1.01%	5.12%	35,507,426
14-15	35,507,426	30,170	30,325	0.49%	1.12%	-0.23%	35,822,527
15-16	35,822,527	30,325	30,491	0.61%	1.29%	3.82%	37,670,711
16-17	37,670,711	30,491	30,834	0.57%	1.26%	5.37%	40,193,768
17-18	40,193,768	30,834	31,068	0.75%	1.56%	3.69%	42,327,078
18-19	42,327,078	31,068	31,282	0.36%	1.40%	3.67%	44,494,809

The Gann Limit is adjusted annually by multiplying the "Prior Year Gann Limit" (column 1) by the greater of the "City or County % Change in Population" (column 4 or 5) and then by the "% Change in Per Capita Income" (column 6). This annual Gann adjustment figure is then added to the Prior Year's limit amount to obtain the Current Year Gann Limit amount in column 7. The shaded boxes indicate the calculation factors that were used in determining the adjustment to the Gann Limit.

*City and County population change % figures are provided by the Department of Finance Demographic Research Unit.

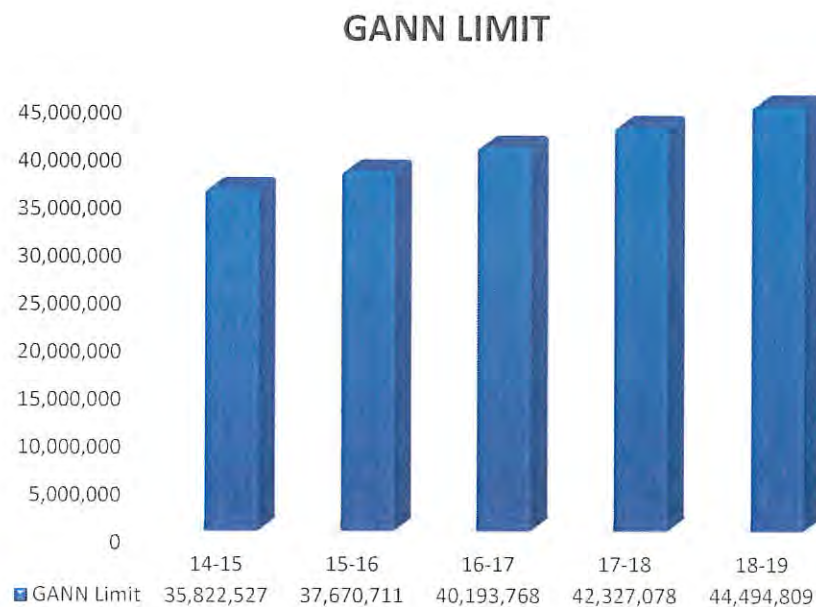
CITY of BANNING

Proposition 4 - Government Spending Limits

Proposition 4 - Government Spending Limits

In November 1979 voters passed Proposition 4, also known as the Gann Initiative. Proposition 4 Article XIII (B) of the California Constitution provides that the City's annual appropriations be subject to certain State limitations. This appropriation limit is referred to as the Gann Spending Limitation. The calculation limits the increase in annual appropriations to a factor which is based on a combination of population growth, State per capita income change, and the change in assessment value for non-residential property. Appropriations for proprietary related activities such as water, wastewater, airport, etc., and Redevelopment functions are not subject to the limit. When the limit is exceeded, Proposition 4 requires the surplus to be returned to the taxpayers within two years. Appropriations in the two year period can be averaged before becoming subject to the excess revenue provisions of the Gann limit.

The City of Banning calculated the Gann Limit of \$44,494,809 for Fiscal Year 2018-19 using the prior year's limitation of \$42,327,078 multiplied by the 3.67% (1.0367) increase in per capita income multiplied by the 1.40% (1.0140) increased population growth in Riverside County. This calculation maintains a safe cushion for the City's financial health.



CITY OF BANNING
5 YR Capital Expenditure Budget

Account No.	Project Description	Project #	Funding Source or Unfunded	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Project Total (Funded)	Project Total (Unfunded)
PARK IMPROVEMENTS (Funded)										
451-3600-461.90-69	Lions Park Expansion (Phase I Construction; Partially Unfunded)		Parkland Develop Fund			\$ 130,000			\$ 130,000	
			CDBG		\$ 155,000	\$ 155,000			\$ 310,000	
			Measure J		\$ 200,000	\$ 200,000			\$ 400,000	
				\$ -	\$ 355,000	\$ 485,000	\$ -	\$ -	\$ 840,000	\$ -
PARK IMPROVEMENTS (Unfunded)										
451	Lions Park Expansion (Phase I - Construction)	Unfunded							\$ 1,315,000	
451	Lions Park Expansion (Phase II - Lighting)	Unfunded							\$ 1,000,000	
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,315,000
GENERAL FACILITY IMPROVEMENTS (Funded)										
430	City Hall HVAC	General Facilities Fund	\$ 200,000						\$ 200,000	
675	LED Sign at City Hall	Public Benefits Fund	\$ 75,000						\$ 75,000	
			\$ 275,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 275,000	\$ -
GENERAL FACILITY IMPROVEMENTS (Unfunded)										
430	City Hall Office Space Improvements	Unfunded							\$ 1,500,000	
430, 673	Corporate Yard Office Building Improvements	Unfunded							\$ 750,000	
660,680	Water-Wastewater Yard Building	Unfunded							\$ 1,000,000	
			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,250,000
STREET IMPROVEMENTS (Funded)										
101-4900-431.93-16	FTIP: Ramsey:Hargrave to ECL	Measure A Street Imp	\$ 477,000						\$ 477,000	
101-4900-431.93-16	Theodore: Alessandro to Almond Way	Measure A Street Imp	\$ 196,000						\$ 196,000	
101-4900-431.93-16	8th: Lincoln to Westward	Measure A Street Imp	\$ 212,967						\$ 212,967	
101-4900-431.93-16	Charles: Hargrave to 1037 E. Charles	Measure A Street Imp	\$ 130,000						\$ 130,000	
101-4900-431.93-16	Wesley: Hargrave to 1401 E. Wesley	Measure A Street Imp	\$ 130,000						\$ 130,000	
101-4900-431.93-16	Sun Lakes Blvd: Highland Hm Rd to Sunset (ED/PS&E)	Measure A Street Imp	\$ 1,190,033						\$ 1,190,033	
101-4900-431.93-16	Cottonwood Road: 8th Street to 12th Street	Measure A Street Imp	\$ 100,000						\$ 100,000	
101-4900-431.93-16	George Street: 8th Steet to 12th Street	Measure A Street Imp	\$ 100,000						\$ 100,000	
101-4900-431.93-16	10th Street: Williams Street to George Street	Measure A Street Imp	\$ 115,000						\$ 115,000	
101-4900-431.93-16	12th Street: Williams Street to George Street	Measure A Street Imp	\$ 122,000						\$ 122,000	
101-4900-431.93-16	14th Street: Williams Street to George Street	Measure A Street Imp	\$ 120,000						\$ 120,000	
101-4900-431.93-16	Indian School Lane: 8th Street to San Gorgonio Avenue	Measure A Street Imp		\$ 200,000					\$ 200,000	
101-4900-431.93-16	Lincoln Street: San Gorgonio Ave to Hargrave Street	Measure A Street Imp		\$ 300,000					\$ 300,000	
101-4900-431.93-16	City-wide Slurry Seal	Measure A Street Imp		\$ 91,000					\$ 91,000	
840- 9500-490.93-30	Hargrave/Ramsey Intersection (Construction)	BEA Capital Project Fund (Previously 2007 Tax Allocation Bond Proceeds)	\$ 2,000,000						\$ 2,000,000	
840- 9500-490.93-30	Hathaway/Ramsey Intersection (ROW & Construction)	BEA Capital Project Fund (Previously 2007 Tax Allocation Bond Proceeds)	\$ 3,257,000						\$ 3,257,000	
840-9500-490.93-15	Edison ITCC Tax (Courthouse Pole Relocation)	BEA Capital Project Fund (Previously 2007 Tax Allocation Bond Proceeds)	\$ 610,000						\$ 610,000	
102-0000-431.93-16	Joshua Palmer Realignment Street Rehab at Various Locations	TUMF	\$ 2,000,000						\$ 2,000,000	
		SB 1 (RMRA)	\$ 515,917	\$ 521,076				\$ 1,036,993		

CITY OF BANNING
5 YR Capital Expenditure Budget

Account No.	Project Description	Project #	Funding Source or Unfunded	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Project Total (Funded)	Project Total (Unfunded)
101-4900-431.93-16	Monroe St: 22nd St to Jefferson St		Measure A Street Imp			\$ 100,000			\$ 100,000	
101-4900-431.93-16	Jefferson St: Monroe St to 22nd St		Measure A Street Imp			\$ 90,000			\$ 90,000	
101-4900-431.93-16	Lincoln St: Sunset Ave to 22nd St		Measure A Street Imp			\$ 180,000			\$ 180,000	
101-4900-431.93-16	George St: Hargrave to Hathaway		Measure A Street Imp			\$ 140,000			\$ 140,000	
101-4900-431.93-16	City-wide Slurry Seal		Measure A Street Imp			\$ 120,000			\$ 120,000	
102-0000-431.93-16	Ramsey St: 4th St to 12th St		Measure A Street Imp				\$ 300,000		\$ 300,000	
101-4900-431.93-16	First St: Livingston St to Williams St		Measure A Street Imp				\$ 85,000		\$ 85,000	
101-4900-431.93-16	Second St: Hays St to Williams St		Measure A Street Imp				\$ 13,000		\$ 13,000	
101-4900-431.93-16	Third St: Hays St to Williams St		Measure A Street Imp				\$ 30,000		\$ 30,000	
101-4900-431.93-16	Fourth St: Livingston St to George		Measure A Street Imp				\$ 85,000		\$ 85,000	
101-4900-431.93-16	Second St: Nicolet St to George		Measure A Street Imp				\$ 35,000		\$ 35,000	
101-4900-431.93-16	Omar Street & Ramsey St Int Improvement		Measure A Street Imp				\$ 50,000		\$ 50,000	
101-4900-431.93-16	Ramsey Street: 12th St to 16th St		Measure A Street Imp					\$ 200,000	\$ 200,000	
101-4900-431.93-16	City-wide Slurry Seal		Measure A Street Imp					\$ 440,000	\$ 440,000	
	Bikeway and Safe Route to School (PS&E)		ATP Cycle 2	\$ 140,466					\$ 140,466	
	Bikeway and Safe Route to School (Construction)		ATP Cycle 2		\$ 941,534				\$ 941,534	
				\$ 11,416,383	\$ 2,053,610	\$ 630,000	\$ 598,000	\$ 640,000	\$ 15,337,993	\$ -
STREET IMPROVEMENTS (Unfunded)										
101	Highland Springs Interchange (PA&ED)		Unfunded						\$ -	\$ 1,250,000
101	Highland Springs Interchange (PS&E)		Unfunded						\$ -	\$ 3,000,000
101	Highland Springs Interchange (CONST)		Unfunded						\$ -	\$ 50,000,000
101	Sun Lakes Blvd: Highland Hm Rd to Sunset (Construction)		Unfunded						\$ -	\$ 8,000,000
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,250,000
WATER IMPROVEMENTS (Funded)										
660-6300-471.90-78	Flume Consultant Costs		Water Fund	\$ 300,000	\$ 300,000				\$ 600,000	
660-6300-471.95-27	Replace SCADA Hardware/Software	PWO-3	Water Fund	\$ 250,000	\$ 256,250				\$ 506,250	
660-6300-471.95-10	Water Line Repl. Loc #2 (Nicolet/Cott/George); Partially Unfunded		Water Fund	\$ 656,250					\$ 656,250	
660-6300-471.95-10	Water Line Repl. Loc #3 (22nd/Roberge/Sunrise); Partially Unfunded		Water Fund	\$ 256,250	\$ 420,250				\$ 676,500	
660-6300-471.90-78	Annual Main Replacement (PS&E)		Water Fund			\$ 107,689		\$ 113,141	\$ 220,830	
660-6300-471.95-10	Annual Main Replacement (Const)		Water Fund				\$ 883,050		\$ 883,050	
660-6300-471.45-11	Smart Meter Conversion (AMR/AMI)	PWO-5,6	Water Fund	\$ 400,000	\$ 410,000	\$ 420,250	\$ 430,756	\$ 441,525	\$ 2,102,531	
661-6300-471.90-12	Water-Wastewater Yard Building		Water Capital Facilities	\$ 100,000	\$ 500,000				\$ 600,000	
661-6300-471.95-09	Altitude Valves (Design & Construction)	PWW-1	Water Capital Facilities	\$ 250,000					\$ 250,000	
661-6300-471.90-78	Well C8 Planning/Design (PS&E)	PWW-1	Water Capital Facilities	\$ 175,000					\$ 175,000	
661-6300-471.95-08	Pilot and Drill Well C8 in Cabazon SU	PWW-1	Water Capital Facilities	\$ 1,012,500					\$ 1,012,500	
661-6300-471.95-08	Equip Well C8	PWW-1	Water Capital Facilities	\$ 1,025,000	\$ 525,313				\$ 1,550,313	
661-6300-471.95-10	New Water Main to Connect C8	PWP-1	Water Capital Facilities		\$ 414,000				\$ 414,000	
				\$ 4,425,000	\$ 2,825,813	\$ 527,939	\$ 1,313,806	\$ 554,666	\$ 9,647,224	\$ -

CITY OF BANNING
5 YR Capital Expenditure Budget

Account No.	Project Description	Project #	Funding Source or Unfunded	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Project Total (Funded)	Project Total (Unfunded)
WATER IMPROVEMENTS (Unfunded)										
660	Water Line Repl. Loc #2 (Nicolet/Cott/George); Partially Funded		Unfunded							\$ 1,045,000
660	Water Line Repl. Loc #3 (22nd/Roberge/Sunrise); Partially Funded		Unfunded							\$ 823,500
660	Meter Test Bench		Unfunded							\$ 110,000
660	Fire Flow Improvements	PWFF-1	Unfunded							\$ 6,310,511
660	Water Line Replacement: Jacinto View & Omar St		Unfunded							\$ 608,594
660	Southwest Reservoir Site R&R	PWRR-6	Unfunded							\$ 29,418
660	Mountain Reservoir Site R&R	PWRR-7	Unfunded							\$ 564,631
660	High Valley Reservoir R&R	PWRR-8	Unfunded							\$ 366,525
660	Hargrave/John PRV R&R	PWRR-11	Unfunded							\$ 35,875
660	Sunset Reservoir R&R	PWRR-9	Unfunded							\$ 582,000
660	Well Enclosures	PWRR-20	Unfunded							\$ 252,355
660	Well Rehabilitation	PWRR-21	Unfunded							\$ 473,166
660	Well 1 Site R&R	PWRR-12	Unfunded							\$ 133,000
660	Well 3 Site R&R	PWRR-13	Unfunded							\$ 18,307
660	Well C-2 Site R&R	PWRR-14	Unfunded							\$ 675,210
660	Well C-5 Site R&R	PWRR-15	Unfunded							\$ 436,274
660	Well C-6 Site R&R	PWRR-16	Unfunded							\$ 14,350
660	Well M-3 Site R&R	PWRR-17	Unfunded							\$ 14,708
660	Multi Site Project (Emergency Power and Safety Retrofits)	PWRR-22	Unfunded							\$ 1,434,978
660	Upgrade Existing Mountain Booster Pump Station	PWPU-1a	Unfunded							\$ 729,000
660	Add VFD to Well C-6	PWPU-4	Unfunded							\$ 183,233
660	Pipeline Rehab Asset Study	PWO-1	Unfunded							\$ 249,000
660	Security Cameras at Water Yard	PWO-2	Unfunded							\$ 33,000
660	Work Truck	PWO-4	Unfunded							\$ 85,101
660	Computer Information System/ERP	PWO-7	Unfunded							\$ 1,595,537
661	BCVWD Inter-ties for Co-owned Wells	RWV-1	Unfunded							\$ 681,000
661	Upper Main Reservoir (4.0 MG)	PWS-1	Unfunded							\$ 13,260,000
661	New Transmission Main for Upper Main Reservoir	PWP-2	Unfunded							\$ 5,118,000
661	Foothill West Reservoir (1.5 MG)	PWS-2	Unfunded							\$ 5,594,000
661	New Transmission Main for Foothill West Reservoir & PS	PWP-5	Unfunded							\$ 3,730,000
661	New Transmission Main for Butterfield (F.W. Zone)	PWP-3	Unfunded							\$ 3,522,000
661	New Transmission Main for Butterfield (Mountain North Zone)	PWP-7	Unfunded							\$ 1,865,000
661	New Transmission Main for RSG	PWP-4	Unfunded							\$ 8,288,000
661	New Foothill West Pump Station	PWPU-2	Unfunded							\$ 1,044,000
661	Well C9 Planning/Design (PS&E)	PWW-4	Unfunded							\$ 200,000
661	Well C9 Pilot Bore and Testing	PWW-4	Unfunded							\$ 280,848
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,386,121

CITY OF BANNING
5 YR Capital Expenditure Budget

Account No.	Project Description	Project #	Funding Source or Unfunded	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Project Total (Funded)	Project Total (Unfunded)
IRRIGATION WATER IMPROVEMENTS (Unfunded)										
662	Recycled Water Backbone System (Phase 1 B & C)	RWP-1	Unfunded							\$ 14,172,000
662	Lions Park Lateral	RWP-2	Unfunded							\$ 435,000
662	Banning High School Lateral	RWP-3	Unfunded							\$ 435,000
662	Rancho San Geronio Lateral	RWP-4	Unfunded							\$ 207,000
662	Dysart Park Lateral	RWP-6	Unfunded							\$ 1,015,000
662	Well NP-1 Pipeline	RWP-8	Unfunded							\$ 1,036,000
662	Recycled Water Pump Station	RWPS-1	Unfunded							\$ 5,801,000
662	Equip Well NP-1	RWW-1	Unfunded							\$ 1,707,000
662	Well NP-1 Forebay Tank	RWS-1	Unfunded							\$ 3,729,000
662	Salt and Nutrient Management Plan		Unfunded							\$ 200,000
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,737,000
WASTEWATER IMPROVEMENTS (Funded)										
680-8000-454.95-12	Iron Sponge Media Replacement		Wastewater Fund	\$ 35,000	\$ 18,386		\$ 19,317		\$ 72,703	
680-8000-454.95-12	Repairs to Heat Exchanger (WWTP)	WWTP-2	Wastewater Fund	\$ 30,625					\$ 30,625	
680-8000-454.95-12	Repairs to Boiler Gas Control Valves	WWTP-3	Wastewater Fund	\$ 40,813					\$ 40,813	
680-8000-454.95-12	PVC Digester Gas Piping	WWTP-4	Wastewater Fund		\$ 15,000				\$ 15,000	
680-8000-454.95-14	Capacity Project C-1		Wastewater Fund	\$ 119,925					\$ 119,925	
680-8000-454.95-14	Capacity Project C-2		Wastewater Fund		\$ 130,803				\$ 130,803	
680-8000-454.90-78	Nitrogen Removal Feasibility Study		Wastewater Fund	\$ 250,000					\$ 250,000	
			Wastewater Fund	\$ 50,000					\$ 50,000	
			Wastewater Capital Facilities	\$ 50,000					\$ 50,000	
680-8000-454.90-78	WWTP Tertiary Treatment Upgrades - 3.6 MGD (PS&E)	WWTP-5	BUA Wastewater Capital	\$ 50,000					\$ 50,000	
			Wastewater Tertiary	\$ 50,000					\$ 50,000	
			Water Capital Facilities	\$ 50,000					\$ 50,000	
681-8000-454.95-14	Lift Stations Telemetry (SCADA)	WWO-1	Wastewater Capital Facilities	\$ 125,000	\$ 125,000				\$ 250,000	
				\$ 851,363	\$ 289,189	\$ -	\$ 19,317	\$ -	\$ 1,159,869	\$ -
WASTEWATER IMPROVEMENTS (Unfunded)										
680	Digester Cleaning	WWTP-1	Unfunded							\$ 456,916
680	WWTP Ponds Fencing and Motorized Gate		Unfunded							\$ 150,000
680	Vactor Truck		Unfunded							\$ 450,000
680	East Primary Clarifier Center Drive Replacement		Unfunded							\$ 100,000
680	Repairs to Trickling Filter Distributor/Center Column		Unfunded							\$ 80,000
680	CCTV Crawler Lift and Lateral Launch		Unfunded							\$ 125,000
680	Gravity Mains - Charles Street	WWGM-5	Unfunded							\$ 456,000
680	Gravity Mains - Hathaway Street	WWGM-3B	Unfunded							\$ 1,019,875
680	Gravity Mains - Hathaway Casing Under I-10	WWGM-3A	Unfunded							\$ 465,427
680	Gravity Mains - Hathaway Northern Segment	WWGM-2	Unfunded							\$ 330,605
680	Gravity Mains - Williams Street	WWGM-1	Unfunded							\$ 320,106
680	Gravity Mains - Ramsey Street	WWGM-4	Unfunded							\$ 347,342
680	Annual Sewer Line Replacement	WWRR-1	Unfunded							\$ 869,698
680	Westward Lift Station Improvements	WWRR-3	Unfunded							\$ 86,000
680	Interim Westward Force Main Upgrade	WWFM-1	Unfunded							\$ 485,000
680	Interim Westward Lift Station Upgrade	WWLS-1	Unfunded							\$ 5,088,000
680	Caltrans Lift Station Site Improvements	WWRR-2	Unfunded							\$ 40,000
680, 681, 683, 682, 661	WWTP Tertiary Treatment Upgrades - 3.6 MGD (C)	WWTP-5	Unfunded							\$ 27,250,000
681	WWTP Capacity Expansion - 5.1 MGD (PS&E)		Unfunded							\$ 1,500,000
681	Butterfield Offsite Trunk Main	WWGM-14	Unfunded							\$ 2,611,000

CITY OF BANNING
5 YR Capital Expenditure Budget

Account No.	Project Description	Project #	Funding Source or Unfunded	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Project Total (Funded)	Project Total (Unfunded)
681	Butterfield Lift Station at Ramsey & Omar		Unfunded							\$ 8,000,000
681	Butterfield-Loma Linda Offsite Trunk Main	WWGM-15	Unfunded							\$ 870,000
681	RSG Main Trunk	WWGM-17	Unfunded							\$ 6,576,000
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 57,676,969
FLEET IMPROVEMENTS (Funded)										
702	CNG Facility (Design/Construction)		Transit (STA)	\$ 590,000					\$ 590,000	
			MSRC Grant	\$ 175,000					\$ 175,000	
			Air Quality Improvement Fund	\$ 35,000					\$ 35,000	
			BUSD Cost Share	\$ 400,000					\$ 400,000	
				\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000	\$ -
FLEET IMPROVEMENTS (Unfunded)										
702	Vehicle Lift Replacement		Unfunded			\$ 750,000				\$ 750,000
				\$ -	\$ -	\$ 750,000	\$ -	\$ -	\$ -	\$ 750,000
ELECTRIC IMPROVEMENTS (Funded)										
670-7000-473.90-17	Easement and Right-of-Way Acquisitions		Electric Fund	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000	
673-7000-473.90-15	City Yard Building Improvements		Electric Capital Improvement	\$ 601,304					\$ 601,304	
673-7000-473.90-47	Security Systems / Fiber Ring		Electric Capital Improvement	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,250,000	
	City Yard Block Wall Extension & Charging									
673-7000-473.90-77	Station Infrastructure		Electric Capital Improvement	\$ 600,000					\$ 600,000	
673-7000-473.95-31	Smart Meter Project		Electric Capital Improvement	\$ 3,045,058					\$ 3,045,058	
673-7000-473.96-34	Hydro Rebuild		Electric Capital Improvement	\$ 307,168					\$ 307,168	
673-7000-473.96-36	New to replace old underground reconductoring		Electric Capital Improvement	\$ 282,625	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,282,625	
673-7000-473.96-37	Electric Improvements at Hathaway		Electric Capital Improvement	\$ 500,000					\$ 500,000	
673	Joshua Palmer Relocation		Electric Capital Improvement	\$ 1,000,000					\$ 1,000,000	
	69kV Pole Line Relocation South of I-10 &									
673	Midway 69kV pole line crossing		Electric Capital Improvement		\$ 850,000				\$ 850,000	
	Underground Conversion at Jennifer Way,									
673	Replier St and Murray St		Electric Capital Improvement		\$ 250,000				\$ 250,000	
673	4-12kV Distribution Conversion		Electric Capital Improvement	TBD	TBD	TBD	TBD	TBD	\$ -	
673	City Road Improvement Powerline Relocations		Electric Capital Improvement	TBD	TBD	TBD	TBD	TBD	\$ -	
673	Pardee - Butterfield		Electric Capital Improvement	TBD	TBD	TBD	TBD	TBD	\$ -	
673	Rancho San Geronio Development		Electric Capital Improvement	TBD	TBD	TBD	TBD	TBD	\$ -	
673	Pole Replacements		Electric Capital Improvement	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	
673	Sunset Distribution Circuits		Electric Capital Improvement	\$ 1,270,000	TBD		TBD	TBD	\$ 1,270,000	
	Downtown UG Conversion/Dec Lights per Reso									
674-7000-473.96-29	2011-33		Bond	\$ 482,000					\$ 482,000	
674	4-12kV Substation Conversions		Bond	\$ 1,150,000	\$ 640,000				\$ 1,790,000	
				\$ 8,343,155	\$ 3,635,000	\$ 625,000	\$ 625,000	\$ 625,000	\$ 13,853,155	\$ -
TOTAL CAPITAL BUDGET ALL FUNDS				\$ 26,510,901	\$ 9,158,612	\$ 3,017,939	\$ 2,556,123	\$ 1,819,666	\$ 42,313,242	\$ 215,365,090

CITY of BANNING

Capital Improvement Program

Fiscal Years 2018-19 & 2019-20

CURRENT FUNDING SOURCE

	Fund #
<u>General Fund</u>	
The General Fund is the general operating fund of the city. All general tax receipts and fee revenue not allocated by law, council policy or contractual agreement to other funds are accounted for in the General Fund. General Fund expenditures include operations traditionally associated with activities that are not required to be accounted	001
<u>Gas Tax</u>	
The Street Division is responsible for the maintenance of streets and storm drains or operation of traffic controls and related facilities. The Division uses State and local standards to ensure protection and maintenance of public infrastructure.	100
<u>Measure A Street Fund</u>	
Measure "A" was approved by the voters of Riverside County authorizing an additional half-cent sales tax specifically for transportation improvement purposes. This fund accounts for the receipt and expenditures of the money collected under the Measure "A" program.	101
<u>C.D.B.G</u>	
Accounts for monies received and expended by the City as a participant in the Federal Community Development Block Grant Housing Program.	110
<u>Supplemental Law Enforcement Fund</u>	
This program was approved in FY 1996-97. This funding is restricted to front line law enforcement programs. Funding for this program is considered each year by the State and is not guaranteed.	148
<u>Traffic Control Facility Fund</u>	
Traffic Control Facilities Fees are the impact fees paid by the new developments for con	420
<u>General Facilities Fund</u>	
This fund has been created to reserve funds obtained from new development to update the City's General Plan and to construct City Hall Annex. Fees are collected at the time a building permit is issued and are intended to update the City Hall Facilities.	430
<u>Park Development Fund</u>	
The Park Development Department is responsible for the acquisition and development of parks and recreation facilities. Functions include land acquisition, planning and design, grant funding acquisition, identification and administration of rehabilitation and improvement projects, establishment and collection of developer fees, and development of leases.	451
<u>Capital Improvement Fund</u>	
This fund is used to record the receipt and expenditure of the one-time upfront lease payment received from the Banning Utility Authority. In as much as this lease payment came from bond proceeds, it can only be used to fund capital expenditures. The Council initially earmarked these for a variety of projects.	470

<u>Airport</u> The Banning Municipal Airport is an element of the national and local transportation system, which significantly affects the economic development of the City of Banning. The Airport Fund reflects annual revenues, expenditures and proposed capital improvement projects. A sound and realistic planning of Airport operations has the means to increase its contribution to the economy of the community.	600
<u>Transit Operations</u> The Fixed Transit Route Division operates fixed-route bus services that serve the City of Banning and provides service between Banning and Cabazon. The Dial-A-Ride Division provides curb-to-curb transit services to elderly and disabled citizens residing within the City of Banning.	610
<u>Water Fund</u> The Water Department is responsible for providing domestic water to residences, businesses and industries within the City. The Division is also responsible for providing adequate flows for the City's fire protection system. The City's main source of water supply is water wells in the City's water canyon along with wells scattered throughout other parts of the City. The Water Division is an enterprise function; i.e. all costs relative to the production and delivery of water (maintenance, replacement and expansion) are paid with user fees and capital connection fees.	660
<u>Water Capital Facilities Fund</u> The Water Capital Facility fees are a one-time impact fee collected from new developments or existing developments requesting new services from the City's Water Distribution System. The fees collected can be utilized for the Water Department Capital Improvement Programs.	661
<u>Reclaimed Water Funds</u> <i>Irrigation Water Fund</i> The purpose of the Irrigation Water Fund is to set aside funds for an irrigation water/reclaimed water project. Funding for this project is obtained on an incremental basis over a period of years until adequate funds are available to pay for a project.	662
<u>BUA Water Capital Project Fund</u> Water 2005 revenue bonds were set aside to fund specific water utility capital improvement projects.	663
<u>Electric Operations</u> The Electric Department provides economical, reliable, and safe distribution of electricity to residents and businesses in the City of Banning. The Department contracts with both public and private entities for the provision of specialized services.	670
<u>Electric Improvement Fund</u> The 673 Electric Improvement Fund is for the financial tracking and accounting of Electric Utility capital projects that are funded from the Electric Fund. This assures a clear financial separation between operation and maintenance work, and capital projects.	673
<u>'07 Electric Revenue Bond Project Fund</u> Electric revenue bonds proceeds were set aside to fund certain capital improvements to the Electric System.	674

<u>Wastewater Fund</u>	
The Wastewater Department collects the effluent from the city's residential, commercial and industrial facilities and discharges the effluent after required treatment in compliance with the Discharge Permit issued by the State Water Resources Control Board. The Wastewater Treatment Facilities are operated by United Water Environmental Services, on a contract basis.	680
<u>Wastewater Capital Facility Fund</u>	
The Wastewater Capital Facility Fee is a one-time charge collected from new development or existing development requesting new services from the City's wastewater collection system. The fees collected can be utilized for Wastewater Division Capital Improvement Programs.	681
<u>BUA Wastewater Capital Facility Fund</u>	
Wastewater 2005 revenue bonds were set aside to pay for specific wastewater utility capital improvement projects.	683
<u>Utility Billing Services</u>	
The Utility Billing Operations is responsible for preparing and collecting bills for electric, water, wastewater and refuse (trash), and also serves as the central revenue collection point for the City. The Utility Meter Services Operations is responsible for meter reading.	761
<u>Bond Expenditure Agreement (BEA) Fund</u>	
Project fund for the excess bond proceeds from TABs 2007 and TABS 2003 project funds due to Refunding Bond Series 2016 (taxable) where the City may spend on any project, program or activity authorized by the Mayor and the Common City Council, consistent with the original bond covenants. (replaces Fund 855 & 856)	840
<u>Bond Expenditure Agreement (BEA) Low/Mod Fund</u>	
Project fund for the excess bond proceeds from Low/Mod TABs 2003 project funds due to Refunding Bond Series 2016 (taxable) where the City may spend on any project, program or activity authorized by the Mayor and the Common City Council, consistent with the original bond covenants. (replaces Fund 857)	841



CITY of BANNING *Capital Improvement Program*

CAPITAL IMPROVEMENT PROGRAM

The Capital Improvement Program (CIP) is a roadmap that provides direction and guidance for planning, managing, and financing the City's capital and infrastructure assets. The 5-year CIP is used by the City to review the funding of desired capital improvements that compete for scarce financial resources. This document is dynamic and, consequently, must be revised on a regular basis to address the changing needs, priorities, and financial conditions of the City. The capital improvements presented in this document are the City's major projects, those that exceed \$25,000 in cost, have long-term life spans, and are generally non-recurring. CIP projects typically include land and right-of-way acquisition; design, planning, and engineering services for capital projects; construction or rehabilitation of public buildings or facilities; utility and transportation infrastructure construction; park construction; and, economic and Successor Agency projects. Some projects less than \$25,000 are listed for ease of reconciling with capital line items in the budget.

The project costs listed are strictly estimates and will vary based on the state of the economy and other factors not easily predictable. Project costs for fiscal year 2016-17 have already been incorporated into the budget. The project-to-date costs show estimated activity through June 2016.

The CIP and consequent amendments will be revised and updated on a periodic basis during the future budget cycles and during the year, through Council approval. Changes to the priorities established in the program and its amendments should be expected. Changes can be caused by reductions in funding levels, opportunities for grants or other aids, delays in obtaining construction permits or necessary approvals, emergency needs or simply changes in Council direction.

The projects contained in the CIP and amendments are necessary to maintain the existing infrastructure of the City and to properly provide for the health, safety and general well-being of its residents.

The CIP and future amendments are designed to make the most effective use of all financial resources available to the City including fund reserves, current budgeted revenue, grants, and borrowing. The City's goal is to strike a reasonable balance among all of its resources.

In preparing the CIP amendment, the City has considered the impact on operating costs. Projects are designed to keep the increases in operating costs to a minimum. Increases in operating costs are balanced with the overall need to provide the improvement.



CAPITAL IMPROVEMENT PROGRAM

FY's 2018/19 - 2022/23

CITY COUNCIL

George Moyer Mayor
Don Peterson Mayor Pro Tem
Deborah Franklin..... Council Member
Art Welch..... Council Member
Daniela Andrade Council Member

CITY MANAGER

Rochelle Clayton
Interim City Manager

CIP ADMINISTRATOR

Art Vela
Public Works Director/City Engineer

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
GENERAL FUND (001)				
CITY COUNCIL (1000)				
Mayor	0.55	0.55	0.55	0.55
Mayor	0.55	0.55	0.55	0.55
Council Members	1.65	1.65	1.65	1.65
DIVISION TOTAL FTE	2.75	2.75	2.75	2.75
CITY MANAGER (1200)				
City Manager	0.30	0.30	0.40	0.40
Executive Assistant	0.79	0.79	0.45	0.45
Office Specialist	-	-	1.00	1.00
DIVISION TOTAL FTE	1.09	1.09	1.85	1.85
ECONOMIC DEVELOPMENT (1210)				
City Manager	0.14	0.14	-	-
Economic Development Manager	1.00	1.00	1.00	1.00
Public Information Officer	0.10	0.10	-	-
DIVISION TOTAL FTE	1.24	1.24	1.00	1.00
HUMAN RESOURCES (1300)				
Administrative Services Director/DCM	0.20	0.20	0.20	0.20
Deputy Human Resources Director	0.50	0.50	0.50	0.50
Senior Human Resources Technician	-	-	0.25	0.25
Human Resources Technician	0.25	0.25	0.25	0.25
PT Human Resources Technician	0.12	0.12	-	-
DIVISION TOTAL FTE	1.07	1.07	1.20	1.20
CITY CLERK (1400)				
City Clerk - Elected	1.00	1.00	1.00	1.00
Deputy City Clerk	0.70	0.70	0.50	0.50
DIVISION TOTAL FTE	1.70	1.70	1.50	1.50
CITY ATTORNEY (1800)				
City Attorney	Contract	Contract	Contract	Contract

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
FISCAL SERVICES (1900)				
City Treasurer - Elected	1.00	1.00	1.00	1.00
Administrative Services Director/DCM	0.20	0.20	0.20	0.20
Deputy Finance Director	0.50	0.50	0.40	0.40
Accountant II	0.50	0.50	1.50	1.50
Accountant I	1.00	1.00	-	-
Accounting Specialist	2.00	2.00	2.00	2.00
PT Financial Services Specialist	0.50	0.50	0.50	0.50
Financial Services Specialist	0.75	0.75	1.75	1.75
DIVISION TOTAL FTE	6.45	6.45	7.35	7.35
PURCHASING (1910)				
Purchasing Manager	1.00	1.00	1.00	1.00
Buyer	-	1.00	1.00	1.00
Financial Services Specialist	1.00	1.00		
Utility Services Assistant			1.00	1.00
DIVISION TOTAL FTE	2.00	3.00	3.00	3.00
TV (2060)				
Multimedia Specialist	-	1.00	1.00	1.00
DIVISION TOTAL FTE	-	1.00	1.00	1.00
POLICE (2200)				
Police Chief	0.90	0.90	0.90	0.90
Police Captain	1.00	1.00	1.00	1.00
Police Lieutenant	1.00	1.00	2.00	2.00
Police Master Sergeant	1.00	1.00	-	-
Police Staff Sergeant	5.00	5.00	5.00	5.00
Police Corporal	3.00	3.00	3.00	3.00
Police Officer	13.00	13.00	19.00	19.00
Police Officer - School Resources BUSD	1.00	1.00	-	-
Police Officer - County MOU (003-2289)	4.00	4.00	-	-
Executive Assistant	1.00	1.00	1.00	1.00
Information Tech Analyst II	-	1.00	1.00	1.00
Police Assistant II	1.00	1.00	1.00	1.00
Police Assistant I	3.00	3.00	3.00	3.00
Community Services Officer	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	35.90	36.90	37.90	37.90
DISPATCH (2210)				
Police Chief	0.10	0.10	0.10	0.10
Lead Public Safety Dispatcher	2.00	1.00	1.00	1.00
Public Safety Dispatcher	6.00	8.00	8.00	8.00
DIVISION TOTAL FTE	8.10	9.10	9.10	9.10

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
BUILDING SAFETY (2700)				
Community Development Director	0.60	0.60	0.60	0.60
Office Specialist	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	1.60	1.60	1.60	1.60
CODE ENFORCEMENT (2740)				
Senior Code Compliance Officer	1.00	1.00	1.00	1.00
Code Compliance Officer	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	2.00	2.00	2.00	2.00
PLANNING (2800)				
Community Development Director	0.40	0.40	0.40	0.40
Senior Planner	1.00	1.00	1.00	1.00
Development Project Coordinator	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	2.40	2.40	2.40	2.40
ENGINEERING (3000)				
Public Works Director/City Engineer	0.09	0.09	0.05	0.05
Senior Civil Engineer (PW)	0.24	0.24	0.25	0.25
PT Associate Engineer	0.10	0.10	0.14	0.14
Executive Secretary	0.09	0.09	-	-
Management Analyst	-	-	0.10	0.10
Public Works Inspector	0.25	0.25	0.25	0.25
DIVISION TOTAL FTE	0.77	0.77	0.79	0.79
BUILDING MAINTENANCE (3200)				
Public Works Director/City Engineer	0.02	0.02	0.10	0.10
Public Works Superintendent	0.15	0.15	0.20	0.20
Executive Secretary	0.14	0.14	-	-
Management Analyst	-	-	0.18	0.18
Building Maintenance Specialist	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	1.31	1.31	1.48	1.48
PARKS (3600)				
Community Services Director	-	-	0.05	0.05
Public Works Superintendent	0.30	0.30	-	-
Maintenance Worker	4.00	4.00	4.00	4.00
DIVISION TOTAL FTE	4.30	4.30	4.05	4.05

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
RECREATION (4000)				
Community Services Director	0.50	0.50	0.45	0.45
Community Services Manager	0.20	0.20	0.20	0.20
Executive Secretary	0.30	0.30	0.30	0.30
Receptionist	0.40	1.40	0.40	0.40
PT Receptionist			0.20	0.20
Community Center Caretaker	0.25	0.25	0.25	0.25
Program Coordinator	0.50	0.50	0.50	0.50
PT Sports Specialist	0.45	-	-	-
PT Senior Recreation Leader	0.45	-		
PT Recreation Leader	3.00	3.00	1.00	1.00
DIVISION TOTAL FTE	6.05	6.15	3.30	3.30
AQUATICS (4010)				
Community Center Caretaker	0.25	0.25	0.25	0.25
PT Pool Manager	0.20	0.20	0.36	0.36
PT Assistant Pool Manager	0.20	0.20	0.36	0.36
PT Lifeguards	1.03	1.03	2.02	2.02
PT Cashiers	0.38	0.38	0.35	0.35
DIVISION TOTAL FTE	2.06	2.06	3.34	3.34
DAY CARE (4010)				
PT Recreation Leader	-	-	0.60	0.60
DIVISION TOTAL FTE	-	-	0.60	0.60
SENIOR CENTER (4010)				
Community Center Caretaker	0.25	0.25	0.25	0.25
Program Coordinator	0.50	0.50	0.50	0.50
PT Recreation Leader	-	-	0.80	0.80
DIVISION TOTAL FTE	0.75	0.75	1.55	1.55
TOTAL GENERAL FUND (001)	81.53	85.63	87.76	87.76

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
OTHER FUNDS				
GAS TAX STREET FUND (100)				
STREETS (4900)				
Public Works Director/City Engineer	0.05	0.05	0.10	0.10
Senior Civil Engineer (PW)	0.20	0.20	0.30	0.30
Public Works Superintendent	0.30	0.30	0.30	0.30
Management Analyst	0.25	0.25	0.15	0.15
Office Specialist	-	-	0.15	0.15
PT Associate Engineer	0.05	0.05	0.08	0.08
Public Works Inspector	0.25	0.25	0.25	0.25
Motor Sweeper Operator	1.00	1.00	1.00	1.00
Senior Maintenance Worker	2.00	2.00	1.00	1.00
Maintenance Worker	-	-	2.00	2.00
Work Release Crew Leader	1.00	1.00	0.80	0.80
TOTAL GAS TAX STREET FUND (100)	5.10	5.10	6.13	6.13
LANDSCAPE MAINTENANCE AD FUND (111)				
STREETS (4900)				
PT Associate Engineer	-	-	0.03	0.03
Public Works Superintendent	-	-	0.10	0.10
TOTAL LANDSCAPE MAINTENANCE AD FUND (111)	-	-	0.13	0.13
AIRPORT FUND (600)				
AIRPORT (4900)				
Public Works Director/City Engineer	0.05	0.05	0.02	0.02
Public Works Superintendent	-	-	0.05	0.05
PT Airport Attendant	0.75	0.75	0.75	0.75
PT Associate Engineer	-	-	0.01	0.01
TOTAL AIRPORT FUND (600)	0.80	0.80	0.83	0.83
TRANSIT FUND (610)				
FIXED ROUTE (5800)				
Community Services Director	0.50	0.50	0.50	0.50
Community Services Manager	0.80	0.80	0.80	0.80
Community Center Caretaker	0.25	0.25	0.25	0.25
Transit Field Supervisor	1.00	1.00	1.00	1.00
Bus Driver	9.28	9.28	7.00	7.00
PT Bus Driver	-	-	2.50	2.50
Executive Secretary	0.70	0.70	0.70	0.70
Receptionist	0.60	0.60	0.60	0.60
PT Receptionist	-	-	0.30	0.30
DIVISION TOTAL FTE	13.13	13.13	13.65	13.65

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
DIAL A RIDE (5850)				
PT Dial-A-Ride Driver	1.39	1.39	1.00	1.00
DIVISION TOTAL FTE	1.39	1.39	1.00	1.00
TOTAL TRANSIT FUND (600)	14.52	14.52	14.65	14.65
WATER FUND (660)				
WATER DEPARTMENT (6300)				
Mayor	0.15	0.15	0.15	0.15
Mayor Pro Tem	0.15	0.15	0.15	0.15
Council Members	0.45	0.45	0.45	0.45
City Manager	0.15	0.15	0.15	0.15
Public Works Director/City Engineer	0.30	0.30	0.30	0.30
Administrative Services Director/DCM	-	-	0.10	0.10
Deputy Finance Director	-	-	0.05	0.05
Deputy Human Resources Director	-	-	0.05	0.05
Senior Civil Engineer (PW)	0.23	0.23	0.20	0.20
Water/Wastewater Superintendent	0.70	0.70	0.70	0.70
Executive Assistant	0.10	0.10	0.10	0.10
Executive Assistant / Deputy City Clerk	0.07	0.07	-	-
Deputy City Clerk	-	-	0.10	0.10
Senior Civil Engineer (W/WW)	0.70	0.70	0.70	0.70
PT Associate Engineer	-	-	0.12	0.12
Executive Secretary	0.70	0.70	-	-
Public Information Officer	0.13	0.13	-	-
Management Analyst	0.19	0.19	0.65	0.65
Public Works Inspector	0.25	0.25	0.25	0.25
Office Specialist	0.70	0.70	0.98	0.98
Warehouse Services Specialist	0.38	0.38	0.38	0.38
Water Crew Lead - Meter	1.00	1.00	1.00	1.00
Water Crew Lead - Valve Flushing	1.00	1.00	1.00	1.00
Water Crew Lead -Construction	1.00	1.00	1.00	1.00
Water Production Operator II	-	1.00	1.00	1.00
Water Crew Supervisor	2.00	2.00	2.00	2.00
Water Services Worker I/II	6.00	6.00	6.00	6.00
TOTAL WATER FUND (660)	16.34	17.34	17.57	17.57

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
ELECTRIC FUND (670)				
ELECTRIC DISTRIBUTION (7000)				
Mayor	0.20	0.20	0.20	0.20
Mayor Pro Tem	0.20	0.20	0.20	0.20
Council Members	0.60	0.60	0.60	0.60
City Manager	0.15	0.15	0.35	0.35
Electric Utility Director	1.00	1.00	1.00	1.00
Administrative Services Director/DCM	-	-	0.20	0.20
Deputy Finance Director	-	-	0.30	0.30
Deputy Human Resources Director	-	-	0.30	0.30
Executive Assistant	0.10	0.10	0.10	0.10
Executive Assistant / Deputy City Clerk	0.07	0.07	-	-
Deputy City Clerk	-	-	0.30	0.30
Public Information Officer	0.25	0.25	-	-
Management Analyst	1.00	1.00	1.00	1.00
Associate Electrical Engineer	1.00	1.00	1.00	1.00
Warehouse Services Specialist	0.63	0.63	0.63	0.63
Electric Operations Manager	1.00	1.00	1.00	1.00
Electric Engineering Manager	-	-	1.00	1.00
Powerline Crew Supervisor	3.00	3.00	3.00	3.00
Powerline Technician	12.00	12.00	2.00	2.00
Senior Electric Service Planner	1.00	1.00	1.00	1.00
Electric Service Planner	1.00	1.00	1.00	1.00
Assistant Electric Service Planner	-	-	1.00	1.00
Meter Test Technician	1.00	1.00	1.00	1.00
Substation Test Technician	1.00	1.00	1.00	1.00
Engineer Services Assistant	1.00	1.00	-	-
Information Tech Analyst I	-	-	1.00	1.00
Office Specialist	-	-	1.00	1.00
Public Benefits Coordinator	-	-	1.00	1.00
Utility Services Assistant	-	-	1.00	1.00
Powerline Apprentices	-	-	7.00	7.00
DIVISION TOTAL FTE	26.20	26.20	29.18	29.18
ELECTRIC GENERATION (7010)				
Power Contract & Revenue Administrator	1.00	1.00	1.00	1.00
DIVISION TOTAL FTE	1.00	1.00	1.00	1.00
PUBLIC BENEFITS (675-7020)				
Public Benefits Coordinator	1.00	1.00	-	-
Utility Services Assistant	1.00	1.00	-	-
DIVISION TOTAL FTE	2.00	2.00	-	-
TOTAL ELECTRIC FUND (670)	29.20	29.20	30.18	30.18

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
WASTEWATER FUND (680)				
WASTEWATER DEPARTMENT (8000)				
Mayor	0.10	0.10	0.10	0.10
Mayor Pro Tem	0.10	0.10	0.10	0.10
Council Members	0.30	0.30	0.30	0.30
City Manager	0.05	0.05	0.05	0.05
Public Works Director/City Engineer	0.30	0.30	0.28	0.28
Administrative Services Director/DCM	-	-	0.05	0.05
Water/Wastewater Superintendent	0.30	0.30	0.30	0.30
Executive Secretary	0.30	0.30	-	-
Public Information Officer	0.13	0.13	-	-
Management Analyst	0.19	0.19	0.65	0.65
Executive Assistant	0.10	0.10	0.35	0.35
Executive Assistant / Deputy City Clerk	0.07	0.07	-	-
Deputy City Clerk	-	-	0.08	0.08
PT Associate Engineer	0.10	0.10	0.12	0.12
Senior Civil Engineer (PW)	0.23	0.23	0.20	0.20
Senior Civil Engineer (W/WW)	0.30	0.30	0.30	0.30
Public Works Inspector	0.25	0.25	0.25	0.25
Office Specialist	0.30	0.30	0.58	0.58
Wastewater Collection Crew Supervisor	1.00	1.00	1.00	1.00
Wastewater Collections	2.00	2.00	-	-
Wastewater Collection System Tech	-	-	1.00	1.00
Wastewater Collection System Specialist	-	-	1.00	1.00
TOTAL WASTEWATER FUND (680)	6.12	6.12	6.71	6.71
REFUSE FUND (690)				
REFUSE DEPARTMENT (9600)				
City Manager	0.05	0.05	0.05	0.05
Public Works Director/City Engineer	0.20	0.20	0.10	0.10
Administrative Services Director/DCM	-	-	0.05	0.05
Deputy City Clerk	-	-	0.02	0.02
Senior Civil Engineer (PW)	0.10	0.10	0.05	0.05
Public Works Superintendent	0.25	0.25	0.25	0.25
Public Information Officer	0.40	0.40	-	-
Office Specialist	-	-	0.05	0.05
Management Analyst	0.14	0.14	0.25	0.25
TOTAL REUSE FUND (690)	1.14	1.14	0.82	0.82

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
RISK MANAGEMENT FUND (700)				
WORKER'S COMP (5020)				
Administrative Services Director/DCM	0.10	0.10	-	-
Deputy Human Resources Director	0.20	0.20	0.05	0.05
Senior Human Resources Technician			0.30	0.30
Human Resources Technician	0.30	0.30	0.30	0.30
PT Human Resources Technician	0.14	0.14	-	-
DIVISION TOTAL FTE	0.74	0.74	0.65	0.65
STATE UNEMPLOYMENT INS (SUI) (5030)				
Senior Human Resources Technician	-	-	0.08	0.08
Human Resources Technician	0.08	0.08	0.08	0.08
PT Human Resources Technician	0.04	0.04		
DIVISION TOTAL FTE	0.12	0.12	0.15	0.15
GENERAL LIABILITY (5040)				
Administrative Services Director/DCM	0.10	0.10	-	-
Deputy Human Resources Director	0.30	0.30	0.10	0.10
Senior Human Resources Technician	-	-	0.38	0.38
Human Resources Technician	0.38	0.38	0.38	0.38
PT Human Resources Technician	0.18	0.18		
DIVISION TOTAL FTE	0.96	0.96	0.85	0.85
CITY ATTORNEY (5300)				
City Attorney	1.00	1.00	-	-
DIVISION TOTAL FTE	1.00	1.00	-	-
TOTAL RISK MANAGEMENT FUND (700)	2.82	2.82	1.65	1.65
FLEET MAINTENANCE FUND (702)				
FLEET MAINTENANCE DEPT (3800)				
City Manager	0.05	0.05	-	-
Public Works Director/City Engineer	-	-	0.05	0.05
Public Works Superintendent	-	-	0.10	0.10
Fleet Manager	1.00	1.00	1.00	1.00
Management Analyst	-	-	0.02	0.02
Office Specialist	-	-	0.25	0.25
Fleet Maintenance Mechanic	3.00	3.00	3.00	3.00
TOTAL FLEET MAINTENANCE FUND (702)	4.05	4.05	4.42	4.42

City of Banning
Citywide Personnel Summary by Fund/Division

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
INFORMATION SYSTEMS SERVICES FUND (703)				
INFORMATION SYSTEMS SERVICES DEPT (3700)				
City Manager	0.10	0.10	-	-
Administrative Services Director/DCM	0.10	0.10	-	-
Deputy Finance Director	0.25	0.25	-	-
Information Technology Manager	1.00	1.00	1.00	1.00
Police Info Systems Technician	1.00	1.00	-	-
Information Technology Media Technician	1.00	1.00	-	-
Information Tech Analyst I	-	-	1.00	1.00
TOTAL INFORMATION SYSTEMS SERVICES FUND (703)	3.45	3.45	2.00	2.00
UTILITY BILLING ADMINISTRATION FUND (761)				
UTILITY BILLING DEPT (3100)				
City Manager	0.01	0.01	-	-
Administrative Services Director/DCM	0.30	0.30	0.20	0.20
Deputy Finance Director	0.25	0.25	0.25	0.25
Utility Billing Financial Analyst	1.00	1.00	1.00	1.00
Customer Service & Billing Manager	1.00	1.00	1.00	1.00
Accountant II	0.50	0.50	0.50	0.50
Senior Billing Utility Representative	3.00	3.00	3.00	3.00
Office Specialist	1.00	1.00	-	-
Lead Customer Service Representative	-	-	1.00	1.00
Utility Billing Representative	4.00	4.00	3.00	3.00
Financial Services Specialist	0.25	0.25	0.25	0.25
DIVISION TOTAL FTE	11.31	11.31	10.20	10.20
METER READING DEPT (3110)				
Lead Field Representative	1.00	1.00	1.00	1.00
Field Service Representative	3.00	3.00	4.00	4.00
Utility Services Assistant	1.00	1.00	-	-
DIVISION TOTAL FTE	5.00	5.00	5.00	5.00
TOTAL UTILITY BILLING ADMINISTRATION FUND (761)	16.31	16.31	15.20	15.20
TOTAL OTHER FUNDS	99.85	100.85	100.28	100.28
TOTAL ALL FUNDS	181.38	186.48	188.04	188.04
TOTAL ALL FUNDS	181.38	186.48	188.04	188.04
Less Part - Time/Seasonal (Full-time Equivalent)	11.36	8.18	11.24	11.24
Less Elected	7.00	7.00	7.00	7.00
<i>Full-Time Regular Employees</i>	163.02	171.30	169.80	169.80

City of Banning
Budgeted Positions Summary

Description	Adopted 2016-17	Adopted 2017-18	Projected 2018-19	Projected 2019-20
GENERAL FUND (001)				
CITY COUNCIL (1000)	2.75	2.75	2.75	2.75
CITY MANAGER (1200)	1.09	1.09	1.85	1.85
ECONOMIC DEVELOPMENT (1210)	1.24	1.24	1.00	1.00
HUMAN RESOURCES (1300)	1.07	1.07	1.20	1.20
CITY CLERK (1400)	1.70	1.70	1.50	1.50
CITY ATTORNEY (1800)	Contract	Contract	Contract	Contract
FISCAL SERVICES (1900)	6.45	6.45	7.35	7.35
PURCHASING (1910)	2.00	3.00	3.00	3.00
TV (2060)	-	1.00	1.00	1.00
POLICE (2200)	35.90	36.90	37.90	37.90
DISPATCH (2210)	8.10	9.10	9.10	9.10
BUILDING SAFETY (2700)	1.60	1.60	1.60	1.60
CODE ENFORCEMENT (2740)	2.00	2.00	2.00	2.00
PLANNING (2800)	2.40	2.40	2.40	2.40
ENGINEERING (3000)	0.77	0.77	0.79	0.79
BUILDING MAINTENANCE (3200)	1.31	1.31	1.48	1.48
PARKS (3600)	4.30	4.30	4.05	4.05
RECREATION (4000)	6.05	6.15	3.30	3.30
AQUATICS (4010)	2.06	2.06	3.34	3.34
DAY CARE (4010)	-	-	0.60	0.60
SENIOR CENTER (4010)	0.75	0.75	1.55	1.55
TOTAL GENERAL FUND (001)	81.53	85.63	87.76	87.76
OTHER FUNDS				
STREETS (4900)	5.10	5.10	6.13	6.13
LMD STREETS (4900)	-	-	0.13	0.13
AIRPORT (4900)	0.80	0.80	0.83	0.83
TRANSIT FIXED ROUTE (5800)	13.13	13.13	13.65	13.65
DIAL A RIDE (5850)	1.39	1.39	1.00	1.00
WATER DEPARTMENT (6300)	16.34	16.34	17.57	17.57
ELECTRIC DISTRIBUTION (7000)	26.20	26.20	29.18	29.18
ELECTRIC GENERATION (7010)	1.00	1.00	1.00	1.00
PUBLIC BENEFITS (675-7020)	2.00	2.00	-	-
WASTEWATER DEPARTMENT (8000)	6.12	6.12	6.71	6.71
REFUSE DEPARTMENT (9600)	1.14	1.14	0.82	0.82
RISK MANAGEMENT (5020, 5030, 5040, 5300)	2.82	2.82	1.65	1.65
FLEET MAINTENANCE DEPT (3800)	4.05	4.05	4.42	4.42
INFORMATION SYSTEMS SERVICES DEPT (3700)	3.45	3.45	2.00	2.00
UTILITY BILLING DEPT (3100)	11.31	11.31	10.20	10.20
METER READING DEPT (3110)	5.00	5.00	5.00	5.00
TOTAL OTHER FUNDS	99.85	99.85	100.28	100.28
TOTAL ALL FUNDS	181.38	185.48	188.04	188.04
TOTAL ALL FUNDS	181.38	185.48	188.04	188.04
Less Part - Time/Seasonal (Full-time Equivalent)	11.36	8.18	11.24	11.24
Less Elected	7.00	7.00	7.00	7.00
<i>Full-Time Regular Employees</i>	163.02	170.30	169.80	169.80

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CITY OF BANNING
Budget by Category
FY 2019-2020

			Operating Budget											
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	+	Total Capital Budget	=	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	Maintenance & Operations	Contra	Allocations	Transfers						
Governmental Funds														
001	General													
0001	General		15,417,819	-	-	-	-	-	-				-	
1000	City Council			53,232	54,398				107,630				107,630	
1200	City Manager			165,153	46,650				211,803				211,803	
1210	Economic Development			196,858	55,673				252,531				252,531	
1300	Human Resources			219,544	116,450	(184,992)			151,002				151,002	
1400	City Clerk			158,400	9,550				167,950				167,950	
1500	Elections				-				-				-	
1800	City Attorney			-	-		243,247		243,247				243,247	
1900	Fiscal Services			-	712,190	161,084	(500,503)		372,771				372,771	
1910	Purchasing			-	356,276	57,660	(279,976)		133,960				133,960	
2060	TV Government Access		61,000	96,649	20,100				116,749				116,749	
2200	Police		517,119	6,867,978	636,993	-	252,706	1,500	7,759,177				7,759,177	
2210	Dispatch			1,065,470	11,808				1,077,278				1,077,278	
2279	TASIN - SB621 (Police)								-				-	
2300	Animal Control			210,503					210,503				210,503	
2400	Fire		244,058	-	3,518,497		1,958		3,520,455				3,520,455	
2479	TASIN - SB621 (Fire)								-				-	
2700	Building & Safety		537,666	195,496	365,189		-		560,685				560,685	
2740	Code Enforcement		96,574	273,685	64,962		8,167		346,814				346,814	
2800	Planning		285,447	377,864	853,795		-		1,231,659				1,231,659	
3000	Engineering		269,678	133,221	134,709		10,440		278,370				278,370	
3200	Building Maintenance			189,172	160,759	(186,002)	13,397		177,326				177,326	
3600	Parks			237,184	195,518	-	3,010		435,712				435,712	
4000	Recreation		60,000	321,663	72,025		-		393,688				393,688	
4010	Aquatics		54,300	124,954	54,050				179,004				179,004	
4020	Day Care		16,000	19,065	1,200				20,265				20,265	
4050	Senior Center		5,400	97,815	20,175				117,990				117,990	
4500	Central Services				421,805		411,061	164,325	997,191				997,191	
4800	Debt Service								-				-	
5400	Community Enhancement		1,200		76,500				76,500				76,500	
GENERAL FUND TOTAL		11,741,423	18,566,261	12,072,372	7,109,550	(1,151,473)	943,986	165,825	19,140,260	-			19,140,260	11,167,424

CITY OF BANNING
Budget by Category
FY 2019-2020

			Operating Budget											
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	+	Total Capital Budget	=	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	Maintenance & Operations	Contra	Allocations	Transfers						
Special Revenue Funds														
002	Developer Deposit Fund	68,162	-	-	-	-	-	-	-	-	-	-	-	68,162
003	Riverside County MOU	0	-	-	-	-	-	-	-	-	-	-	-	-
005	SA Administration Fund	793,773	250,000	-	16,190	-	-	-	16,190	-	-	-	16,190	1,027,583
100	Gas Tax Street	(279,074)	929,032	725,451	183,204	-	406,651	-	1,315,306	-	-	-	1,315,306	(665,348)
101	Measure A Street	(240,858)	604,750	-	-	-	-	-	-	-	591,000	-	591,000	(227,108)
102	RMRA (SB1) Gas Tax	121,059	521,076	-	-	-	-	-	-	-	521,076	-	521,076	121,059
103	SB300 Street Improvement	72,606	-	-	-	-	-	-	-	-	-	-	-	72,606
104	Article 3 - Sidewalk Construction	0	-	-	-	-	-	-	-	-	-	-	-	0
New	TUMF-Joshua Palmer Realignment	0	-	-	-	-	-	-	-	-	-	-	-	-
New	ATP Cycle Two	0	941,534	-	-	-	-	-	-	-	941,534	-	941,534	-
110	C.D.B.G.	(13,609)	-	-	-	-	-	-	-	-	-	-	-	(13,609)
111	Landscape Maintenance Assmt. Dist.#1	412,271	141,882	-	131,550	-	-	-	131,550	-	-	-	131,550	422,603
132	Air Quality Improvement	145,032	39,800	-	3,000	-	-	-	3,000	-	-	-	3,000	181,832
140	Asset Forfeiture	(22,348)	-	-	-	-	-	-	-	-	-	-	-	(22,348)
148	Supplemental Law Enforcement	221,770	100,000	-	100,000	-	-	-	100,000	-	-	-	100,000	221,770
150	State Park Bond Act	954	-	-	-	-	-	-	-	-	-	-	-	954
190	Housing Authority Fund	0	-	-	-	-	-	-	-	-	-	-	-	-
200	Special Donations	25,568	8,000	-	8,000	-	-	-	8,000	-	-	-	8,000	25,568
201	Senior Center Activities	38,019	-	-	-	-	-	-	-	-	-	-	-	38,019
4050	Senior Center	(600)	600	-	1,280	-	-	-	1,280	-	-	-	1,280	(1,280)
4060	Senior Center Advisory Board	600	7,700	-	7,020	-	-	-	7,020	-	-	-	7,020	1,280
	Senior Center Activities Subtotal	0	8,300	-	8,300	-	-	-	8,300	-	-	-	8,300	-
202	Animal Control Reserve	5,007	-	-	-	-	-	-	-	-	-	-	-	5,007
203	Police Volunteer	354	-	-	1,500	-	-	-	1,500	-	-	-	1,500	(1,146)
300	City Hall COP Debt Service*	5,866	437,000	-	437,000	-	-	-	437,000	-	-	-	437,000	5,866
360	Sun Lakes CFD #86-1	35,866	125	-	-	-	-	-	-	-	-	-	-	35,991
365	Wilson Street #91-1 Assessment Debt	54,191	255	-	-	-	-	-	-	-	-	-	-	54,446
370	Area Police Computer	60,490	51,812	-	49,812	-	2,000	-	51,812	-	-	-	51,812	60,490
375	Fair Oaks #2004-1 Debt Service	365,606	199,000	-	190,700	-	8,300	-	199,000	-	-	-	199,000	365,606
376	Cameo Homes	6,893	170	-	-	-	-	-	-	-	-	-	-	7,063
SPECIAL REVENUE FUNDS TOTAL		1,877,598	4,232,737	725,451	1,129,256	-	416,951	-	2,271,658	-	2,053,610	-	4,325,268	1,785,067

CITY OF BANNING
Budget by Category
FY 2019-2020

			Operating Budget											
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	+	Total Capital Budget	=	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	+ Maintenance & Operations	+ Contra	+ Allocations	+ Transfers						
Capital Improvement Funds														
400	Police Facilities Development	20,625							-				-	20,625
410	Fire Facility Development	986,977							-				-	986,977
420	Traffic Control Facility	464,122	1,750						-				-	465,872
421	Ramsey/Highland Home Traffic Signal	82,650	310						-				-	82,960
430	General Facilities	25,209							-				-	25,209
441	Sunset Grade Separation Fund	(771,497)							-				-	(771,497)
444	Wilson Median	385,761	1,450						-				-	387,211
451	Park Development	130,767							-		355,000		355,000	(224,233)
470	Capital Improvement Fund	642,171							-				-	642,171
CAPITAL IMPROVEMENT FUNDS TOTAL		1,966,785	3,510	-	-	-	-	-	-		355,000		355,000	1,615,295

CITY OF BANNING
Budget by Category
FY 2019-2020

			Operating Budget									
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	Total Capital Budget	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	+ Maintenance & Operations	+ Contra	+ Allocations	+ Transfers				
Banning Utility Authority Funds												
660	Water Operations	13,550,120	10,570,147	2,181,475	3,438,780		1,611,704	2,655,328	9,887,287	1,386,500	11,273,787	12,846,481
661	Water Capital Facility Fee	1,400,814	45,000						-	1,439,313	1,439,313	6,501
663	BUA Water Capital Project Fund	701,172	3,750						-		-	704,922
669	BUA Water Debt Service Fund	0	1,989,318		1,989,318				1,989,318		1,989,318	-
	Water Subtotal	15,652,107	12,608,215	2,181,475	5,428,098	-	1,611,704	2,655,328	11,876,605	2,825,813	14,702,418	13,557,904
680	Wastewater Operations	1,232,284	3,567,979	871,276	1,160,074		536,441	876,227	3,444,018	164,189	3,608,207	1,192,056
681	Wastewater Capital Facility Fees	10,579,081	86,860						-	125,000	125,000	10,540,941
683	BUA WWtr Capital Project Fund	3,265,501	4,000						-		-	3,269,501
685	State Revolving Loan	774,718	304,289		304,289				304,289		304,289	774,718
689	BUA Wastewater Debt Service Fund	0	393,966		393,966				393,966		393,966	-
	Wastewater Subtotal	15,851,584	4,357,094	871,276	1,858,329	-	536,441	876,227	4,142,273	289,189	4,431,462	15,777,216
662	Irrigation Water	1,178,916	5,100		-				-		-	1,184,016
682	Wastewater Tertiary	5,704,147	234,496						-		-	5,938,643
	Reclaimed Water Subtotal	6,883,063	239,596	-	-	-	-	-	-	-	-	7,122,659
	Subtotal	38,386,754	17,204,906	3,052,751	7,286,427	-	2,148,145	3,531,555	16,018,878	3,115,002	19,133,880	36,457,780
Enterprise Funds												
600	Airport	192,829	181,650	48,074	100,430		36,098		184,602		184,602	189,877
610	Transit Operations	426,508							-		-	426,508
5800		103,042	1,746,557	771,534	33,675		484,021	-	1,289,230		1,289,230	
5850		45,573	267,500	73,130	4,875		143,632		221,637		221,637	
	610 - Total	575,123	2,014,057	844,664	38,550	-	627,653	-	1,510,867	-	1,510,867	1,078,313
690	Refuse	1,620,118	3,711,539	166,443	3,003,991		395,763	-	3,566,197		3,566,197	1,765,460
	Airport, Transit & Refuse Subtotal	2,388,070	5,907,246	1,059,181	3,142,971	-	1,059,514	-	5,261,666	-	5,261,666	3,033,650
670	Electric Operations	15,866,395							-		-	15,866,395
7000	Electric	16,631,840	30,036,500	4,932,040	1,106,027	-	5,037,001	2,425,469	13,500,537	25,000	13,525,537	33,142,803
7010	Generation & Transmission	(16,308,212)	1,535,261	219,195	17,685,000		156,844		18,061,039		18,061,039	(32,833,990)
	670 - Total	16,190,023	31,571,761	5,151,235	18,791,027	-	5,193,845	2,425,469	31,561,576	25,000	31,586,576	16,175,207
672	Rate Stability	6,350,276							-		-	6,350,276
673	Electric Improvement	(4,638,729)	21,000		25,000				25,000	2,970,000	2,995,000	(7,612,729)
674	2007/2015 Elec Rev Bond Project Fund	1,109,043							-	640,000	640,000	469,043
675	Public Benefit Fund	1,006,927	795,088	-	519,873		-	-	519,873		519,873	1,282,142
678	2007 Elec Rev Bond Debt Service	0	2,427,219		2,427,219				2,427,219		2,427,219	-
	Electric Subtotal	20,017,540	34,815,068	5,151,235	21,763,119	-	5,193,845	2,425,469	34,533,668	3,635,000	38,168,668	16,663,940
	ENTERPRISE FUNDS TOATL	22,405,610	40,722,314	6,210,416	24,906,090	-	6,253,359	2,425,469	39,795,334	3,635,000	43,430,334	19,697,590

CITY OF BANNING
Budget by Category
FY 2019-2020

				Operating Budget								
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	Total Capital Budget	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	Maintenance + Operations	Contra	Allocations	Transfers				
Internal Service Funds												
700	Risk Management Fund	722,416							-			722,416
5020	Workers Compensation	39,924	791,208	78,558	649,875		10,667		739,100		739,100	92,032
5030	Unemployment Insurance	29,541	79,711	15,052	30,200		1,813		47,065		47,065	62,188
5040	Liability Insurance	(3,077)	951,052	108,034	832,054		14,185	-	954,273		954,273	(6,298)
5300	City Attorney	0	500,000	-	500,000		-		500,000		500,000	-
	700 - Total	788,805	2,321,971	201,644	2,012,129	-	26,665	-	2,240,438	-	2,240,438	870,338
702	Fleet Maintenance	373,094	1,366,665	558,574	701,311		83,350	-	1,343,235		1,343,235	396,524
703	Information Systems Services	208,692	454,924	307,646	120,833		26,096		454,575		454,575	209,041
761	Utility Billing Administration	659,780										659,780
3100	Account & Collection Service	0	1,655,376	1,149,268	373,558		132,550	-	1,655,376		1,655,376	-
3110	Meter Reading & Service	0	621,771	522,218	10,300		89,253		621,771		621,771	-
	761 - Total	659,780	2,277,147	1,671,486	383,858	-	221,803	-	2,277,147	-	2,277,147	659,780
INTERNAL SERVICE FUNDS TOTAL		2,030,371	6,420,707	2,739,350	3,218,131	-	357,914	-	6,315,395	-	6,315,395	2,135,684
Successor Agency Funds												
805	Redevelopment Obligation Retirement Fund	527,196	2,975,619		2,445,629				2,445,629		2,445,629	1,057,186
810	Successor Housing Agency	1,359,937	3,939	-	3,939		-	-	3,939		3,939	1,359,937
830	Debt Service Fund	1,062,266	2,195,629		2,195,629				2,195,629		2,195,629	1,062,266
850	Successor Agency	57,984							-		-	57,984
840	BEA Capital Project Fund	7,763,666	9,000						-		-	7,772,666
841	BEA L/M Capital project Fund	541,594							-		-	541,594
855	2007 TAPBS Bond Proceeds	(8,264,177)							-		-	(8,264,177)
856	2003 TABS Bond Proceeds	169,601							-		-	169,601
857	2003 TABS Bond Proceeds Low/Mod	102,997							-		-	102,997
SUCCESSOR AGENCY FUNDS TOTAL		3,321,065	5,184,187	-	4,645,197	-	-	-	4,645,197	-	4,645,197	3,860,055
OTHER FUNDS GRAND TOTAL		69,988,182	73,768,360	12,727,967	41,185,101	+	-	9,176,369	5,957,024	69,046,461	9,158,612	78,205,073
CITY WIDE GRAND TOTAL		81,729,606	92,334,621	24,800,339	48,294,651	+	(1,151,473)	+	10,120,355	+	6,122,849	88,186,721
										9,158,612	=	97,345,333
												76,718,894

Note: For definitions of headings (i.e., Contra, Allocations, etc.) see the section titled "Glossary of Terms".

CITY OF BANNING
Budget by Category
FY 2018-2019

			Operating Budget											
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	+	Total Capital Budget	=	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	+ Maintenance & Operations	+ Contra	+ Allocations	+ Transfers						
Governmental Funds														
001	General													
0001	General		16,159,132	-	-	-	-	-	-				-	
1000	City Council			53,232	54,057	-	-	-	107,289				107,289	
1200	City Manager			153,133	70,750	-	-	-	223,883				223,883	
1210	Economic Development			182,483	50,825				233,308				233,308	
1300	Human Resources			211,441	119,450	(183,207)			147,684				147,684	
1400	City Clerk			151,053	9,350				160,403				160,403	
1500	Elections				87,000				87,000				87,000	
1800	City Attorney			-	-		243,247		243,247				243,247	
1900	Fiscal Services			674,275	182,605	(492,024)			364,856				364,856	
1910	Purchasing			335,510	56,435	(265,101)			126,844				126,844	
2060	TV Government Access		61,000	91,324	20,100				111,424				111,424	
2200	Police		576,188	6,364,919	692,116	-	279,886	1,500	7,338,421				7,338,421	
2210	Dispatch		-	1,018,123	11,808				1,029,931				1,029,931	
2279	TASIN - SB621 (Police)								-				-	
2300	Animal Control		-	204,372					204,372				204,372	
2400	Fire		237,704	-	3,338,076		2,168		3,340,244				3,340,244	
2479	TASIN - SB621 (Fire)								-				-	
2700	Building & Safety		426,413	186,612	307,065		-		493,677				493,677	
2740	Code Enforcement		100,825	262,896	64,097		9,045		336,038				336,038	
2800	Planning		215,478	346,038	629,465				975,503				975,503	
3000	Engineering		253,663	128,279	127,567		5,883		261,729				261,729	
3200	Building Maintenance		-	182,372	153,200	(182,177)	1,174		154,569				154,569	
3600	Parks		-	225,913	195,660		3,334		424,907				424,907	
4000	Recreation		60,000	302,919	74,850				377,769				377,769	
4010	Aquatics		54,300	115,383	57,300				172,683				172,683	
4020	Day Care		16,000	17,089	1,200				18,289				18,289	
4050	Senior Center		5,400	91,558	26,650				118,208				118,208	
4500	Central Services		-		420,941		398,645	164,325	983,911				983,911	
4800	Debt Service								-				-	
5400	Community Enhancement		1,200		76,500				76,500				76,500	
GENERAL FUND TOTAL		11,686,809	18,167,303	11,298,924	6,827,067	(1,122,509)	943,382	165,825	18,112,689	-			18,112,689	11,741,423

CITY OF BANNING
Budget by Category
FY 2018-2019

			Operating Budget									
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	Total Capital Budget	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	Maintenance + Operations	Contra	Allocations	Transfers				
Special Revenue Funds												
002	Developer Deposit Fund	68,162	81,120		81,120				81,120		81,120	68,162
003	Riverside County MOU	0	-	-	-				-		-	-
005	SA Administration Fund	559,783	250,000		16,010			16,010			16,010	793,773
100	Gas Tax Street	56,347	921,467	691,861	189,790		375,237		1,256,888		1,256,888	(279,074)
101	Measure A Street	2,059,642	592,500							2,893,000	2,893,000	(240,858)
102	RMRA (SB1) Gas Tax	121,059	515,917		-				-	515,917	515,917	121,059
103	SB300 Street Improvement	72,606							-		-	72,606
104	Article 3 - Sidewalk Construction	0							-		-	0
New	TUMF-Joshua Palmer Realignment	0	2,000,000							2,000,000	2,000,000	-
New	ATP Cycle Two	0	140,466							140,466	140,466	-
110	C.D.B.G.	(13,609)	179,476		179,476				179,476		179,476	(13,609)
111	Landscape Maintenance Assmt. Dist.#1	402,128	139,793		129,650				129,650		129,650	412,271
132	Air Quality Improvement	108,782	39,250		3,000				3,000		3,000	145,032
140	Asset Forfeiture	(22,348)							-		-	(22,348)
148	Supplemental Law Enforcement	221,770	100,000		100,000		-		100,000		100,000	221,770
150	State Park Bond Act	954							-		-	954
190	Housing Authority Fund	0							-		-	-
200	Special Donations	25,568	8,000		8,000				8,000		8,000	25,568
201	Senior Center Activities	38,019							-		-	38,019
4050	Senior Center		600		1,200				1,200		1,200	(600)
4060	Senior Center Advisory Board		7,700		7,100				7,100		7,100	600
	Senior Center Activities Subtotal		8,300	-	8,300	-	-	-	8,300	-	8,300	-
202	Animal Control Reserve	5,007	-						-		-	5,007
203	Police Volunteer	354	1,500		1,500				1,500		1,500	354
300	City Hall COP Debt Service*	5,866	437,000		437,000				437,000		437,000	5,866
360	Sun Lakes CFD #86-1	35,741	125						-		-	35,866
365	Wilson Street #91-1 Assessment Debt	53,936	255						-		-	54,191
370	Area Police Computer	60,490	51,812		49,812		2,000		51,812		51,812	60,490
375	Fair Oaks #2004-1 Debt Service	365,606	197,683		189,383		8,300		197,683		197,683	365,606
376	Cameo Homes	6,723	170						-		-	6,893
SPECIAL REVENUE FUNDS TOTAL		4,232,586	5,664,834	691,861	1,393,041	-	385,537	-	2,470,439	5,549,383	8,019,822	1,877,598

CITY OF BANNING
Budget by Category
FY 2018-2019

			Operating Budget											
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	+	Total Capital Budget	=	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	+ Maintenance & Operations	+ Contra	+ Allocations	+ Transfers						
Capital Improvement Funds														
400	Police Facilities Development	20,625							-				-	20,625
410	Fire Facility Development	986,977							-				-	986,977
420	Traffic Control Facility	462,122	2,000						-				-	464,122
421	Ramsey/Highland Home Traffic Signal	82,350	300						-				-	82,650
430	General Facilities	425,209			200,000				200,000		200,000		400,000	25,209
441	Sunset Grade Separation Fund	[771,497]							-				-	[771,497]
444	Wilson Median	384,311	1,450						-				-	385,761
451	Park Development	130,767							-		-		-	130,767
470	Capital Improvement Fund	642,171							-				-	642,171
CAPITAL IMPROVEMENT FUNDS TOTAL		2,363,035	3,750	-	200,000	-	-	-	200,000		200,000		400,000	1,966,785

CITY OF BANNING
Budget by Category
FY 2018-2019

			Operating Budget										
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	Total Capital Budget	= Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)	
				Personnel	Maintenance + Operations	Contra	Allocations	Transfers					
Banning Utility Authority Funds													
660	Water Operations	14,779,278	10,088,730	2,058,915	3,379,954		1,461,536	2,554,983	9,455,388	1,862,500	11,317,888	13,550,120	
661	Water Capital Facility Fee	3,919,314	44,000						-	2,562,500	2,562,500	1,400,814	
663	BUA Water Capital Project Fund	697,672	3,500						-		-	701,172	
669	BUA Water Debt Service Fund	0	1,890,913		1,890,913				1,890,913		1,890,913	-	
	Water Subtotal	19,396,265	12,027,143	2,058,915	5,270,867	-	1,461,536	2,554,983	11,346,301	4,425,000	15,771,301	15,652,107	
680	Wastewater Operations	1,950,307	3,386,900	826,391	1,162,222		511,164	878,783	3,378,560	726,363	4,104,923	1,232,284	
681	Wastewater Capital Facility Fees	10,618,081	86,000						-	125,000	125,000	10,579,081	
683	BUA WWtr Capital Project Fund	3,261,501	4,000						-		-	3,265,501	
685	State Revolving Loan	774,718	304,289		304,289				304,289		304,289	774,718	
689	BUA Wastewater Debt Service Fund	0	396,494		396,494				396,494		396,494	-	
	Wastewater Subtotal	16,604,607	4,177,683	826,391	1,863,005	-	511,164	878,783	4,079,343	851,363	4,930,706	15,851,584	
682	Irrigation Water	1,178,916	200,000		200,000				200,000		200,000	1,178,916	
682	Wastewater Tertiary	5,476,073	228,074						-		-	5,704,147	
	Reclaimed Water Subtotal	6,654,989	428,074	-	200,000	-	-	-	200,000	-	200,000	6,883,063	
	Subtotal	42,655,861	16,632,900	2,885,306	7,333,872	-	1,972,700	3,433,766	15,625,644	5,276,363	20,902,007	38,386,754	
Enterprise Funds													
600	Airport	210,657	177,650	43,841	115,930		35,707		195,478		195,478	192,829	
610	Transit Operations	426,508							-		-	426,508	
5800			1,924,246	1,199,210	33,775		504,460	83,759	1,821,204		1,821,204	103,042	
5850			254,000	48,929	4,875		154,623		208,427		208,427	45,573	
	610 - Total	426,508	2,178,246	1,248,139	38,650	-	659,083	83,759	2,029,631	-	2,029,631	575,123	
690	Refuse	1,467,157	3,621,014	157,083	2,930,721		380,249		3,468,053		3,468,053	1,620,118	
	Airport, Transit & Refuse Subtotal	2,104,322	5,976,910	1,449,063	3,085,301	-	1,075,039	83,759	5,693,162	-	5,693,162	2,388,070	
670	Electric Operations	15,866,395							-		-	15,866,395	
7000	Electric		29,761,500	4,612,917	1,150,211	-	4,916,313	2,425,219	13,104,660	25,000	13,129,660	16,631,840	
7010	Generation & Transmission		1,428,764	200,061	17,385,000		151,915		17,736,976		17,736,976	(16,308,212)	
	670 - Total	15,866,395	31,190,264	4,812,978	18,535,211	-	5,068,228	2,425,219	30,841,636	25,000	30,866,636	16,190,023	
672	Rate Stability	6,350,276							-		-	6,350,276	
673	Electric Improvement	4,126,426	21,000		-			2,100,000	2,100,000	6,686,155	8,786,155	(4,638,729)	
674	2007 Elec Rev Bond Project Fund	2,741,043							-	1,632,000	1,632,000	1,109,043	
675	Public Benefit Fund	899,918	727,400	-	545,391			-	545,391	75,000	620,391	1,006,927	
678	2007 Elec Rev Bond Debt Service	0	2,426,969		2,426,969				2,426,969		2,426,969	-	
	Electric Subtotal	29,984,058	34,365,633	4,812,978	21,507,571	-	5,068,228	4,525,219	35,913,996	8,418,155	44,332,151	20,017,540	
	ENTERPRISE FUNDS TOATL	32,088,380	40,342,543	6,262,041	24,592,872	-	6,143,267	4,608,978	41,607,158	8,418,155	50,025,313	22,405,610	

CITY OF BANNING
Budget by Category
FY 2018-2019

			Operating Budget									
Fund	Department Name	Available Resources	Total Operating Revenue Budget	Expenditure Category					Total Operating Budget Expenditures	Total Capital Budget	Total Expenditure Budget	Budget Balance (Available Resources + Revenue - Expenditures)
				Personnel	+ Maintenance & Operations	+ Contra	+ Allocations	+ Transfers				
Internal Service Funds												
700	Risk Management Fund	722,416							-			722,416
	5020 Workers Compensation		756,023	73,911	631,800		10,388		716,099		716,099	39,924
	5030 Unemployment Insurance		76,010	14,498	30,200		1,771		46,469		46,469	29,541
	5040 Liability Insurance		925,673	101,153	813,784		13,813	-	928,750		928,750	(3,077)
	5300 City Attorney		500,000	-	500,000		-		500,000		500,000	-
	700 - Total	722,416	2,257,706	189,562	1,975,784	-	25,972	-	2,191,318	-	2,191,318	788,805
702	Fleet Maintenance	368,247	2,528,905	532,833	710,228		80,997	-	1,324,058	1,200,000	2,524,058	373,094
703	Information Systems Services	208,342	441,651	286,135	129,663		25,503		441,301		441,301	208,692
761	Utility Billing Administration	659,780										659,780
	3100 Account & Collection Service		1,584,312	1,088,755	365,443		130,114	-	1,584,312		1,584,312	-
	3110 Meter Reading & Service		599,199	488,670	19,200		91,329		599,199		599,199	-
	761 - Total	659,780	2,183,511	1,577,425	384,643	-	221,443	-	2,183,511	-	2,183,511	659,780
INTERNAL SERVICE FUNDS TOTAL		1,958,786	7,411,773	2,585,955	3,200,318	-	353,915	-	6,140,188	1,200,000	7,340,188	2,030,371
Successor Agency Funds												
805	Redevelopment Obligation Retirement Fund	825	2,975,619		2,449,248				2,449,248		2,449,248	527,196
810	Successor Housing Agency	1,359,937	3,825	-	3,825		-	-	3,825		3,825	1,359,937
830	Debt Service Fund	1,062,266	2,199,248		2,199,248				2,199,248		2,199,248	1,062,266
850	Successor Agency	57,984							-		-	57,984
840	BEA Capital Project Fund	7,754,666	9,000						-		-	7,763,666
841	BEA L/M Capital project Fund	541,594							-		-	541,594
855	2007 TAPBS Bond Proceeds	(2,397,177)							-	5,867,000	5,867,000	(8,264,177)
856	2003 TABS Bond Proceeds	169,601							-		-	169,601
857	2003 TABS Bond Proceeds Low/Mod	102,997							-		-	102,997
SUCCESSOR AGENCY FUNDS TOTAL		8,652,694	5,187,692	-	4,652,321	-	-	-	4,652,321	5,867,000	10,519,321	3,321,065
OTHER FUNDS GRAND TOTAL		91,951,341	75,243,492	12,425,162	41,372,424	+	-	8,855,419	8,042,744	70,695,750	26,510,901	97,206,651
CITY WIDE GRAND TOTAL		103,638,150	93,410,795	23,724,086	48,199,491	+	(1,122,509)	+	9,798,801	8,208,569	88,808,439	26,510,901
												115,319,340
												81,729,606

Note: For definitions of headings (i.e., Contra, Allocations, etc.) see the section titled "Glossary of Terms".

CITY OF BANNING
Fund Summary Status
Fiscal Year 2019-2020 Projections

		(1)	(2)	(3)	(4)	(5)
		July 1, 2019	FY 2019-20	FY 2019-20	FY 2019-20	July,1, 2020
Fund	Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)
Governmental Funds						
001	General	11,741,423	18,566,261	19,140,260	(573,999)	11,167,424
Governmental Funds Sub-total		11,741,423	18,566,261	19,140,260	(573,999)	11,167,424
Special Revenue Funds						
002	Developer Deposit	68,162	0	0	0	68,162
003	Riverside County MOU	0	0	0	0	0
005	Successor Agency Administration	793,773	250,000	16,190	233,810	1,027,583
100	Gas Tax Street	(279,074)	929,032	1,315,306	(386,274)	(665,348)
101	Measure A Street	2,652,142	604,750	0	604,750	3,256,892
102	RMRA (SB1) Gas Tax	636,976	521,076	0	521,076	1,158,052
103	SB300 Street Improvement	72,606	0	0	0	72,606
104	Article 3 - Sidewalk Contruction	0	0	0	0	0
110	Community Development Block Grant (CDBG)	(13,609)	0	0	0	(13,609)
111	Landscape Maintenance Assessment Dist #1	412,271	141,882	131,550	10,332	422,603
132	Air Quality Improvement	145,032	39,800	3,000	36,800	181,832
140	Asset Forfeiture	(22,348)	0	0	0	(22,348)
148	Suppleemental Law Enforcement	221,770	100,000	100,000	0	221,770
150	State Park Bond Act	954			0	954
190	Housing Authority	0	0	0	0	0
200	Special Donations	25,568	8,000	8,000	0	25,568
201	Senior Center Activities	38,019	8,300	8,300	0	38,019
202	Animal Control Reserve	5,007	0	0	0	5,007
203	Police Volunteer	354	1,500	1,500	0	354
300	City Hal COP Debt Service	5,866	437,000	437,000	0	5,866
360	Sun Lakes CFD 86-1	35,866	125	0	125	35,991
365	Wilson Street Assessment 91-1 Debt	54,191	255	0	255	54,446
370	Area Police Computer	60,490	51,812	51,812	0	60,490
375	Fair Oaks 2004-1 Debt Service	365,606	199,000	199,000	0	365,606
376	Cameo Homes	6,893	170	0	170	7,063
Special Revenue Funds Sub-total		5,286,515	3,292,703	2,271,658	1,021,045	6,307,560

CITY OF BANNING
Fund Summary Status
Fiscal Year 2019-2020 Projections

		(1)	(2)	(3)	(4)	(5)
		July 1, 2019	FY 2019-20	FY 2019-20	FY 2019-20	July,1, 2020
Fund	Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)
Capital Improvement Funds						
400	Police Facilities Development	20,625	0	0	0	20,625
410	Fire Facility Development	989,977	3,000	0	3,000	992,977
420	Traffic Control Facility	464,122	1,750	0	1,750	465,872
421	Ramsey/Highland Home Traffice Signal	82,650	310	0	310	82,960
430	General Facilities	226,609	1,400	0	1,400	228,009
441	Sunset Grade Separation	(771,497)	0	0	0	(771,497)
444	Wilson Median	385,761	1,450	0	1,450	387,211
451	Park Development	130,767	0	0	0	130,767
470	Capital Improvement	642,171			0	642,171
Capital Improvement Funds Sub-total		2,171,185	7,910	0	7,910	2,179,095
Banning Utility Authority Funds						
660	Water Operations	15,412,620	10,570,147	9,887,287	682,861	16,095,481
661	Water Capital Facility Fee	3,963,314	45,000	0	45,000	4,008,314
663	BUA Water Capital Project	701,172	3,750	0	3,750	704,922
669	BUA Water Debt Service	0	1,989,318	1,989,318	0	0
Water Sub-total		20,077,107	12,608,215	11,876,605	731,611	20,808,717
680	Waterwater Operations	1,958,647	3,567,979	3,444,018	123,961	2,082,608
681	Wastewater Capital Facility Fee	10,704,081	86,860	0	86,860	10,790,941
683	BUA Wastewater Capital Project	3,265,501	4,000	0	4,000	3,269,501
685	State Revolving Loan	774,718	304,289	304,289	0	774,718
689	BUA Wastewater Debt Service	0	393,966	393,966	0	0
Wastewater Sub-total		16,702,947	4,357,094	4,142,273	214,821	16,917,768
662	Irrigation Water	1,178,916	5,100	0	5,100	1,184,016
682	Wastewater Tertiary	5,704,147	234,496	0	234,496	5,938,643
Reclaimed Water Sub-total		6,883,063	239,596	0	239,596	7,122,659
Banning Utility Authority Sub-total		43,663,117	17,204,906	16,018,878	1,186,028	44,849,145

CITY OF BANNING
Fund Summary Status
Fiscal Year 2019-2020 Projections

		(1)	(2)	(3)	(4)	(5)
		July 1, 2019	FY 2019-20	FY 2019-20	FY 2019-20	July, 1, 2020
Fund	Fund Name	Available Resources	Adjusted Revenue	Adjusted Expenditures	Projected YTD Gain (Loss) (Column 2-3)	Projected Balance (Column 1+4)
Enterprise Funds						
600	Airport	192,829	181,650	184,602	(2,952)	189,877
610	Transit Operations	575,123	2,014,057	1,510,867	503,190	1,078,313
690	Refuse	1,620,118	3,711,539	3,566,197	145,342	1,765,460
	<i>Airport, Transit & Refuse Sub-total</i>	<i>2,388,070</i>	<i>5,907,246</i>	<i>5,261,666</i>	<i>645,580</i>	<i>3,033,650</i>
670	Electric Operations	16,215,023	31,571,761	31,561,576	10,185	16,225,207
672	Rate Stability	4,271,276	21,000	0	21,000	4,292,276
673	Electric Improvement	4,147,426	21,000	25,000	(4,000)	4,143,426
674	Electric Revenue Bond Project	2,746,043	5,000	0	5,000	2,751,043
675	Public Benefit Fund	1,081,927	795,088	519,873	275,215	1,357,142
678	Electric Revenue Bond Debt Service	0	2,427,219	2,427,219	0	0
	<i>Electric Sub-total</i>	<i>28,461,695</i>	<i>34,841,068</i>	<i>34,533,668</i>	<i>307,400</i>	<i>28,769,095</i>
	Enterprise Funds Sub-total	30,849,765	40,748,314	39,795,334	952,980	31,802,745
Internal Service Funds						
700	Risk Management Fund	788,805	2,321,971	2,240,438	81,533	870,338
702	Fleet Maintenance	1,573,094	1,366,665	1,343,235	23,430	1,596,524
703	Information Systems Services	208,692	454,924	454,575	349	209,041
761	Utility Billing Administration	659,780	2,277,147	2,277,147	0	659,780
	Internal Service Funds Sub-total	3,230,371	6,420,707	6,315,395	105,312	3,335,684
Successor Agency Funds						
805	Redevelopment Obligation Retirement Fund	527,196	2,975,619	2,445,629	529,990	1,057,186
810	Successor Housing Agency	1,359,937	3,939	3,939	0	1,359,937
830	Debt Service Fund	1,062,266	2,195,629	2,195,629	0	1,062,266
850	Successor Agency	57,984	0	0	0	57,984
840	BEA Capital Project Fund	7,763,666	9,000	0	9,000	7,772,666
841	BEA L/M Capital project Fund	543,594	2,000	0	2,000	545,594
855	2007 TABS Bond Proceeds	(2,397,177)	0	0	0	(2,397,177)
856	2003 TABS Bond Proceeds	169,601	0	0	0	169,601
857	2003 TABS Bond Proceeds Low/Mod	102,997	0	0	0	102,997
	Successor Agency Funds Sub-total	9,190,065	5,186,187	4,645,197	540,990	9,731,055
	GRAND TOTAL ALL FUNDS	106,132,441	91,426,987	88,186,721	3,240,266	109,372,707

CITY OF BANNING
Fund Summary Status
Fiscal Year 2018-2019 Projections

		FY 2015-2016		FY 2016-2017		FY 2017-18		(1)	(2)	(3)	(4)	(5)
Fund	Fund Name	Revenue Actuals	Expenditure Actuals	Revenue Actuals	Expenditure Actuals	Adopted Budget Revenues	Adopted Budget Expenditures	July 1, 2018 Available Resources	FY 2018-19 Adjusted Revenue	FY 2018-19 Adjusted Expenditures	FY 2018-19 Projected YTD Gain (Loss) (Column 2-3)	July 1, 2019 Projected Balance (Column 1+4)
Governmental Funds												
001	General	15,805,935	13,341,380	15,605,704	14,385,552	16,454,255	16,443,365	11,686,809	18,167,303	18,112,689	54,614	11,741,423
Governmental Funds Sub-total		15,805,935	13,341,380	15,605,704	14,385,552	16,454,255	16,443,365	11,686,809	18,167,303	18,112,689	54,614	11,741,423
Special Revenue Funds												
002	Developer Deposit	381,298	381,298	156,182	183,742	35,000	35,000	68,162	81,120	81,120	0	68,162
003	Riverside County MOU	500,515	477,947	0	402,862	510,617	531,086	0	0	0	0	0
005	Successor Agency Administration	250,658	12,777	103,932	152,605	250,000	20,835	559,783	250,000	16,010	233,990	793,773
100	Gas Tax Street	831,394	970,220	778,006	822,505	796,785	896,252	56,347	921,467	1,256,888	(335,421)	(279,074)
101	Measure A Street	534,148	0	558,909	0	554,200	0	2,059,642	592,500	0	592,500	2,652,142
102	RMRA (SB1) Gas Tax	0	0	0	0	0	0	121,059	515,917	0	515,917	636,976
103	SB300 Street Improvement	(236)	0	(289)	0	200	0	72,606	0	0	0	72,606
104	Article 3 - Sidewalk Construction	(14)	0	0	0	0	0	0	0	0	0	0
110	Community Development Block Grant (CDBG)	120,516	141,969	24,930	3,477	0	0	(13,609)	179,476	179,476	0	(13,609)
111	Landscape Maintenance Assessment Dist #1	137,189	89,015	137,756	93,693	139,721	112,700	402,128	139,793	129,650	10,143	412,271
132	Air Quality Improvement	39,208	0	69,417	3,000	37,300	3,000	108,782	39,250	3,000	36,250	145,032
140	Asset Forfeiture	9	0	41,616	0	0	0	(22,348)	0	0	0	(22,348)
148	Supplemental Law Enforcement	16,901	9,370	123,881	54,130	0	0	221,770	100,000	100,000	0	221,770
150	State Park Bond Act	0	0	0	0	0	0	954	0	0	0	954
190	Housing Authority	0	0	0	0	0	0	0	0	0	0	0
200	Special Donations	10,200	9,239	8,970	5,464	8,000	8,000	25,568	8,000	8,000	0	25,568
201	Senior Center Activities	6,357	12,458	6,854	7,163	7,900	11,000	38,019	8,300	8,300	0	38,019
202	Animal Control Reserve	17	0	20	0	0	0	5,007	0	0	0	5,007
203	Police Volunteer	4	242	3	480	1,500	1,500	354	1,500	1,500	0	354
300	City Hal COP Debt Service	437,013	435,690	435,966	435,943	437,000	437,000	5,866	437,000	437,000	0	5,866
360	Sun Lakes CFD 86-1	124	0	142	0	60	0	35,741	125	0	125	35,866
365	Wilson Street Assessment 91-1 Debt	218	0	298	0	120	0	53,936	255	0	255	54,191
370	Area Police Computer	54,338	24,092	75,782	45,387	51,545	51,495	60,490	51,812	51,812	0	60,490
375	Fair Oaks 2004-1 Debt Service	200,161	202,203	202,941	199,149	201,660	201,660	365,606	197,683	197,683	0	365,606
376	Cameo Homes	162	0	186	0	120	0	6,723	170	0	170	6,893
Special Revenue Funds Sub-total		3,520,180	2,766,519	2,725,502	2,409,601	3,031,728	2,309,528	4,232,586	3,524,368	2,470,439	1,053,929	5,286,515
Capital Improvement Funds												
400	Police Facilities Development	18	0	7,058	0	25	0	20,625	0	0	0	20,625
410	Fire Facility Development	3,344	0	24,549	0	1,600	0	986,977	3,000	0	3,000	989,977
420	Traffic Control Facility	1,553	0	15,972	0	950	0	462,122	2,000	0	2,000	464,122
421	Ramsey/Highland Home Traffic Signal	286	0	328	0	150	0	82,350	300	0	300	82,650
430	General Facilities	1,537	0	9,225	10,984	800	0	425,209	1,400	200,000	(198,600)	226,609
441	Sunset Grade Separation	0	0	1,531,546	253,219	0	0	(771,497)	0	0	0	(771,497)
444	Wilson Median	1,338	0	1,533	0	700	0	384,311	1,450	0	1,450	385,761
451	Park Development	475	0	44,652	0	2,205	0	130,767	0	0	0	130,767
470	Capital Improvement	0	0	0	0	0	0	642,171	0	0	0	642,171
Capital Improvement Funds Sub-total		8,551	0	1,634,863	264,203	6,430	0	2,363,035	8,150	200,000	(191,850)	2,171,185

CITY OF BANNING
Fund Summary Status
Fiscal Year 2018-2019 Projections

		FY 2015-2016		FY 2016-2017		FY 2017-18		(1)	(2)	(3)	(4)	(5)
Fund	Fund Name	Revenue Actuals	Expenditure Actuals	Revenue Actuals	Expenditure Actuals	Adopted Budget Revenues	Adopted Budget Expenditures	July 1, 2018 Available Resources	FY 2018-19 Adjusted Revenue	FY 2018-19 Adjusted Expenditures	FY 2018-19 Projected YTD Gain (Loss) (Column 2-3)	July 1, 2019 Projected Balance (Column 1+4)
Banning Utility Authority Funds												
660	Water Operations	8,912,484	8,234,659	10,024,044	6,556,082	8,644,850	8,432,475	14,779,278	10,088,730	9,455,388	633,342	15,412,620
661	Water Capital Facility Fee	26,197	1,911	54,561	0	41,000	0	3,919,314	44,000	0	44,000	3,963,314
663	BUA Water Capital Project	(850)	0	1,048	0	2,900	0	697,672	3,500	0	3,500	701,172
669	BUA Water Debt Service	2,777,614	1,719,511	764,606	1,471,099	1,807,596	1,808,696	0	1,890,913	1,890,913	0	0
	Water Sub-total	11,715,445	9,956,081	10,844,259	8,027,181	10,496,346	10,241,171	19,396,265	12,027,143	11,346,301	680,842	20,077,107
680	Wastewater Operations	3,156,366	2,814,621	3,250,926	2,677,237	3,222,104	3,179,914	1,950,307	3,386,900	3,378,560	8,340	1,958,647
681	Wastewater Capital Facility Fee	39,943	0	72,416	0	38,000	0	10,618,081	86,000	0	86,000	10,704,081
683	BUA Wastewater Capital Project	1,719	0	4,197	0	1,300	0	3,261,501	4,000	0	4,000	3,265,501
685	State Revolving Loan	302,567	299,767	302,963	299,650	302,000	292,389	774,718	304,289	304,289	0	774,718
689	BUA Wastewater Debt Service	399,160	398,114	197,584	398,355	393,598	393,098	0	396,494	396,494	0	0
	Wastewater Sub-total	3,899,754	3,512,502	3,828,085	3,375,242	3,957,002	3,865,401	16,604,607	4,177,683	4,079,343	98,340	16,702,947
662	Irrigation Water	4,566	0	5,199	0	2,500	0	1,178,916	200,000	200,000	0	1,178,916
682	Wastewater Tertiary	349,153	0	357,710	0	362,500	0	5,476,073	228,074	0	228,074	5,704,147
	Reclaimed Water Sub-total	353,719	0	362,909	0	365,000	0	6,654,989	428,074	200,000	228,074	6,883,063
	Banning Utility Authority Sub-total	15,968,918	13,468,583	15,035,253	11,402,424	14,818,348	14,106,572	42,655,861	16,632,900	15,625,644	1,007,256	43,663,117
Enterprise Funds												
600	Airport	258,290	107,846	162,795	133,371	178,950	146,430	210,657	177,650	195,478	(17,828)	192,829
610	Transit Operations	1,998,776	1,669,149	1,993,216	1,552,669	1,775,439	1,797,736	426,508	2,178,246	2,029,631	148,615	575,123
690	Refuse	3,416,383	3,119,931	3,532,719	3,388,610	3,294,000	3,378,840	1,467,157	3,621,014	3,468,053	152,961	1,620,118
	Airport, Transit & Refuse Sub-total	5,673,450	4,896,926	5,688,730	5,074,649	5,248,389	5,323,006	2,104,322	5,976,910	5,693,162	283,748	2,388,070
670	Electric Operations	30,105,060	28,491,662	33,833,325	30,841,397	30,773,000	30,191,030	15,866,395	31,190,264	30,841,636	348,628	16,215,023
672	Rate Stability	22,267	0	25,260	0	10,000	0	6,350,276	21,000	2,100,000	(2,079,000)	4,271,276
673	Electric Improvement	45,776	33,044	25,757	21,968	15,150	685,000	4,126,426	21,000	0	21,000	4,147,426
674	Electric Revenue Bond Project	665	297,028	4,976	33,435	3,050	300,000	2,741,043	5,000	0	5,000	2,746,043
675	Public Benefit Fund	736,597	595,682	749,679	659,430	784,250	799,879	899,918	727,400	545,391	182,009	1,081,927
678	Electric Revenue Bond Debt Service	2,551,940	2,550,488	711,076	2,399,903	2,423,190	2,423,790	0	2,426,969	2,426,969	0	0
	Electric Sub-total	33,462,305	31,967,905	35,350,072	33,956,134	34,008,640	34,399,699	29,984,058	34,391,633	35,913,996	(1,522,363)	28,461,695
	Enterprise Funds Sub-total	39,115,755	36,864,830	41,038,802	39,030,783	39,257,029	39,722,705	32,088,380	40,368,543	41,607,158	(1,238,615)	30,849,765
Internal Service Funds												
700	Risk Management Fund	2,706,204	1,917,176	1,543,477	2,136,003	1,843,030	2,360,373	722,416	2,257,706	2,191,318	66,388	788,805
702	Fleet Maintenance	1,120,923	1,112,411	1,032,334	1,167,874	1,309,847	1,368,797	368,247	2,528,905	1,324,058	1,204,847	1,573,094
703	Information Systems Services	454,211	432,400	489,937	486,500	790,098	772,499	208,342	441,651	441,301	350	208,692
761	Utility Billing Administration	1,922,635	1,892,761	2,396,100	2,115,325	2,398,287	2,374,513	659,780	2,183,511	2,183,511	0	659,780
	Internal Service Funds Sub-total	6,203,973	5,354,749	5,461,848	5,905,701	6,341,262	6,876,182	1,958,786	7,411,773	6,140,188	1,271,585	3,230,371
Successor Agency Funds												
805	Redevelopment Obligation Retirement Fund	3,542,234	1,713,801	3,758,944	3,975,322	4,086,472	4,086,472	825	2,975,619	2,449,248	526,371	527,196
810	Successor Housing Agency	305,530	3,500	4,731	3,605	968,715	3,713	1,359,937	3,825	3,825	0	1,359,937
830	Debt Service Fund	3,031,084	3,118,232	3,891,451	2,489,187	3,867,557	3,795,722	1,062,266	2,199,248	2,199,248	0	1,062,266
850	Successor Agency	(1,013)	1,522,131	202	0	0	0	57,984	0	0	0	57,984
840	BEA Capital Project Fund	8,804,918	0	0	10,740	0	0	7,754,666	9,000	0	9,000	7,763,666
841	BEA L/M Capital project Fund	535,609	(43)	2,149	0	0	0	541,594	2,000	0	2,000	543,594
855	2007 TABS Bond Proceeds	977	8,507,761	3,661	1,363,348	4,313	0	(2,397,177)	0	0	0	(2,397,177)
856	2003 TABS Bond Proceeds	32,986	293,272	12,866	0	33,274	0	169,601	0	0	0	169,601
857	2003 TABS Bond Proceeds Low/Mod	21,096	534,570	487	0	900	0	102,997	0	0	0	102,997
	Successor Agency Funds Sub-total	16,273,420	15,693,224	7,674,490	7,842,202	8,961,231	7,885,907	8,652,694	5,189,692	4,652,321	537,371	9,190,065
	GRAND TOTAL ALL FUNDS	96,916,731	87,489,285	89,176,461	81,240,467	88,870,283	87,344,259	103,638,150	91,302,729	88,808,439	2,494,291	106,132,441

ATTACHMENT 2

Resolution No. 2018-85 Approving
the Two-Year Budget

RESOLUTION NO. 2018-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING ADOPTING THE TWO YEAR BUDGET FOR THE FISCAL PERIOD JULY 1, 2018 THROUGH JUNE 30, 2019 AND JULY 1, 2019 THROUGH JUNE 30, 2020, ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, AND MAKING APPROPRIATIONS TO MEET EXPENSES APPROVED THEREIN, APPROVING BUDGETARY POLICIES AND RECOMMENDATIONS

WHEREAS, the Administrative Services Director prepared the two year budget plan for Fiscal Year 2018-19 and 2019-20 which set forth all of the expected revenue of the City of Banning, and the recommended appropriations to meet the operating and capital expenses for all City of Banning funds; and

WHEREAS, the two year budget for 2018-19 and 2019-20 of the City of Banning has been submitted to this Council, and said budget has been considered and, is in form and substance satisfactory to this Council; and

WHEREAS, the City departments may not exceed their appropriations by character of expense, with character of expense being defined as personnel services, services and supplies, capital outlay, debt service and interfund transfers, without the consent of the City Manager; and

WHEREAS, the City may transfer appropriations, between departments and within their respective funds, as long as those appropriations do not exceed their fund total unless approved by Council; and

WHEREAS, the City requires public improvements, and a capital improvement program (CIP) which allows for the planning, financing, and prioritizing of said improvements; and

WHEREAS, the City departments may not hire in excess of the approved number of positions in the job classification as indicated by the budget detail without the consent of the City Council; and

WHEREAS, certain capital projects, programs and commitments have been approved for appropriation in Fiscal Year 2017-2018, the Administrative Services Director shall be authorized to carry over appropriation budgets for these items as approved by the City Manager; and

WHEREAS, it is essential that the City of Banning adopt a budget plan establishing the revenues and expenditures for all of its governmental, proprietary and fiduciary funds;

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: The Two Year Budget for the City of Banning, for fiscal period July 1, 2018 through June 30, 2019 and July 1, 2019 through June 30, 2020, as summarized in the fund summary, is hereby approved and adopted in the form on file with the City Clerk.

SECTION 2: The Capital Improvement Program (CIP) for the City of Banning for fiscal period July 1, 2018 through June 30, 2023, as summarized in the fund summary and CIP documents, is hereby approved and adopted in the form on file with the City Clerk.

SECTION 3: The Budgetary and Fiscal Policies as incorporated, are hereby approved and adopted.

SECTION 4: The Authorized position control is amended as incorporated in the budget document.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2018.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk

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

Kevin G. Ennis, City Attorney
Richards Watson Gershon

Resolution 2018-85

CERTIFICATION

I, Sonja De La Fuente, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2018-85 was duly adopted by the City Council of the City of Banning, California, at a joint meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 3

Resolution No. 2018-09 UA
Approving the Two-Year Budget for
the Banning Utility Authority

RESOLUTION NO. 2018-09 UA

A RESOLUTION OF THE BANNING UTILITY AUTHORITY OF THE CITY OF BANNING ADOPTING THE TWO YEAR BUDGET PLAN FOR THE FISCAL PERIOD JULY 1, 2018 THROUGH JUNE 30, 2019 AND JULY 1, 2019 THROUGH JUNE 30, 2020, ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, AND MAKING APPROPRIATIONS TO MEET EXPENSES APPROVED THEREIN.

WHEREAS, the Executive Director prepared the budget plan for Fiscal Year 2018-19 and 2019-20 which sets forth all of the expected revenues of the City of Banning Utility Authority (Authority), and the recommended appropriations to meet the operating and capital expenses for all Authority funds; and

WHEREAS, the Authority has considered the recommendations and approved or modified them so as to best serve the interest of the citizens of the City of Banning; and

WHEREAS, the two year budget for Fiscal Year 2018-19 and 2019-20 of the City of Banning Utility Authority has been submitted to this Board, and said budget has been considered and, is in form and substance satisfactory to this Board; and

WHEREAS, the Authority departments may not exceed their appropriations by character of expense, with character of expense being defined as personnel services, services and supplies, capital outlay, debt service and interfund transfers, without the consent of the Executive Director; and

WHEREAS, the Authority may transfer appropriations, between departments and within their respective funds, as long as those appropriations do not exceed their fund total unless approved by this Board; and

WHEREAS, the Authority requires public improvements, and a capital improvement program (CIP) which allows for the planning, financing, and prioritizing of said improvement; and

WHEREAS, the Authority departments may not hire in excess of the approved number of positions in the job classification as indicated by the budget detail without the consent of this Board; and

WHEREAS, certain capital projects, programs and commitments have been approved for appropriation in Fiscal Year 2017-18, the Administrative Services Director shall be authorized to carry over appropriation budgets for these items as approved by the Executive Director; and

WHEREAS, it is essential that the City's Utility Authority adopt a budget plan establishing the revenues and expenditures for all of its funds;

NOW, THEREFORE, BE IT RESOLVED BY THE BANNING UTILITY AUTHORITY BOARD:

SECTION 1: The Two Year Budget for the Banning Utility Authority for fiscal period July 1, 2018 through June 30, 2019 and July 1, 2019 through June 30, 2020, as summarized in the fund summary and CIP documents, is hereby approved and adopted in the form on file with the City Clerk.

SECTION 2: The Capital Improvement Program (CIP) for the Banning Utility Authority for fiscal period July 1, 2018 through June 30, 2023, as summarized in the fund summary and CIP documents, is hereby approved and adopted in the form on file with the City Clerk.

SECTION 3: The Budgetary and Fiscal Policies as incorporated, are hereby approved and adopted.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2018.

George Moyer, Chairman
Banning Utility Authority

ATTEST:

Sonja De La Fuente, Deputy Secretary
Banning Utility Authority

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

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

Resolution 2018-09 UA

CERTIFICATION:

I, Sonja De La Fuente, Secretary to the Utility Authority of the City of Banning, California, do hereby certify that the foregoing Resolution 2018-09 UA was adopted by the Banning Utility Authority of the City of Banning, at a joint meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy
Secretary
Banning Utility Authority
City of Banning, California

ATTACHMENT 4

Resolution No. 2018-03 SA
Approving the Two-Year Budget for
the Banning Successor Agency

RESOLUTION NO. 2018-03 SA

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER BANNING COMMUNITY REDEVELOPMENT AGENCY ADOPTING THE TWO YEAR BUDGET PLAN FOR JULY 1, 2019 THROUGH JUNE 30, 2020, ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, AND MAKING APPROPRIATIONS TO MEET EXPENSES APPROVED THEREIN

WHEREAS, the Community Redevelopment Agency of the City of Banning is a public body, corporate and politic, organized and existing under the California Community Redevelopment laws (Health & Safety Code § 33000, et seq.; hereinafter, the "CCRL"); and

WHEREAS, the City of Banning is a municipal corporation and a general law city organized and existing under the Constitution of the State of California ("City"); and

WHEREAS, as a result of Assembly Bill X1 26 (AB26), which was signed by the Governor on June 28, 2011 and confirmed by the Supreme Court (California Redevelopment Association, et al. v. Matosantos, et al. (Case No. S194861) on December 29, 2011, all California redevelopment agencies were dissolved as of February 1, 2012, and successor entities became responsible for winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City is, by operation of law, the Successor Agency to the Redevelopment Agency for purposes of winding-down the Redevelopment Agency under ABX126; and

WHEREAS, the Executive Director prepared the two year budget plan for Fiscal Year 2018-19 & 2019-20 which set forth all of the expected revenues of the City of Banning Successor Agency (Agency), and the recommended appropriations to meet the operating and capital expenses for all Agency funds; and

WHEREAS, the two year budget for Fiscal Year 2018-19 & 2019-20 of the Successor Agency has been submitted to this Agency, and said budget has been considered and, is in form and substance satisfactory to the Agency Board; and

WHEREAS, the Agency departments may not exceed their appropriations by character of expense, with character of expense being defined as personnel services, services and supplies, capital outlay, debt service and interfund transfers, without the consent of the Executive Director; and

WHEREAS, the Agency may transfer appropriations, between departments and within their respective funds, with approval of the Executive Director, as long as those appropriations do not exceed their fund total unless approved by this Board; and

WHEREAS, the Agency requires public improvements, and a capital improvement program (CIP) which allows for the planning, financing, and prioritizing of said improvements; and

WHEREAS, the Agency departments may not hire in excess of the approved number of positions in the job classification as indicated by the budget detail without the consent of this Board; and

WHEREAS, certain capital projects, programs and commitments have been approved for appropriation in Fiscal Year 2017-18, the Administrative Services Director shall be authorized to carry over appropriation budgets for these items as approved by the Executive Director; and

WHEREAS, it is essential that the Agency adopt a budget plan establishing the revenues and expenditures for all of its funds; and

WHEREAS, the Banning Oversight Board and California Department of Finance approve the Recognized Obligation Payment Schedule (ROPS) every six months which incorporate expenditures identified in the budget; and

WHEREAS, the Budgetary and Fiscal Policies that are incorporated into the budget document provide some policies applicable to the Agency; and

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY BOARD:

SECTION 1: The Annual Budget for the Successor Agency for fiscal period July 1, 2018 through June 30, 2019 and July 1, 2019 through June 30, 2020, as summarized in the fund summary (funds 805 to 860), is hereby approved and adopted in the form on file with the City Clerk.

SECTION 2: The Capital Improvement Program (CIP) for the Successor Agency for fiscal period July 1, 2018 through June 30, 2023, as summarized in the fund summary and CIP documents, is hereby approved and adopted in the form on file with the City Clerk.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2018.

George Moyer, Chairman
Successor Agency

ATTEST:

Sonja De La Fuente, Deputy Secretary
Successor Agency

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

Kevin G. Ennis, City Attorney
Richards Watson Gershon

CERTIFICATION

I, Sonja De La Fuente, Deputy Secretary of the Successor Agency do hereby certify that the foregoing Resolution No. 2018-03 SA was duly adopted by the Successor Agency Board at a joint meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonja De La Fuente, Deputy Secretary
Successor Agency

ATTACHMENT 5

Resolution No. 2018-86 Approving
the Gann Appropriations Limit for
Fiscal Year 2018-2019

RESOLUTION NO. 2018-86

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA
ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2018-19,
PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

WHEREAS, Article XIII B of the California Constitution provides that the total annual appropriations subject to limitation of each governmental entity, including this City, shall not exceed the appropriation limit of such entity of government for the prior year adjusted for changes in the cost of living or personal income and population, except as otherwise provided for in said Article XIII B and implementing State statutes; and

WHEREAS, pursuant to said Article XIII B of said California Constitution, and Section 7900 et seq. of the California Government Code, the City is required to set its appropriation limit for each fiscal year; and

WHEREAS, the Finance Department of the City of Banning has interpreted the technical provisions of said Article XIII B and Section 7900 et seq., performed computations and a technical review of the documentation for the City's said appropriation limitation, and has caused the numbers upon which the City's appropriation limit was and is based; and

WHEREAS, based on such calculations the Finance Department has determined the said appropriation limit and, pursuant to Section 7910 of said California Government Code, has made available to the public the documentation used in the determination of said appropriation limit;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANNING, that said appropriation limit for Fiscal Year 2018-19 is set in the amount of \$44,494,809 for said fiscal year as incorporated in the budget document.

PASSED, APPROVED AND ADOPTED this 26th day of June, 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 No. 2018-86 was duly adopted by the City Council of the City of Banning at a joint meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTACHMENT 6

**Resolution No. 2018-92 Amending
the Classification and
Compensation Plan**

RESOLUTION 2018-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING AMENDING THE CLASSIFICATION & COMPENSATION PLAN FOR THE CITY OF BANNING

WHEREAS, it is necessary to amend the City's Classification Plan from time to time to maintain a current plan which reflects the nature of work, organizational structure, or otherwise;

WHEREAS, the classification and compensation plan has been updated to reflect changes in the new two-year budget;

WHEREAS, changes to job descriptions, job titles and/or pay ranges require Council approval.

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

SECTION 1: That the City Council approve the following position control as incorporated in the two year budget, fiscal years 2018-2019 & 2019-2020 and respective classification and compensation plan:

Reclass	PT Human Resources Technician	(1)
	Human Resources Technician	1
	Human Resources Technician	(1)
	Senior Human Resources Technician	1
	Accountant	(1)
	Accountant II	1
	Utility Billing Representative	(1)
	Lead Customer Service Representative	1
Add	Electric Engineering Manager	1
Remove	Public Information Officer	(1)

SECTION 2: That the City Council approve the new or revised job descriptions, classification and compensation for the following positions as **Exhibit "A"**:

Electric Engineering Manager (Job Code 5022, Grade T85)
Senior Human Resources Technician (Job Code 1235, Grade G58)
Lead Customer Service Representative (Job Code 1335, Grade G46)
Public Works Director/City Engineer (Job Code 4400, Grade D100)
Community Services Director (Job Code 3310, Grade D92)

SECTION 3: That the City Council approve the classification and compensation plan – Schedule “A” as **Exhibit “B”**.

PASSED, APPROVED, AND ADOPTED this 26th day of June, 2018.

George Moyer, Mayor
City of Banning

ATTEST:

Sonja De La Fuente, Deputy City Clerk

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

Kevin 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 2018-92 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 26th day of June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

EXHIBIT “A”

CITY OF BANNING
CLASSIFICATION & COMPENSATION PLAN
REVISED JUNE 26, 2018
RESOLUTION 2018-92 (AMENDING RESOLUTION 2017-102)

MATRIX BY CLASS SERIES/JOB CODE

Class Series/Occupational Job Group	Job Code	Classification/Position	Salary Range	Bargaining Unit
1000 – CITY ADMINISTRATION SERIES				
City Administration Group	1010	City Manager	D13	Council Contract
	1013	City Attorney	D11	Contract
	1606	Deputy City Clerk	G62	Gen/Confidential
Financial Services Group	1105	Administrative Services Director/Deputy City Manager	D01	Contract
	1115	Deputy Finance Director	T87	Mgmt/Confidential
	1160	Purchasing Manager	T77	TEAMSTERS
	1165	Buyer	G54	IBEW-G
	5028	Utility Financial Analyst	T76	TEAMSTERS
	1125	Accountant II	G59	IBEW-G
	1140	Accountant	G56	IBEW-G
	1136	Accounting Specialist	G53	IBEW-G
	1130	Financial Services Specialist	G47	IBEW-G
Human Resources Group	1215	Deputy Human Resources Director	T83	Mgmt/Confidential
	1230	Human Resources Technician	G54	Gen/Confidential
	1235	Senior Human Resources Technician	G58	Gen/Confidential
Utility Billing Group	1310	Customer Service & Billing Manager	T71	TEAMSTERS
	1335	Lead Customer Service Representative	G46	IBEW-G
	1340	Senior Utility Billing Rep	G48	IBEW-G
	1350	Utility Billing Representative	G43	IBEW-G
	1340	Lead Field Service Representative	U55	IBEW-U
	1325	Field Service Representative	U51	IBEW-U

Information/Cable Systems Group	1405	Information Technology Manager	T78	Mgmt/Confidential
	1410	Information Technology Analyst	G62	Gen/Confidential
	1420	Information Technology Analyst II	G70	Gen/Confidential
	1415	Multimedia Specialist	G60	IBEW-G
	1510	Cable Services Specialist	G44	IBEW-G
Office Support Group	1610	Executive Assistant	G57	IBEW-G
	1601	Management Analyst	T68	TEAMSTERS
	1620	Office Specialist	G44	IBEW-G
	1630	Receptionist	G31	IBEW-G

2000 – POLICE SERIES

Police Group	2010	Police Chief	D00	Contract
	2016	Police Captain	P92	Police Mgmt
	2025	Police Lieutenant	P87	Police Mgmt
	2030A	Police Staff/Master Sergeant	P78	POA
	2040	Police Corporal	P71	POA
	2050	Police Officer	P67	POA
	2060	Police Recruit/Trainee	N/A	At-Will
Police Support Group	2143	Lead Public Safety Dispatcher	G56	IBEW-G
	2110	Public Safety Dispatcher	G52	IBEW-G
	2130	Community Services Officer	P48	POA
	2151	Police Assistant II	G48	IBEW-G
	2152	Police Assistant I	G44	IBEW-G

3000-COMMUNITY DEVELOPMENT SERIES

Community Development Group	3010	Community Development Director	D92	Contract
	3026	Development Project Coordinator	G58	IBEW-G
	3050	Senior Planner	T79	TEAMSTERS
	3020	Associate Planner	T68	TEAMSTERS
	3015	Assistant Planner	T63	TEAMSTERS
	3115	Economic Development Manager	T85	Mgmt/Confidential
Development Services Group	3210	Development Services Manager (Building Official)	T84	TEAMSTERS
	3215	Senior Building Inspector	G67	IBEW-G
	3230	Code Compliance Officer	G58	IBEW-G
	3235	Senior Code Compliance Officer	G64	IBEW-G
	3240	Building Permit Specialist	G55	IBEW-G

3300-COMMUNITY SERVICES GROUP

Community Services Group	3310	Community Services Director	D92	Contract
	3315	Community Services Manager	T68	TEAMSTERS
	3360	Transit Field Supervisor	G59	IBEW-G
	3325	Recreation Coordinator	G51	IBEW-G
	3328	Program Coordinator	G49	IBEW-G
	3350	Lead Bus Driver/Trainer	G55	IBEW-G
	3340	Bus Driver	G47	IBEW-G

4000-PUBLIC WORKS SERIES

Public Works Management Group	4400	Public Works Director/City Engineer	D00	Contract
Streets/Parks Group	4210	Public Works Superintendent	T18	TEAMSTERS
	4230	Work Release Crew Leader	G47	IBEW-G
	4240	Senior Maintenance Worker	G50	IBEW-G
	4250	Maintenance Worker	G45	IBEW-G
	4260	Motor Sweeper Operator	G50	IBEW-G
Engineering Group	4300	City Engineer	T85	TEAMSTERS
	4350	Senior Civil Engineer	T82	TEAMSTERS
	4320	Associate Civil Engineer	T76	TEAMSTERS
	4325	Assistant Civil Engineer	T68	TEAMSTERS
	4330	Public Works Inspector	G62	IBEW-G
	4340	Engineering Services Assistant	G48	IBEW-G
General Maintenance and Support Group	4410	Fleet Manager	T75	TEAMSTERS
	4420	Fleet Maintenance Mechanic	G53	IBEW-G
	4425			
	4430	Building Maintenance Specialist	G49	IBEW-G
	4441	Community Center Caretaker	G36	IBEW-G
	4450	Warehouse Services Specialist	U52	IBEW-U
Water/Wastewater Group	4115	Water/Wastewater Superintendent	T78	TEAMSTERS
	4130	Water Crew Supervisor	U60	IBEW-U
	4135	Water Production Operator I/II	U52/57	IBEW-U
	4140	Water Services Worker	U52	IBEW-U
	4155	Wastewater Collection System Supervisor	U60	IBEW-U
	4145	Wastewater Collection System Technician	U52	IBEW-U

Amended: 06/26/2018

Schedule "A"

	4132	Water Valve Flushing Crew Lead	U56	IBEW-U
	4133	Water Construction Crew Lead	U56	IBEW-U
	4131	Water Meter Crew Lead	U56	IBEW-U

5000 ELECTRIC UTILITIES SERIES

Electric Services & Operations Group	5001	Electric Utility Director	D00	Contract
	5021	Power Resource & Revenue Administrator	T85	TEAMSTERS
	5022	Electric Engineering Manager	T85	TEAMSTERS
	5025	Associate Electrical Engineer	T76	TEAMSTERS
	5028	Utility Financial Analyst	T76	TEAMSTERS
	5029	Senior Electric Service Planner	U79	IBEW-U
	5030	Electric Service Planner	U77	IBEW-U
	5050	Public Benefits Coordinator	U55	IBEW-U
	5055	Utility Services Assistant	U48	IBEW-U
	5053	Assistant Electric Service Planner	U57	IBEW-U
	5110	Electric Operations & Maintenance Manager	T85	TEAMSTERS
	5120	Powerline Crew Supervisor	U79	IBEW-U
	5130	Powerline Technician	U75	IBEW-U
	5140	Powerline Apprentice	U67/ 73	IBEW-U
	5150	Electric Services Worker	U52	IBEW-U
	5161	Substation Test Technician	U75	IBEW-U
	5160	Electric Meter Test Technician	U75	IBEW-U
	5170	Apprentice Electric Meter Test Technician	U67 / 73	IBEW-U

CITY OF BANNING
Grade Step Table - IBEWG
GENERAL EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (General Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
G30	Hourly	11,5178	11,8116	12,1129	12,4218	12,7386	13,0636	13,3968	13,7385	14,0889	14,4482	14,8167	15,1946	15,5822
	Biweekly	921.43	944.93	969.03	993.74	1,019.09	1,045.08	1,071.74	1,099.08	1,127.11	1,155.86	1,185.34	1,215.57	1,246.58
	Annual	23,957.07	24,568.12	25,194.75	25,837.37	26,496.38	27,172.19	27,865.25	28,575.98	29,304.84	30,052.29	30,818.80	31,604.87	32,410.98
G31	Hourly	11,8059	12,1070	12,4158	12,7325	13,0573	13,3903	13,7318	14,0821	14,4413	14,8096	15,1873	15,5747	15,9719
	Biweekly	944.47	968.56	993.27	1,018.60	1,044.58	1,071.22	1,098.55	1,126.57	1,155.30	1,184.77	1,214.99	1,245.98	1,277.76
	Annual	24,556.28	25,182.61	25,824.92	26,483.61	27,159.10	27,851.82	28,562.21	29,290.72	30,037.81	30,803.95	31,589.64	32,395.36	33,221.64
G32	Hourly	12,1012	12,4099	12,7264	13,0510	13,3839	13,7252	14,0753	14,4343	14,8025	15,1800	15,5672	15,9643	16,3714
	Biweekly	968.10	992.79	1,018.11	1,044.08	1,070.71	1,098.02	1,126.02	1,154.74	1,184.20	1,214.40	1,245.38	1,277.14	1,309.72
	Annual	25,170.50	25,812.49	26,470.87	27,146.03	27,838.42	28,548.47	29,276.62	30,023.35	30,789.13	31,574.44	32,379.77	33,205.65	34,052.60
G33	Hourly	12,4037	12,7201	13,0445	13,3772	13,7184	14,0683	14,4272	14,7951	15,1725	15,5595	15,9564	16,3633	16,7807
	Biweekly	992.30	1,017.61	1,043.56	1,070.18	1,097.48	1,125.47	1,154.17	1,183.61	1,213.80	1,244.76	1,276.51	1,309.07	1,342.46
	Annual	25,799.73	26,457.78	27,132.61	27,824.66	28,534.35	29,262.15	30,008.51	30,773.91	31,558.83	32,363.76	33,189.23	34,035.76	34,903.88
G34	Hourly	12,7139	13,0382	13,3707	13,7118	14,0615	14,4201	14,7879	15,1651	15,5519	15,9486	16,3554	16,7725	17,2003
	Biweekly	1,017.11	1,043.05	1,069.66	1,096.94	1,124.92	1,153.61	1,183.03	1,213.21	1,244.15	1,275.89	1,308.43	1,341.80	1,376.03
	Annual	26,444.88	27,119.39	27,811.09	28,520.44	29,247.89	29,993.88	30,758.91	31,543.44	32,347.99	33,173.06	34,019.17	34,886.86	35,776.69
G35	Hourly	13,0317	13,3641	13,7050	14,0545	14,4130	14,7806	15,1576	15,5442	15,9407	16,3473	16,7642	17,1918	17,6303
	Biweekly	1,042.54	1,069.13	1,096.40	1,124.36	1,153.04	1,182.45	1,212.61	1,243.54	1,275.25	1,307.78	1,341.14	1,375.34	1,410.42
	Annual	27,105.95	27,797.32	28,506.32	29,233.40	29,979.02	30,743.67	31,527.82	32,331.97	33,156.63	34,002.32	34,869.58	35,758.96	36,671.03
G36	Hourly	13,3577	13,6984	14,0478	14,4061	14,7735	15,1503	15,5368	15,9330	16,3394	16,7562	17,1836	17,6219	18,0713
	Biweekly	1,068.62	1,095.87	1,123.82	1,152.49	1,181.88	1,212.03	1,242.94	1,274.64	1,307.15	1,340.50	1,374.69	1,409.75	1,445.71
	Annual	27,784.00	28,492.66	29,219.39	29,964.66	30,728.94	31,512.71	32,316.48	33,140.74	33,986.03	34,852.88	35,741.83	36,653.46	37,588.35
G37	Hourly	13,6913	14,0405	14,3987	14,7659	15,1425	15,5288	15,9248	16,3310	16,7475	17,1747	17,6128	18,0620	18,5227
	Biweekly	1,095.31	1,123.24	1,151.89	1,181.27	1,211.40	1,242.30	1,273.99	1,306.48	1,339.80	1,373.98	1,409.02	1,444.96	1,481.82
	Annual	28,477.96	29,204.32	29,949.21	30,713.09	31,496.46	32,299.81	33,123.65	33,968.50	34,834.90	35,723.40	36,634.56	37,568.96	38,527.19
G38	Hourly	14,0336	14,3916	14,7587	15,1351	15,5211	15,9170	16,3230	16,7393	17,1663	17,6041	18,0531	18,5136	18,9858
	Biweekly	1,122.69	1,151.33	1,180.69	1,210.81	1,241.69	1,273.36	1,305.84	1,339.15	1,373.30	1,408.33	1,444.25	1,481.09	1,518.86
	Annual	29,189.96	29,934.48	30,697.99	31,480.98	32,283.93	33,107.36	33,951.80	34,817.77	35,705.84	36,616.55	37,550.49	38,508.25	39,490.45
G39	Hourly	14,3847	14,7516	15,1278	15,5137	15,9094	16,3151	16,7313	17,1580	17,5957	18,0445	18,5047	18,9767	19,4607
	Biweekly	1,150.77	1,180.13	1,210.23	1,241.09	1,272.75	1,305.21	1,338.50	1,372.64	1,407.65	1,443.56	1,480.38	1,518.13	1,556.86
	Annual	29,920.11	30,683.25	31,465.86	32,268.43	33,091.47	33,935.50	34,801.06	35,688.69	36,598.97	37,532.46	38,489.76	39,471.48	40,478.24

CITY OF BANNING
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Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
G40	Hourly	14,744.3	15,120.3	15,506.0	15,901.5	16,307.1	16,723.0	17,149.5	17,587.0	18,035.5	18,495.5	18,967.3	19,451.1	19,947.2
	Biweekly	1,179.54	1,209.63	1,240.48	1,272.12	1,304.57	1,337.84	1,371.96	1,406.96	1,442.84	1,479.64	1,517.38	1,556.09	1,595.78
	Annual	30,668.09	31,450.31	32,252.48	33,075.11	33,918.72	34,783.85	35,671.05	36,580.88	37,513.91	38,470.74	39,451.97	40,458.23	41,490.16
G41	Hourly	15,112.6	15,498.1	15,893.4	16,298.7	16,714.4	17,140.8	17,578.0	18,026.3	18,486.1	18,957.6	19,441.1	19,937.0	20,445.5
	Biweekly	1,209.01	1,239.84	1,271.47	1,303.90	1,337.16	1,371.26	1,406.24	1,442.10	1,478.89	1,516.61	1,555.29	1,594.96	1,635.64
	Annual	31,434.20	32,235.96	33,058.18	33,901.36	34,766.05	35,652.79	36,562.15	37,494.70	38,451.04	39,431.77	40,437.52	41,468.92	42,526.63
G42	Hourly	15,490.6	15,885.7	16,290.9	16,706.4	17,132.5	17,569.5	18,017.6	18,477.2	18,948.5	19,431.8	19,927.4	20,435.7	20,956.9
	Biweekly	1,239.25	1,270.86	1,303.27	1,336.51	1,370.60	1,405.56	1,441.41	1,478.18	1,515.88	1,554.54	1,594.19	1,634.85	1,676.55
	Annual	32,220.48	33,042.30	33,885.08	34,749.35	35,635.67	36,544.59	37,476.70	38,432.58	39,412.84	40,418.10	41,449.01	42,506.20	43,590.37
G43	Hourly	15,876.3	16,281.2	16,696.5	17,122.4	17,559.1	18,006.9	18,466.2	18,937.2	19,420.2	19,915.6	20,423.5	20,944.5	21,478.7
	Biweekly	1,270.10	1,302.50	1,335.72	1,369.79	1,404.73	1,440.56	1,477.30	1,514.98	1,553.62	1,593.25	1,633.88	1,675.56	1,718.29
	Annual	33,022.68	33,864.96	34,728.72	35,614.51	36,522.89	37,454.44	38,409.76	39,389.44	40,394.10	41,424.39	42,480.96	43,564.48	44,675.64
G44	Hourly	16,274.7	16,689.8	17,115.5	17,552.1	17,997.7	18,458.8	18,929.6	19,412.5	19,907.6	20,415.4	20,936.1	21,470.1	22,017.7
	Biweekly	1,301.98	1,335.19	1,369.24	1,404.16	1,439.98	1,476.71	1,514.37	1,553.00	1,592.61	1,633.23	1,674.89	1,717.61	1,761.42
	Annual	33,851.40	34,714.82	35,600.25	36,508.27	37,439.45	38,394.38	39,373.67	40,377.94	41,407.82	42,463.96	43,547.05	44,657.76	45,796.80
G45	Hourly	16,681.8	17,107.3	17,543.6	17,991.1	18,450.0	18,920.6	19,403.2	19,898.1	20,405.6	20,926.0	21,459.8	22,007.1	22,568.4
	Biweekly	1,334.54	1,368.58	1,403.49	1,439.29	1,476.00	1,513.65	1,552.25	1,591.84	1,632.45	1,674.08	1,716.78	1,760.57	1,805.48
	Annual	34,698.17	35,583.18	36,490.76	37,421.50	38,375.97	39,354.79	40,358.57	41,387.95	42,443.60	43,526.16	44,636.34	45,774.83	46,942.37
G46	Hourly	17,098.6	17,534.7	17,982.0	18,440.6	18,911.0	19,393.3	19,887.9	20,395.2	20,915.4	21,448.9	21,995.9	22,557.0	23,132.3
	Biweekly	1,367.89	1,402.78	1,438.56	1,475.25	1,512.88	1,551.46	1,591.04	1,631.62	1,673.23	1,715.91	1,759.68	1,804.56	1,850.58
	Annual	35,565.09	36,472.21	37,402.47	38,356.46	39,334.78	40,338.05	41,366.92	42,422.02	43,504.04	44,613.65	45,751.57	46,918.51	48,115.21
G47	Hourly	17,526.1	17,973.1	18,431.5	18,901.7	19,383.8	19,878.2	20,385.2	20,905.1	21,438.3	21,985.1	22,545.9	23,120.9	23,710.7
	Biweekly	1,402.09	1,437.85	1,474.52	1,512.13	1,550.70	1,590.25	1,630.81	1,672.41	1,715.07	1,758.81	1,803.67	1,849.68	1,896.85
	Annual	36,454.30	37,384.10	38,337.62	39,315.46	40,318.24	41,346.60	42,401.18	43,482.67	44,591.73	45,729.09	46,895.46	48,091.57	49,318.20
G48	Hourly	17,964.3	18,422.5	18,892.4	19,374.3	19,868.4	20,375.2	20,894.9	21,427.8	21,974.4	22,534.8	23,109.6	23,699.1	24,303.5
	Biweekly	1,437.15	1,473.80	1,511.39	1,549.94	1,589.47	1,630.02	1,671.59	1,714.23	1,757.95	1,802.79	1,848.77	1,895.92	1,944.28
	Annual	37,365.79	38,318.84	39,296.20	40,298.49	41,326.34	42,380.41	43,461.37	44,569.89	45,706.69	46,872.49	48,068.01	49,294.04	50,551.33
G49	Hourly	18,413.8	18,883.4	19,365.1	19,859.0	20,365.5	20,885.0	21,417.6	21,963.9	22,524.1	23,098.6	23,687.8	24,292.0	24,911.6
	Biweekly	1,473.10	1,510.67	1,549.20	1,588.72	1,629.24	1,670.80	1,713.41	1,757.11	1,801.93	1,847.89	1,895.02	1,943.36	1,992.92
	Annual	38,300.62	39,277.52	40,279.33	41,306.69	42,360.26	43,440.70	44,548.70	45,684.96	46,850.20	48,045.16	49,270.60	50,527.30	51,816.05

CITY OF BANNING
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Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
G50	Hourly	18,873.39	19,355.3	19,849.0	20,355.3	20,874.4	21,406.9	21,952.9	22,512.8	23,087.0	23,675.9	24,279.7	24,899.0	25,534.1
	Biweekly	1,509.91	1,548.42	1,587.92	1,628.42	1,669.95	1,712.55	1,756.23	1,801.02	1,846.96	1,894.07	1,942.38	1,991.92	2,042.73
	Annual	39,257.74	40,259.05	41,285.89	42,338.93	43,418.83	44,526.27	45,661.96	46,826.61	48,020.97	49,245.79	50,501.86	51,789.96	53,110.91
G51	Hourly	19,345.8	19,839.2	20,345.3	20,864.2	21,396.3	21,942.1	22,501.7	23,075.7	23,664.2	24,267.8	24,886.8	25,521.5	26,172.5
	Biweekly	1,547.66	1,587.14	1,627.62	1,669.13	1,711.71	1,755.37	1,800.14	1,846.05	1,893.14	1,941.42	1,990.94	2,041.72	2,093.80
	Annual	40,239.26	41,265.60	42,318.12	43,397.49	44,504.39	45,639.52	46,803.60	47,997.37	49,221.59	50,477.04	51,764.50	53,084.81	54,438.79
G52	Hourly	19,829.4	20,335.2	20,853.9	21,385.8	21,931.2	22,490.6	23,064.2	23,652.5	24,255.8	24,874.5	25,508.9	26,159.5	26,826.8
	Biweekly	1,586.35	1,626.82	1,668.31	1,710.86	1,754.50	1,799.25	1,845.14	1,892.20	1,940.46	1,989.96	2,040.71	2,092.76	2,146.14
	Annual	41,245.19	42,297.19	43,376.02	44,482.37	45,616.94	46,780.44	47,973.63	49,197.24	50,452.07	51,738.90	53,058.55	54,411.86	55,799.69
G53	Hourly	20,325.3	20,843.7	21,375.3	21,920.5	22,479.6	23,053.0	23,641.0	24,244.0	24,862.4	25,496.5	26,146.8	26,813.7	27,497.6
	Biweekly	1,626.02	1,667.50	1,710.03	1,753.64	1,798.37	1,844.24	1,891.28	1,939.52	1,988.99	2,039.72	2,091.74	2,145.10	2,199.81
	Annual	42,276.59	43,354.89	44,460.70	45,594.72	46,757.66	47,950.26	49,173.28	50,427.49	51,713.69	53,032.70	54,385.35	55,772.51	57,195.04
G54	Hourly	20,833.4	21,364.8	21,909.7	22,468.6	23,041.7	23,629.4	24,232.0	24,850.1	25,483.9	26,133.9	26,800.5	27,484.1	28,185.1
	Biweekly	1,666.67	1,709.18	1,752.78	1,797.49	1,843.33	1,890.35	1,938.56	1,988.01	2,038.71	2,090.71	2,144.04	2,198.73	2,254.81
	Annual	43,333.54	44,438.81	45,572.26	46,734.63	47,926.64	49,149.06	50,402.65	51,688.22	53,006.58	54,358.57	55,745.04	57,166.87	58,624.97
G55	Hourly	21,354.2	21,898.9	22,457.5	23,030.3	23,617.7	24,220.1	24,837.8	25,471.3	26,121.0	26,787.3	27,470.5	28,171.1	28,889.7
	Biweekly	1,708.34	1,751.91	1,796.60	1,842.42	1,889.41	1,937.61	1,987.03	2,037.71	2,089.68	2,142.98	2,197.64	2,253.69	2,311.17
	Annual	44,416.84	45,549.73	46,711.52	47,902.95	49,124.76	50,377.74	51,662.67	52,980.38	54,331.70	55,717.48	57,138.61	58,595.99	60,090.54
G56	Hourly	21,887.9	22,446.1	23,018.6	23,605.8	24,207.8	24,825.3	25,458.5	26,107.8	26,773.7	27,456.6	28,156.9	28,875.1	29,611.6
	Biweekly	1,751.03	1,795.69	1,841.49	1,888.46	1,936.63	1,986.02	2,036.68	2,088.63	2,141.90	2,196.53	2,252.55	2,310.01	2,368.93
	Annual	45,526.75	46,687.96	47,878.78	49,099.98	50,352.32	51,636.61	52,953.65	54,304.29	55,689.37	57,109.79	58,566.43	60,060.22	61,592.12
G57	Hourly	22,435.2	23,007.5	23,594.3	24,196.1	24,813.3	25,446.1	26,095.2	26,760.8	27,443.3	28,143.3	28,861.1	29,597.2	30,352.1
	Biweekly	1,794.82	1,840.60	1,887.54	1,935.69	1,985.06	2,035.69	2,087.61	2,140.86	2,195.47	2,251.46	2,308.89	2,367.78	2,428.17
	Annual	46,665.32	47,855.57	49,076.17	50,327.91	51,611.57	52,927.97	54,277.96	55,662.37	57,082.09	58,538.03	60,031.10	61,562.25	63,132.46
G58	Hourly	22,995.9	23,582.4	24,183.9	24,800.8	25,433.3	26,082.0	26,747.3	27,429.5	28,129.1	28,846.6	29,582.3	30,336.9	31,110.6
	Biweekly	1,839.67	1,886.59	1,934.71	1,984.06	2,034.67	2,086.56	2,139.78	2,194.36	2,250.33	2,307.73	2,366.59	2,426.95	2,488.85
	Annual	47,831.48	49,051.46	50,302.57	51,585.59	52,901.33	54,250.63	55,634.35	57,053.36	58,508.56	60,000.88	61,531.26	63,100.68	64,710.13
G59	Hourly	23,570.8	24,172.0	24,788.6	25,420.8	26,069.2	26,734.1	27,416.0	28,115.3	28,832.4	29,567.8	30,321.9	31,095.3	31,888.5
	Biweekly	1,885.67	1,933.76	1,983.09	2,033.67	2,085.54	2,138.73	2,193.28	2,249.22	2,306.59	2,365.42	2,425.76	2,487.63	2,551.08
	Annual	49,027.34	50,277.83	51,560.22	52,875.31	54,223.95	55,606.99	57,025.30	58,479.79	59,971.37	61,501.00	63,069.65	64,678.30	66,327.99

CITY OF BANNING
Grade Step Table - IBEWG
GENERAL EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (General Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
G60	Hourly	24,1601	24,7763	25,4082	26,0563	26,7209	27,4024	28,1014	28,8181	29,5531	30,3069	31,0799	31,8727	32,6856
	Biweekly	1,932.80	1,982.10	2,032.66	2,084.50	2,137.67	2,192.19	2,248.11	2,305.45	2,364.25	2,424.55	2,486.39	2,549.81	2,614.85
	Annual	50,252.92	51,534.67	52,849.11	54,197.08	55,579.43	56,997.04	58,450.81	59,941.66	61,470.53	63,038.39	64,646.25	66,295.12	67,986.04
G61	Hourly	24,7641	25,3957	26,0434	26,7077	27,3889	28,0875	28,8039	29,5386	30,2920	31,0646	31,8569	32,6695	33,5028
	Biweekly	1,981.13	2,031.66	2,083.48	2,136.62	2,191.11	2,247.00	2,304.31	2,363.09	2,423.36	2,485.17	2,548.56	2,613.56	2,680.22
	Annual	51,509.27	52,823.06	54,170.37	55,552.04	56,968.95	58,422.00	59,912.11	61,440.23	63,007.32	64,614.39	66,262.44	67,952.53	69,685.73
G62	Hourly	25,3834	26,0308	26,6948	27,3756	28,0739	28,7899	29,5242	30,2773	31,0495	31,8415	32,6536	33,4865	34,3406
	Biweekly	2,030.67	2,082.47	2,135.58	2,190.05	2,245.91	2,303.19	2,361.94	2,422.18	2,483.96	2,547.32	2,612.29	2,678.92	2,747.25
	Annual	52,797.45	54,144.10	55,525.10	56,941.33	58,393.67	59,883.06	61,410.44	62,976.77	64,583.06	66,230.31	67,919.58	69,651.94	71,428.48
G63	Hourly	26,0180	26,6816	27,3622	28,0601	28,7758	29,5097	30,2624	31,0343	31,8258	32,6376	33,4700	34,3237	35,1992
	Biweekly	2,081.44	2,134.53	2,188.97	2,244.81	2,302.06	2,360.78	2,420.99	2,482.74	2,546.07	2,611.01	2,677.60	2,745.90	2,815.93
	Annual	54,117.47	55,497.79	56,913.31	58,364.94	59,853.60	61,380.23	62,945.79	64,551.29	66,197.73	67,886.17	69,617.68	71,393.34	73,214.30
G64	Hourly	26,6685	27,3487	28,0462	28,7616	29,4951	30,2475	31,0189	31,8101	32,6215	33,4535	34,3068	35,1818	36,0791
	Biweekly	2,133.48	2,187.89	2,243.70	2,300.92	2,359.61	2,419.80	2,481.52	2,544.81	2,609.72	2,676.28	2,744.54	2,814.54	2,886.33
	Annual	55,470.38	56,885.20	58,336.12	59,824.04	61,349.91	62,914.70	64,519.40	66,165.04	67,852.64	69,583.29	71,358.08	73,178.14	75,044.62
G65	Hourly	27,3352	28,0324	28,7474	29,4807	30,2326	31,0037	31,7945	32,6054	33,4371	34,2899	35,1645	36,0614	36,9812
	Biweekly	2,186.82	2,242.59	2,299.79	2,358.45	2,418.61	2,480.30	2,543.56	2,608.43	2,674.96	2,743.19	2,813.16	2,884.91	2,958.50
	Annual	56,857.24	58,307.44	59,794.63	61,319.76	62,883.78	64,487.69	66,132.51	67,819.29	69,549.09	71,323.01	73,142.17	75,007.74	76,920.88
G66	Hourly	28,0183	28,7329	29,4658	30,2174	30,9881	31,7785	32,5890	33,4202	34,2726	35,1468	36,0432	36,9626	37,9053
	Biweekly	2,241.46	2,298.63	2,357.26	2,417.39	2,479.05	2,542.28	2,607.12	2,673.62	2,741.81	2,811.74	2,883.46	2,957.00	3,032.43
	Annual	58,278.06	59,764.50	61,288.86	62,852.09	64,455.20	66,099.19	67,785.12	69,514.04	71,287.07	73,105.32	74,969.94	76,882.12	78,843.08
G67	Hourly	28,7187	29,4512	30,2024	30,9728	31,7627	32,5729	33,4037	34,2557	35,1294	36,0254	36,9443	37,8866	38,8529
	Biweekly	2,297.50	2,356.10	2,416.19	2,477.82	2,541.02	2,605.83	2,672.30	2,740.46	2,810.35	2,882.03	2,955.54	3,030.93	3,108.23
	Annual	59,734.96	61,258.56	62,821.02	64,423.34	66,066.52	67,751.61	69,479.68	71,251.83	73,069.18	74,932.88	76,844.12	78,804.11	80,814.09
G68	Hourly	29,4365	30,1873	30,9573	31,7469	32,5566	33,3870	34,2386	35,1119	36,0074	36,9258	37,8677	38,8335	39,8240
	Biweekly	2,354.92	2,414.99	2,476.58	2,539.75	2,604.53	2,670.96	2,739.09	2,808.95	2,880.59	2,954.07	3,029.41	3,106.68	3,185.92
	Annual	61,227.94	62,789.62	64,391.13	66,033.49	67,717.74	69,444.95	71,216.21	73,032.65	74,895.42	76,805.71	78,764.71	80,773.69	82,833.90
G69	Hourly	30,1727	30,9422	31,7314	32,5408	33,3708	34,2219	35,0948	35,9899	36,9079	37,8493	38,8146	39,8046	40,8199
	Biweekly	2,413.81	2,475.38	2,538.52	2,603.26	2,669.66	2,737.75	2,807.58	2,879.19	2,952.63	3,027.94	3,105.17	3,184.37	3,265.59
	Annual	62,759.11	64,359.85	66,001.41	67,684.84	69,411.21	71,181.61	72,997.17	74,859.04	76,768.39	78,726.45	80,734.44	82,793.66	84,905.39

CITY OF BANNING
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Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
G70	Hourly	30,927.2	31,716.0	32,524.9	33,354.5	34,205.3	35,077.7	35,972.4	36,889.9	37,830.8	38,795.7	39,785.2	40,800.0	41,840.7
	Biweekly	2,474.17	2,537.28	2,601.99	2,668.36	2,736.42	2,806.22	2,877.79	2,951.19	3,026.46	3,103.66	3,182.82	3,264.00	3,347.25
	Annual	64,328.49	65,969.25	67,651.86	69,377.39	71,146.93	72,961.61	74,822.56	76,730.99	78,688.09	80,695.11	82,753.32	84,864.02	87,028.57

CITY OF BANNING
Grade Step Table - IBEWU
UTILITY EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (Utility Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U40	Hourly	15,0362	15,4198	15,8130	16,2164	16,6300	17,0542	17,4891	17,9352	18,3927	18,8618	19,3429	19,8362	20,3422
	Biweekly	1,202.90	1,233.58	1,265.04	1,297.31	1,330.40	1,364.33	1,399.13	1,434.82	1,471.41	1,508.94	1,547.43	1,586.90	1,627.37
	Annual	31,275.37	32,073.08	32,891.14	33,730.06	34,590.38	35,472.64	36,377.41	37,305.25	38,256.76	39,232.53	40,233.20	41,259.39	42,311.75
U41	Hourly	15,4119	15,8050	16,2081	16,6215	17,0454	17,4802	17,9260	18,3833	18,8521	19,3330	19,8261	20,3318	20,8504
	Biweekly	1,232.95	1,264.40	1,296.65	1,329.72	1,363.63	1,398.41	1,434.08	1,470.66	1,508.17	1,546.64	1,586.09	1,626.54	1,668.03
	Annual	32,056.66	32,874.30	33,712.79	34,572.67	35,454.48	36,358.78	37,286.15	38,237.17	39,212.45	40,212.60	41,238.26	42,290.09	43,368.74
U42	Hourly	15,7974	16,2003	16,6135	17,0372	17,4718	17,9174	18,3744	18,8431	19,3237	19,8166	20,3220	20,8403	21,3719
	Biweekly	1,263.79	1,296.02	1,329.08	1,362.98	1,397.74	1,433.39	1,469.95	1,507.45	1,545.90	1,585.33	1,625.76	1,667.23	1,709.75
	Annual	32,858.51	33,696.60	34,556.07	35,437.45	36,341.32	37,268.24	38,218.81	39,193.62	40,193.29	41,218.46	42,269.78	43,347.91	44,453.54
U43	Hourly	16,1907	16,6036	17,0271	17,4614	17,9068	18,3635	18,8319	19,3122	19,8048	20,3099	20,8280	21,3592	21,9040
	Biweekly	1,295.25	1,328.29	1,362.17	1,396.91	1,432.54	1,469.08	1,506.55	1,544.98	1,584.38	1,624.80	1,666.24	1,708.74	1,752.32
	Annual	33,676.59	34,535.55	35,416.41	36,319.74	37,246.12	38,196.12	39,170.35	40,169.42	41,193.99	42,244.68	43,322.17	44,427.15	45,560.31
U44	Hourly	16,5970	17,0203	17,4544	17,8996	18,3562	18,8244	19,3045	19,7969	20,3018	20,8196	21,3507	21,8952	22,4537
	Biweekly	1,327.76	1,361.62	1,396.35	1,431.97	1,468.49	1,505.95	1,544.36	1,583.75	1,624.15	1,665.57	1,708.05	1,751.62	1,796.29
	Annual	34,521.73	35,402.24	36,305.21	37,231.21	38,180.83	39,154.67	40,153.35	41,177.50	42,227.77	43,304.83	44,409.37	45,542.07	46,703.67
U45	Hourly	17,0121	17,4461	17,8910	18,3474	18,8153	19,2952	19,7874	20,2921	20,8096	21,3404	21,8847	22,4429	23,0153
	Biweekly	1,360.97	1,395.68	1,431.28	1,467.79	1,505.23	1,543.62	1,582.99	1,623.37	1,664.77	1,707.23	1,750.78	1,795.43	1,841.23
	Annual	35,385.26	36,287.80	37,213.35	38,162.52	39,135.89	40,134.09	41,157.75	42,207.52	43,284.06	44,388.07	45,520.23	46,681.27	47,871.92
U46	Hourly	17,4372	17,8819	18,3380	18,8058	19,2854	19,7773	20,2818	20,7991	21,3296	21,8736	22,4315	23,0036	23,5904
	Biweekly	1,394.97	1,430.56	1,467.04	1,504.46	1,542.83	1,582.19	1,622.54	1,663.93	1,706.37	1,749.89	1,794.52	1,840.29	1,887.23
	Annual	36,269.35	37,194.44	38,143.12	39,115.99	40,113.69	41,136.83	42,186.06	43,262.06	44,365.50	45,497.09	46,657.54	47,847.59	49,067.99
U47	Hourly	17,8732	18,3290	18,7965	19,2760	19,7676	20,2718	20,7889	21,3191	21,8629	22,4205	22,9923	23,5788	24,1802
	Biweekly	1,429.85	1,466.32	1,503.72	1,542.08	1,581.41	1,621.74	1,663.11	1,705.53	1,749.03	1,793.64	1,839.39	1,886.30	1,934.42
	Annual	37,176.16	38,124.38	39,096.78	40,093.98	41,116.62	42,165.34	43,240.81	44,343.71	45,474.74	46,634.62	47,824.08	49,043.88	50,294.79

CITY OF BANNING
Grade Step Table - IBEWU
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Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U48	Hourly	18,3200	18,7873	19,2665	19,7579	20,2619	20,7787	21,3086	21,8521	22,4095	22,9811	23,5672	24,1683	24,7848
	Biweekly	1,465.60	1,502.99	1,541.32	1,580.63	1,620.95	1,662.29	1,704.69	1,748.17	1,792.76	1,838.49	1,885.38	1,933.47	1,982.78
	Annual	38,105.70	39,077.63	40,074.34	41,096.48	42,144.68	43,219.63	44,321.99	45,452.46	46,611.77	47,800.65	49,019.86	50,270.16	51,552.35
U49	Hourly	18,7784	19,2574	19,7485	20,2522	20,7688	21,2985	21,8418	22,3989	22,9702	23,5560	24,1569	24,7730	25,4049
	Biweekly	1,502.27	1,540.59	1,579.88	1,620.18	1,661.50	1,703.88	1,747.34	1,791.91	1,837.61	1,884.48	1,932.55	1,981.84	2,032.39
	Annual	39,059.05	40,055.29	41,076.94	42,124.65	43,199.08	44,300.91	45,430.85	46,589.61	47,777.93	48,996.55	50,246.26	51,527.84	52,842.11
U50	Hourly	19,2477	19,7386	20,2420	20,7583	21,2878	21,8308	22,3876	22,9586	23,5442	24,1447	24,7605	25,3921	26,0397
	Biweekly	1,539.81	1,579.09	1,619.36	1,660.67	1,703.02	1,746.46	1,791.01	1,836.69	1,883.53	1,931.58	1,980.84	2,031.37	2,083.18
	Annual	40,035.12	41,056.26	42,103.44	43,177.33	44,278.61	45,407.98	46,566.15	47,753.87	48,971.88	50,220.96	51,501.89	52,815.50	54,162.61
U51	Hourly	19,7289	20,2321	20,7481	21,2773	21,8200	22,3766	22,9473	23,5326	24,1328	24,7484	25,3796	26,0269	26,6908
	Biweekly	1,578.31	1,618.57	1,659.85	1,702.19	1,745.60	1,790.13	1,835.78	1,882.61	1,930.63	1,979.87	2,030.37	2,082.15	2,135.26
	Annual	41,036.08	42,082.75	43,156.11	44,256.85	45,385.66	46,543.27	47,730.40	48,947.81	50,196.28	51,476.58	52,789.54	54,135.99	55,516.79
U52	Hourly	20,2221	20,7379	21,2668	21,8092	22,3655	22,9360	23,5210	24,1209	24,7361	25,3670	26,0140	26,6776	27,3580
	Biweekly	1,617.77	1,659.03	1,701.34	1,744.74	1,789.24	1,834.88	1,881.68	1,929.67	1,978.89	2,029.36	2,081.12	2,134.20	2,188.64
	Annual	42,061.93	43,134.76	44,234.95	45,363.21	46,520.24	47,706.79	48,923.60	50,171.44	51,451.12	52,763.43	54,109.21	55,489.32	56,904.63
U53	Hourly	20,7278	21,2564	21,7986	22,3546	22,9248	23,5095	24,1091	24,7241	25,3547	26,0014	26,6646	27,3447	28,0421
	Biweekly	1,658.22	1,700.52	1,743.89	1,788.37	1,833.98	1,880.76	1,928.73	1,977.93	2,028.37	2,080.11	2,133.17	2,187.57	2,243.37
	Annual	43,113.75	44,213.40	45,341.11	46,497.58	47,683.55	48,899.77	50,147.00	51,426.05	52,737.73	54,082.85	55,462.29	56,876.91	58,327.62
U54	Hourly	21,2460	21,7879	22,3436	22,9135	23,4979	24,0973	24,7119	25,3422	25,9886	26,6514	27,3312	28,0283	28,7432
	Biweekly	1,699.68	1,743.03	1,787.49	1,833.08	1,879.83	1,927.78	1,976.95	2,027.38	2,079.09	2,132.11	2,186.50	2,242.27	2,299.46
	Annual	44,191.63	45,318.78	46,474.68	47,660.07	48,875.68	50,122.31	51,400.73	52,711.75	54,056.22	55,434.98	56,848.90	58,298.89	59,785.86
U55	Hourly	21,7771	22,3326	22,9022	23,4863	24,0853	24,6997	25,3297	25,9757	26,6383	27,3177	28,0145	28,7290	29,4618
	Biweekly	1,742.17	1,786.60	1,832.17	1,878.90	1,926.83	1,975.97	2,026.37	2,078.06	2,131.06	2,185.42	2,241.16	2,298.32	2,356.94
	Annual	45,296.38	46,451.71	47,636.50	48,851.52	50,097.53	51,375.32	52,685.69	54,029.50	55,407.57	56,820.80	58,270.07	59,756.30	61,280.45

CITY OF BANNING
Grade Step Table - IBEWU
UTILITY EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (Utility Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U56	Hourly	22,321.3	22,890.6	23,474.5	24,073.2	24,687.2	25,316.9	25,962.6	26,624.8	27,303.9	28,000.3	28,714.5	29,446.9	30,198.0
	Biweekly	1,785.70	1,831.25	1,877.96	1,925.86	1,974.98	2,025.35	2,077.01	2,129.99	2,184.31	2,240.03	2,297.16	2,355.75	2,415.84
	Annual	46,428.27	47,612.47	48,826.88	50,072.25	51,349.40	52,659.11	54,002.24	55,379.62	56,792.13	58,240.67	59,726.16	61,249.53	62,811.76
U57	Hourly	22,879.5	23,463.1	24,061.5	24,675.2	25,304.6	25,950.0	26,611.9	27,290.7	27,986.7	28,700.6	29,432.6	30,183.3	30,953.2
	Biweekly	1,830.36	1,877.05	1,924.92	1,974.02	2,024.37	2,076.00	2,128.95	2,183.25	2,238.94	2,296.05	2,354.61	2,414.67	2,476.25
	Annual	47,589.39	48,803.20	50,047.97	51,324.50	52,633.58	53,976.05	55,352.77	56,764.59	58,212.43	59,697.20	61,219.83	62,781.31	64,382.61
U58	Hourly	23,451.3	24,049.4	24,662.8	25,291.9	25,937.0	26,598.5	27,276.9	27,972.7	28,686.1	29,417.8	30,168.1	30,937.6	31,726.7
	Biweekly	1,876.10	1,923.95	1,973.03	2,023.35	2,074.96	2,127.88	2,182.15	2,237.81	2,294.89	2,353.42	2,413.45	2,475.01	2,538.14
	Annual	48,778.63	50,022.78	51,298.66	52,607.09	53,948.88	55,324.90	56,736.02	58,183.13	59,667.15	61,189.02	62,749.70	64,350.20	65,991.51
U59	Hourly	24,037.6	24,650.7	25,279.4	25,924.2	26,585.4	27,263.5	27,958.9	28,672.0	29,403.3	30,153.3	30,922.4	31,711.1	32,519.9
	Biweekly	1,923.01	1,972.06	2,022.35	2,073.94	2,126.83	2,181.08	2,236.71	2,293.76	2,352.27	2,412.26	2,473.79	2,536.89	2,601.59
	Annual	49,998.18	51,273.43	52,581.21	53,922.35	55,297.69	56,708.12	58,154.51	59,637.80	61,158.92	62,718.84	64,318.55	65,959.06	67,641.41
U60	Hourly	24,638.5	25,266.9	25,911.4	26,572.3	27,250.0	27,945.0	28,657.8	29,388.8	30,138.3	30,907.1	31,695.4	32,503.8	33,332.8
	Biweekly	1,971.08	2,021.35	2,072.91	2,125.78	2,180.00	2,235.60	2,292.63	2,351.10	2,411.07	2,472.56	2,535.63	2,600.30	2,666.63
	Annual	51,248.03	52,555.16	53,895.63	55,270.29	56,680.02	58,125.70	59,608.25	61,128.62	62,687.77	64,286.68	65,926.38	67,607.89	69,332.30
U61	Hourly	25,254.4	25,898.6	26,559.2	27,236.6	27,931.3	28,643.7	29,374.3	30,123.5	30,891.8	31,679.8	32,487.8	33,316.4	34,166.2
	Biweekly	2,020.36	2,071.89	2,124.73	2,178.93	2,234.50	2,291.50	2,349.94	2,409.88	2,471.35	2,534.38	2,599.02	2,665.31	2,733.29
	Annual	52,529.25	53,869.07	55,243.05	56,652.08	58,097.05	59,578.87	61,098.49	62,656.87	64,254.99	65,893.88	67,574.57	69,298.13	71,065.64
U62	Hourly	25,886.0	26,546.3	27,223.4	27,917.7	28,629.8	29,360.0	30,108.9	30,876.8	31,664.4	32,472.0	33,300.3	34,149.6	35,020.6
	Biweekly	2,070.88	2,123.70	2,177.87	2,233.42	2,290.38	2,348.80	2,408.71	2,470.15	2,533.15	2,597.76	2,664.02	2,731.97	2,801.65
	Annual	53,842.95	55,216.26	56,624.61	58,068.88	59,549.98	61,068.86	62,626.49	64,223.84	65,861.93	67,541.80	69,264.53	71,031.19	72,842.91
U63	Hourly	26,533.2	27,210.0	27,904.0	28,615.7	29,345.6	30,094.1	30,861.7	31,648.8	32,456.0	33,283.9	34,132.8	35,003.4	35,896.2
	Biweekly	2,122.66	2,176.80	2,232.32	2,289.26	2,347.65	2,407.53	2,468.93	2,531.90	2,596.48	2,662.71	2,730.62	2,800.27	2,871.70
	Annual	55,189.10	56,596.75	58,040.31	59,520.69	61,038.82	62,595.68	64,192.24	65,829.53	67,508.58	69,230.45	70,996.24	72,807.07	74,664.09

CITY OF BANNING

Grade Step Table - IBEWU
UTILITY EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (Utility Unit)
2.5506% Between Steps

Effective: 7/1/2018
COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U64	Hourly	27,1965	27,8902	28,6016	29,3311	30,0792	30,8464	31,6332	32,4400	33,2674	34,1160	34,9861	35,8785	36,7936
	Biweekly	2,175.72	2,231.22	2,288.13	2,346.49	2,406.34	2,467.71	2,530.65	2,595.20	2,661.39	2,729.28	2,798.89	2,870.28	2,943.49
	Annual	56,568.80	58,011.64	59,491.29	61,008.67	62,564.76	64,160.54	65,797.02	67,475.24	69,196.26	70,961.18	72,771.11	74,627.21	76,530.66
U65	Hourly	27,8765	28,5875	29,3167	30,0644	30,8313	31,6176	32,4241	33,2511	34,0992	34,9689	35,8608	36,7755	37,7135
	Biweekly	2,230.12	2,287.00	2,345.33	2,405.15	2,466.50	2,529.41	2,593.93	2,660.09	2,727.93	2,797.51	2,868.87	2,942.04	3,017.08
	Annual	57,983.13	59,462.05	60,978.69	62,534.01	64,129.00	65,764.67	67,442.07	69,162.25	70,926.30	72,735.34	74,590.53	76,493.04	78,444.07
U66	Hourly	28,5731	29,3019	30,0493	30,8157	31,6017	32,4077	33,2343	34,0820	34,9513	35,8428	36,7570	37,6945	38,6559
	Biweekly	2,285.85	2,344.15	2,403.94	2,465.26	2,528.14	2,592.62	2,658.75	2,726.56	2,796.10	2,867.42	2,940.56	3,015.56	3,092.47
	Annual	59,432.08	60,947.96	62,502.50	64,096.69	65,731.54	67,408.09	69,127.40	70,890.56	72,698.69	74,552.95	76,454.49	78,404.54	80,404.33
U67	Hourly	29,2874	30,0344	30,8005	31,5861	32,3917	33,2179	34,0652	34,9340	35,8250	36,7388	37,6759	38,6368	39,6223
	Biweekly	2,342.99	2,402.75	2,464.04	2,526.89	2,591.34	2,657.43	2,725.21	2,794.72	2,866.00	2,939.10	3,014.07	3,090.95	3,169.78
	Annual	60,917.83	62,471.60	64,065.00	65,699.05	67,374.77	69,093.23	70,855.52	72,662.76	74,516.10	76,416.70	78,365.79	80,364.59	82,414.36
U68	Hourly	30,0194	30,7851	31,5703	32,3755	33,2013	34,0481	34,9166	35,8071	36,7204	37,6570	38,6175	39,6025	40,6126
	Biweekly	2,401.55	2,462.81	2,525.62	2,590.04	2,656.10	2,723.85	2,793.32	2,864.57	2,937.63	3,012.56	3,089.40	3,168.20	3,249.01
	Annual	62,440.37	64,032.98	65,666.20	67,341.08	69,058.69	70,820.10	72,626.43	74,478.84	76,378.50	78,326.61	80,324.41	82,373.16	84,474.17
U69	Hourly	30,7701	31,5550	32,3598	33,1852	34,0316	34,8996	35,7897	36,7026	37,6387	38,5987	39,5832	40,5929	41,6282
	Biweekly	2,461.61	2,524.40	2,588.78	2,654.81	2,722.53	2,791.97	2,863.18	2,936.21	3,011.10	3,087.90	3,166.66	3,247.43	3,330.26
	Annual	64,001.87	65,634.30	67,308.37	69,025.14	70,785.69	72,591.15	74,442.66	76,341.40	78,288.56	80,285.39	82,333.15	84,433.14	86,586.69
U70	Hourly	31,5396	32,3440	33,1690	34,0150	34,8826	35,7723	36,6847	37,6204	38,5799	39,5640	40,5731	41,6079	42,6692
	Biweekly	2,523.17	2,587.52	2,653.52	2,721.20	2,790.61	2,861.78	2,934.78	3,009.63	3,086.39	3,165.12	3,245.85	3,328.63	3,413.53
	Annual	65,602.32	67,275.57	68,991.51	70,751.20	72,555.78	74,406.39	76,304.20	78,250.41	80,246.27	82,293.03	84,392.00	86,544.50	88,751.90
U71	Hourly	32,3278	33,1523	33,9979	34,8650	35,7543	36,6663	37,6015	38,5605	39,5441	40,5527	41,5870	42,6477	43,7355
	Biweekly	2,586.22	2,652.18	2,719.83	2,789.20	2,860.34	2,933.30	3,008.12	3,084.84	3,163.52	3,244.21	3,326.96	3,411.82	3,498.84
	Annual	67,241.73	68,956.80	70,715.61	72,519.28	74,368.96	76,265.81	78,211.05	80,205.90	82,251.63	84,349.54	86,500.96	88,707.26	90,969.82

CITY OF BANNING
Grade Step Table - IBEWU
UTILITY EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (Utility Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U72	Hourly	33,1362	33,9814	34,8481	35,7370	36,6485	37,5832	38,5418	39,5249	40,5330	41,5668	42,6270	43,7143	44,8292
	Biweekly	2,650.90	2,718.51	2,787.85	2,858.96	2,931.88	3,006.66	3,083.35	3,161.99	3,242.64	3,325.35	3,410.16	3,497.14	3,586.34
	Annual	68,923.34	70,681.30	72,484.10	74,332.88	76,228.81	78,173.10	80,166.99	82,211.73	84,308.62	86,458.99	88,664.22	90,925.69	93,244.84
U73	Hourly	33,9645	34,8308	35,7191	36,6302	37,5645	38,5226	39,5052	40,5128	41,5461	42,6058	43,6925	44,8069	45,9498
	Biweekly	2,717.16	2,786.46	2,857.53	2,930.42	3,005.16	3,081.81	3,160.41	3,241.02	3,323.69	3,408.46	3,495.40	3,584.55	3,675.98
	Annual	70,646.07	72,447.97	74,295.83	76,190.82	78,134.14	80,127.03	82,170.75	84,266.60	86,415.90	88,620.03	90,880.37	93,198.36	95,575.48
U74	Hourly	34,8135	35,7015	36,6121	37,5459	38,5035	39,4856	40,4927	41,5255	42,5847	43,6708	44,7847	45,9270	47,0984
	Biweekly	2,785.08	2,856.12	2,928.96	3,003.67	3,080.28	3,158.85	3,239.42	3,322.04	3,406.77	3,493.67	3,582.78	3,674.16	3,767.87
	Annual	72,412.09	74,259.03	76,153.08	78,095.44	80,087.35	82,130.05	84,224.86	86,373.10	88,576.14	90,835.36	93,152.21	95,528.15	97,964.69
U75	Hourly	35,6839	36,5940	37,5274	38,4846	39,4662	40,4728	41,5051	42,5637	43,6493	44,7627	45,9044	47,0752	48,2759
	Biweekly	2,854.71	2,927.52	3,002.19	3,078.77	3,157.29	3,237.82	3,320.41	3,405.10	3,491.95	3,581.01	3,672.35	3,766.02	3,862.07
	Annual	74,222.47	76,115.59	78,057.00	80,047.92	82,089.62	84,183.40	86,330.58	88,532.53	90,790.64	93,106.34	95,481.11	97,916.46	100,413.91
U76	Hourly	35,5108	36,4165	37,3454	38,2979	39,2747	40,2765	41,3038	42,3572	43,4376	44,5455	45,6817	46,8469	48,0417
	Biweekly	2,840.86	2,913.32	2,987.63	3,063.83	3,141.98	3,222.12	3,304.30	3,388.58	3,475.01	3,563.64	3,654.54	3,747.75	3,843.34
	Annual	73,862.43	75,746.37	77,678.36	79,659.62	81,691.42	83,775.04	85,911.80	88,103.07	90,350.23	92,654.70	95,017.95	97,441.48	99,926.82
U77	Hourly	37,4907	38,4469	39,4276	40,4332	41,4645	42,5221	43,6067	44,7189	45,8595	47,0292	48,2287	49,4588	50,7203
	Biweekly	2,999.26	3,075.76	3,154.21	3,234.66	3,317.16	3,401.77	3,488.53	3,577.51	3,668.76	3,762.33	3,858.30	3,956.71	4,057.63
	Annual	77,980.67	79,969.64	82,009.35	84,101.08	86,246.16	88,445.96	90,701.86	93,015.30	95,387.75	97,820.71	100,315.72	102,874.38	105,498.29
U78	Hourly	38,4277	39,4078	40,4129	41,4437	42,5008	43,5848	44,6965	45,8365	47,0056	48,2045	49,4340	50,6949	51,9879
	Biweekly	3,074.21	3,152.62	3,233.04	3,315.50	3,400.06	3,486.78	3,575.72	3,666.92	3,760.45	3,856.36	3,954.72	4,055.59	4,159.03
	Annual	79,929.56	81,968.25	84,058.93	86,202.94	88,401.63	90,656.40	92,968.68	95,339.94	97,771.68	100,265.45	102,822.82	105,445.42	108,134.91
U79	Hourly	39,3886	40,3932	41,4235	42,4800	43,5635	44,6747	45,8141	46,9827	48,1810	49,4099	50,6702	51,9626	53,2879
	Biweekly	3,151.09	3,231.46	3,313.88	3,398.40	3,485.08	3,573.97	3,665.13	3,758.61	3,854.48	3,952.79	4,053.61	4,157.00	4,263.03
	Annual	81,928.24	84,017.90	86,160.86	88,358.48	90,612.15	92,923.30	95,293.40	97,723.96	100,216.50	102,772.63	105,393.94	108,082.12	110,838.87

CITY OF BANNING
Grade Step Table - IBEWU
UTILITY EMPLOYEES UNIT

MOU: The International Brotherhood of Electric Workers - Local 47 (Utility Unit)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
U80	Hourly	40,372.9	41,402.6	42,458.7	43,541.6	44,652.2	45,791.1	46,959.0	48,156.8	49,385.0	50,644.7	51,936.4	53,261.1	54,619.6
	Biweekly	3,229.83	3,312.21	3,396.69	3,483.33	3,572.17	3,663.29	3,756.72	3,852.54	3,950.80	4,051.57	4,154.91	4,260.89	4,369.57
	Annual	83,975.60	86,117.48	88,314.00	90,566.53	92,876.52	95,245.43	97,674.76	100,166.06	102,720.89	105,340.89	108,027.71	110,783.07	113,608.70
POWERLINE APPRENTICE 1														
U67		PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	PHASE 7 - PROBATIONARY POWERLINE TECH						
		65% U75 13	70% U75 13	75% U75 13	80% U75 13	85% U75 13	90% U75 13	95% U75 13						
	Hourly	31,379.3	33,793.1	36,206.9	38,620.7	41,034.5	43,448.3	45,862.1						
	Biweekly	2,510.35	2,703.45	2,896.56	3,089.66	3,282.76	3,475.87	3,668.97						
	Annual	65,269.04	70,289.74	75,310.43	80,331.13	85,351.83	90,372.52	95,393.22						

CITY OF BANNING
Grade Step Table -TEAMSTERS
MID-MANAGEMENT AND PROFESSIONAL UNIT

MOU: Teamsters Local 1932 (formerly San Bernardino Public Employee Association)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
T60	Hourly	24,6385	25,2669	25,9114	26,5723	27,2500	27,9450	28,6578	29,3888	30,1383	30,9071	31,6954	32,5038	33,3328
	Biweekly	1,971.08	2,021.35	2,072.91	2,125.78	2,180.00	2,235.60	2,292.63	2,351.10	2,411.07	2,472.56	2,535.63	2,600.30	2,666.63
	Annual	51,248.03	52,555.16	53,895.63	55,270.29	56,680.02	58,125.70	59,608.25	61,128.62	62,687.77	64,286.68	65,926.38	67,607.89	69,332.30
T61	Hourly	25,2544	25,8986	26,5592	27,2366	27,9313	28,6437	29,3743	30,1235	30,8918	31,6798	32,4878	33,3164	34,1662
	Biweekly	2,020.36	2,071.89	2,124.73	2,178.93	2,234.50	2,291.50	2,349.94	2,409.88	2,471.35	2,534.38	2,599.02	2,665.31	2,733.29
	Annual	52,529.25	53,869.07	55,243.05	56,652.08	58,097.05	59,578.87	61,098.49	62,656.87	64,254.99	65,893.88	67,574.57	69,298.13	71,065.64
T62	Hourly	25,8860	26,5463	27,2234	27,9177	28,6298	29,3600	30,1089	30,8768	31,6644	32,4720	33,3003	34,1496	35,0206
	Biweekly	2,070.88	2,123.70	2,177.87	2,233.42	2,290.38	2,348.80	2,408.71	2,470.15	2,533.15	2,597.76	2,664.02	2,731.97	2,801.65
	Annual	53,842.95	55,216.26	56,624.61	58,068.88	59,549.98	61,068.86	62,626.49	64,223.84	65,861.93	67,541.80	69,264.53	71,031.19	72,842.91
T63	Hourly	26,5332	27,2100	27,9040	28,6157	29,3456	30,0941	30,8617	31,6488	32,4560	33,2839	34,1328	35,0034	35,8962
	Biweekly	2,122.66	2,176.80	2,232.32	2,289.26	2,347.65	2,407.53	2,468.93	2,531.90	2,596.48	2,662.71	2,730.62	2,800.27	2,871.70
	Annual	55,189.10	56,596.75	58,040.31	59,520.69	61,038.82	62,595.68	64,192.24	65,829.53	67,508.58	69,230.45	70,996.24	72,807.07	74,664.09
T64	Hourly	27,1965	27,8902	28,6016	29,3311	30,0792	30,8464	31,6332	32,4400	33,2674	34,1160	34,9861	35,8785	36,7936
	Biweekly	2,175.72	2,231.22	2,288.13	2,346.49	2,406.34	2,467.71	2,530.65	2,595.20	2,661.39	2,729.28	2,798.89	2,870.28	2,943.49
	Annual	56,568.80	58,011.64	59,491.29	61,008.67	62,564.76	64,160.54	65,797.02	67,475.24	69,196.26	70,961.18	72,771.11	74,627.21	76,530.66
T65	Hourly	27,8765	28,5875	29,3167	30,0644	30,8313	31,6176	32,4241	33,2511	34,0992	34,9689	35,8608	36,7755	37,7135
	Biweekly	2,230.12	2,287.00	2,345.33	2,405.15	2,466.50	2,529.41	2,593.93	2,660.09	2,727.93	2,797.51	2,868.87	2,942.04	3,017.08
	Annual	57,983.13	59,462.05	60,978.69	62,534.01	64,129.00	65,764.67	67,442.07	69,162.25	70,926.30	72,735.34	74,590.53	76,493.04	78,444.07
T66	Hourly	28,5731	29,3019	30,0493	30,8157	31,6017	32,4077	33,2343	34,0820	34,9513	35,8428	36,7570	37,6945	38,6559
	Biweekly	2,285.85	2,344.15	2,403.94	2,465.26	2,528.14	2,592.62	2,658.75	2,726.56	2,796.10	2,867.42	2,940.56	3,015.56	3,092.47
	Annual	59,432.08	60,947.96	62,502.50	64,096.69	65,731.54	67,408.09	69,127.40	70,890.56	72,698.69	74,552.95	76,454.49	78,404.54	80,404.33
T67	Hourly	29,2874	30,0344	30,8005	31,5861	32,3917	33,2179	34,0652	34,9340	35,8250	36,7388	37,6759	38,6368	39,6223
	Biweekly	2,342.99	2,402.75	2,464.04	2,526.89	2,591.34	2,657.43	2,725.21	2,794.72	2,866.00	2,939.10	3,014.07	3,090.95	3,169.78
	Annual	60,917.83	62,471.60	64,065.00	65,699.05	67,374.77	69,093.23	70,855.52	72,662.76	74,516.10	76,416.70	78,365.79	80,364.59	82,414.36
T68	Hourly	30,0194	30,7851	31,5703	32,3755	33,2013	34,0481	34,9166	35,8071	36,7204	37,6570	38,6175	39,6025	40,6126
	Biweekly	2,401.55	2,462.81	2,525.62	2,590.04	2,656.10	2,723.85	2,793.32	2,864.57	2,937.63	3,012.56	3,089.40	3,168.20	3,249.01
	Annual	62,440.37	64,032.98	65,666.20	67,341.08	69,058.69	70,820.10	72,626.43	74,478.84	76,378.50	78,326.61	80,324.41	82,373.16	84,474.17

CITY OF BANNING
Grade Step Table - TEAMSTERS
MID-MANAGEMENT AND PROFESSIONAL UNIT

MOU: Teamsters Local 1932 (formerly San Bernardino Public Employee Association)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
T69	Hourly	30,770.1	31,550.0	32,359.8	33,185.2	34,031.6	34,899.6	35,789.7	36,702.6	37,638.7	38,598.7	39,583.2	40,592.9	41,628.2
	Biweekly	2,461.61	2,524.40	2,588.78	2,654.81	2,722.53	2,791.97	2,863.18	2,936.21	3,011.10	3,087.90	3,166.66	3,247.43	3,330.26
	Annual	64,001.87	65,634.30	67,308.37	69,025.14	70,785.69	72,591.15	74,442.66	76,341.40	78,288.56	80,285.39	82,333.15	84,433.14	86,586.69
T70	Hourly	31,539.6	32,344.0	33,169.0	34,015.0	34,882.6	35,772.3	36,684.7	37,620.4	38,579.9	39,564.0	40,573.1	41,607.9	42,669.2
	Biweekly	2,523.17	2,587.52	2,653.52	2,721.20	2,790.61	2,861.78	2,934.78	3,009.63	3,086.39	3,165.12	3,245.85	3,328.63	3,413.53
	Annual	65,602.32	67,275.57	68,991.51	70,751.20	72,555.78	74,406.39	76,304.20	78,250.41	80,246.27	82,293.03	84,392.00	86,544.50	88,751.90
T71	Hourly	32,327.8	33,152.3	33,997.9	34,865.0	35,754.3	36,666.3	37,601.5	38,560.5	39,544.1	40,552.7	41,587.0	42,647.7	43,735.5
	Biweekly	2,586.22	2,652.18	2,719.83	2,789.20	2,860.34	2,933.30	3,008.12	3,084.84	3,163.52	3,244.21	3,326.96	3,411.82	3,498.84
	Annual	67,241.73	68,956.80	70,715.61	72,519.28	74,368.96	76,265.81	78,211.05	80,205.90	82,251.63	84,349.54	86,500.96	88,707.26	90,969.82
T72	Hourly	33,136.2	33,981.4	34,848.1	35,737.0	36,648.5	37,583.2	38,541.8	39,524.9	40,533.0	41,566.8	42,627.0	43,714.3	44,829.2
	Biweekly	2,650.90	2,718.51	2,787.85	2,858.96	2,931.88	3,006.66	3,083.35	3,161.99	3,242.64	3,325.35	3,410.16	3,497.14	3,586.34
	Annual	68,923.34	70,681.30	72,484.10	74,332.88	76,228.81	78,173.10	80,166.99	82,211.73	84,308.62	86,458.99	88,664.22	90,925.69	93,244.84
T73	Hourly	33,964.5	34,830.8	35,719.1	36,630.2	37,564.5	38,522.6	39,505.2	40,512.8	41,546.1	42,605.8	43,692.5	44,806.9	45,949.8
	Biweekly	2,717.16	2,786.46	2,857.53	2,930.42	3,005.16	3,081.81	3,160.41	3,241.02	3,323.69	3,408.46	3,495.40	3,584.55	3,675.98
	Annual	70,646.07	72,447.97	74,295.83	76,190.82	78,134.14	80,127.03	82,170.75	84,266.60	86,415.90	88,620.03	90,880.37	93,198.36	95,575.48
T74	Hourly	34,813.5	35,701.5	36,612.1	37,545.9	38,503.5	39,485.6	40,492.7	41,525.5	42,584.7	43,670.8	44,784.7	45,927.0	47,098.4
	Biweekly	2,785.08	2,856.12	2,928.96	3,003.67	3,080.28	3,158.85	3,239.42	3,322.04	3,406.77	3,493.67	3,582.78	3,674.16	3,767.87
	Annual	72,412.09	74,259.03	76,153.08	78,095.44	80,087.35	82,130.05	84,224.86	86,373.10	88,576.14	90,835.36	93,152.21	95,528.15	97,964.69
T75	Hourly	35,683.9	36,594.0	37,527.4	38,484.6	39,466.2	40,472.8	41,505.1	42,563.7	43,649.3	44,762.7	45,904.4	47,075.2	48,275.9
	Biweekly	2,854.71	2,927.52	3,002.19	3,078.77	3,157.29	3,237.82	3,320.41	3,405.10	3,491.95	3,581.01	3,672.35	3,766.02	3,862.07
	Annual	74,222.47	76,115.59	78,057.00	80,047.92	82,089.62	84,183.40	86,330.58	88,532.53	90,790.64	93,106.34	95,481.11	97,916.46	100,413.91
T76	Hourly	36,576.1	37,509.0	38,465.7	39,446.8	40,453.0	41,484.8	42,542.9	43,628.0	44,740.7	45,881.9	47,052.2	48,252.3	49,483.0
	Biweekly	2,926.09	3,000.72	3,077.26	3,155.75	3,236.24	3,318.78	3,403.43	3,490.24	3,579.26	3,670.55	3,764.17	3,860.18	3,958.64
	Annual	76,078.31	78,018.76	80,008.71	82,049.41	84,142.16	86,288.29	88,489.16	90,746.16	93,060.74	95,434.34	97,868.49	100,364.72	102,924.63
T77	Hourly	37,490.7	38,446.9	39,427.6	40,433.2	41,464.5	42,522.1	43,606.7	44,718.9	45,859.5	47,029.2	48,228.7	49,458.8	50,720.3
	Biweekly	2,999.26	3,075.76	3,154.21	3,234.66	3,317.16	3,401.77	3,488.53	3,577.51	3,668.76	3,762.33	3,858.30	3,956.71	4,057.63
	Annual	77,980.67	79,969.64	82,009.35	84,101.08	86,246.16	88,445.96	90,701.86	93,015.30	95,387.75	97,820.71	100,315.72	102,874.38	105,498.29

CITY OF BANNING
Grade Step Table - TEAMSTERS
MID-MANAGEMENT AND PROFESSIONAL UNIT

MOU: Teamsters Local 1932 (formerly San Bernardino Public Employee Association)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
T78	Hourly	38,427	39,408	40,419	41,437	42,508	43,548	44,695	45,835	47,006	48,204	49,434	50,694	51,987
	Biweekly	3,074.21	3,152.62	3,233.04	3,315.50	3,400.06	3,486.78	3,575.72	3,666.92	3,760.45	3,856.36	3,954.72	4,055.59	4,159.03
	Annual	79,929.56	81,968.25	84,058.93	86,202.94	88,401.63	90,656.40	92,968.68	95,339.94	97,771.68	100,265.45	102,822.82	105,445.42	108,134.91
T79	Hourly	39,388	40,392	41,423	42,480	43,563	44,674	45,814	46,982	48,180	49,409	50,670	51,962	53,287
	Biweekly	3,151.09	3,231.46	3,313.88	3,398.40	3,485.08	3,573.97	3,665.13	3,758.61	3,854.48	3,952.79	4,053.61	4,157.00	4,263.03
	Annual	81,928.24	84,017.90	86,160.86	88,358.48	90,612.15	92,923.30	95,293.40	97,723.96	100,216.50	102,772.63	105,393.94	108,082.12	110,838.87
T80	Hourly	40,372	41,402	42,457	43,541	44,652	45,791	46,959	48,156	49,385	50,647	51,936	53,261	54,619
	Biweekly	3,229.83	3,312.21	3,396.69	3,483.33	3,572.17	3,663.29	3,756.72	3,852.54	3,950.80	4,051.57	4,154.91	4,260.89	4,369.57
	Annual	83,975.60	86,117.48	88,314.00	90,566.53	92,876.52	95,245.43	97,674.76	100,166.06	102,720.89	105,340.89	108,027.71	110,783.07	113,608.70
T81	Hourly	41,382	42,432	43,506	44,607	45,769	46,936	48,136	49,363	50,620	51,914	53,235	54,593	55,987
	Biweekly	3,310.62	3,395.06	3,481.65	3,570.45	3,661.52	3,754.91	3,850.68	3,948.90	4,049.62	4,152.91	4,258.83	4,367.46	4,478.86
	Annual	86,075.99	88,271.45	90,522.90	92,831.78	95,199.54	97,627.70	100,117.80	102,671.40	105,290.14	107,975.67	110,729.70	113,553.97	116,450.27
T82	Hourly	42,419	43,498	44,603	45,746	46,912	48,109	49,336	50,594	51,884	53,208	54,569	55,957	57,384
	Biweekly	3,393.36	3,479.91	3,568.66	3,659.69	3,753.03	3,848.76	3,946.92	4,047.59	4,150.83	4,256.70	4,365.27	4,476.61	4,590.79
	Annual	88,227.24	90,477.57	92,785.29	95,151.87	97,578.81	100,067.66	102,619.99	105,237.41	107,921.60	110,674.25	113,497.10	116,391.96	119,360.65
T83	Hourly	43,472	44,561	45,723	46,889	48,085	49,312	50,569	51,859	53,182	54,538	55,929	57,356	58,819
	Biweekly	3,478.18	3,566.89	3,657.87	3,751.17	3,846.84	3,944.96	4,045.58	4,148.77	4,254.59	4,363.10	4,474.39	4,588.51	4,705.55
	Annual	90,432.60	92,739.18	95,104.58	97,530.32	100,017.93	102,568.98	105,185.11	107,867.96	110,619.24	113,440.69	116,334.11	119,301.33	122,344.23
T84	Hourly	44,564	45,701	46,869	48,062	49,281	50,543	51,834	53,156	54,512	55,902	57,328	58,790	60,290
	Biweekly	3,565.16	3,656.10	3,749.35	3,844.98	3,943.05	4,043.62	4,146.76	4,252.52	4,360.99	4,472.22	4,586.29	4,703.27	4,823.23
	Annual	92,694.23	95,058.49	97,483.05	99,969.45	102,519.27	105,134.13	107,815.68	110,565.63	113,385.71	116,277.73	119,243.51	122,284.93	125,403.93
T85	Hourly	45,678	46,843	48,032	49,263	50,520	51,806	53,130	54,482	55,874	57,300	58,761	60,260	61,797
	Biweekly	3,654.27	3,747.48	3,843.06	3,941.08	4,041.60	4,144.69	4,250.40	4,358.81	4,469.99	4,584.00	4,700.92	4,820.82	4,943.78
	Annual	95,011.04	97,434.39	99,919.56	102,468.10	105,081.66	107,761.87	110,510.44	113,329.12	116,219.69	119,183.99	122,223.90	125,341.34	128,538.30
T86	Hourly	46,803	48,015	49,239	50,491	51,780	53,103	54,458	55,847	57,271	58,732	60,230	61,768	63,342
	Biweekly	3,745.63	3,841.16	3,939.14	4,039.61	4,142.64	4,248.30	4,356.66	4,467.78	4,581.74	4,698.60	4,818.44	4,941.34	5,067.37
	Annual	97,386.29	99,870.23	102,417.52	105,029.78	107,708.67	110,455.88	113,273.17	116,162.32	119,125.15	122,163.56	125,279.46	128,474.84	131,751.72

CITY OF BANNING
Grade Step Table - TEAMSTERS
MID-MANAGEMENT AND PROFESSIONAL UNIT

MOU: Teamsters Local 1932 (formerly San Bernardino Public Employee Association)
 2.5506% Between Steps

Effective: 7/1/2018
 COLA 3%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
T87	Hourly	47,9909	49,2149	50,4702	51,7575	53,0776	54,4314	55,8198	57,2435	58,7036	60,2009	61,7363	63,3110	64,9258
	Biweekly	3,839.27	3,937.20	4,037.62	4,140.60	4,246.21	4,354.52	4,465.58	4,579.48	4,696.29	4,816.07	4,938.91	5,064.88	5,194.06
	Annual	99,821.06	102,367.09	104,978.07	107,655.64	110,401.50	113,217.40	116,105.13	119,066.50	122,103.41	125,217.78	128,411.59	131,686.86	135,045.66
T88	Hourly	49,1906	50,4452	51,7319	53,0514	54,4045	55,7921	57,2152	58,6745	60,1711	61,7058	63,2796	64,8937	66,5488
	Biweekly	3,935.25	4,035.62	4,138.55	4,244.11	4,352.36	4,463.37	4,577.21	4,693.96	4,813.68	4,936.46	5,062.37	5,191.49	5,323.91
	Annual	102,316.42	104,926.10	107,602.35	110,346.85	113,161.36	116,047.66	119,007.57	122,042.97	125,155.80	128,348.03	131,621.67	134,978.81	138,421.58
T89	Hourly	50,4205	51,7065	53,0253	54,3778	55,7647	57,1871	58,6457	60,1415	61,6755	63,2486	64,8618	66,5161	68,2127
	Biweekly	4,033.64	4,136.52	4,242.02	4,350.22	4,461.18	4,574.97	4,691.65	4,811.32	4,934.04	5,059.88	5,188.94	5,321.29	5,457.02
	Annual	104,874.55	107,549.48	110,292.64	113,105.76	115,990.63	118,949.09	121,983.01	125,094.31	128,284.96	131,557.00	134,912.49	138,353.57	141,882.41
T90	Hourly	51,6810	52,9992	54,3510	55,7373	57,1589	58,6168	60,1119	61,6451	63,2174	64,8298	66,4834	68,1791	69,9181
	Biweekly	4,134.48	4,239.94	4,348.08	4,458.98	4,572.71	4,689.34	4,808.95	4,931.61	5,057.39	5,186.39	5,318.67	5,454.33	5,593.45
	Annual	107,496.52	110,238.33	113,050.06	115,933.52	118,890.52	121,922.94	125,032.71	128,221.79	131,492.22	134,846.06	138,285.44	141,812.55	145,429.62

CITY OF BANNING
Grade Step Table -DIRECTORS
EXECUTIVE UNIT

Resolution: 2.5506% Between Steps		Effective: 7/1/2018 COLA 0%												
Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
D86	Hourly	44,5740	45,7109	46,8768	48,0724	49,2986	50,5560	51,8455	53,1678	54,5239	55,9146	57,3408	58,8033	60,3031
	Biweekly	3,565.92	3,656.87	3,750.14	3,845.79	3,943.88	4,044.48	4,147.64	4,253.43	4,361.91	4,473.17	4,587.26	4,704.26	4,824.25
	Annual	92,713.88	95,078.64	97,503.72	99,990.64	102,541.01	105,156.42	107,838.54	110,589.07	113,409.75	116,302.38	119,268.79	122,310.86	125,430.52
D87	Hourly	45,6884	46,8537	48,0488	49,2743	50,5311	51,8199	53,1416	54,4971	55,8871	57,3125	58,7743	60,2734	61,8108
	Biweekly	3,655.07	3,748.30	3,843.90	3,941.94	4,042.49	4,145.59	4,251.33	4,359.77	4,470.97	4,585.00	4,701.95	4,821.88	4,944.86
	Annual	95,031.83	97,455.71	99,941.42	102,490.52	105,104.65	107,785.44	110,534.62	113,353.92	116,245.12	119,210.07	122,250.64	125,368.77	128,566.42
D88	Hourly	46,8305	48,0250	49,2499	50,5061	51,7943	53,1153	54,4701	55,8594	57,2842	58,7453	60,2436	61,7802	63,3559
	Biweekly	3,746.44	3,842.00	3,939.99	4,040.49	4,143.54	4,249.23	4,357.61	4,468.75	4,582.73	4,699.62	4,819.49	4,942.41	5,068.48
	Annual	97,407.47	99,891.95	102,439.79	105,052.62	107,732.09	110,479.91	113,297.81	116,187.58	119,151.06	122,190.13	125,306.71	128,502.78	131,780.37
D89	Hourly	48,0014	49,2257	50,4813	51,7688	53,0892	54,4433	55,8320	57,2560	58,7164	60,2140	61,7498	63,3248	64,9400
	Biweekly	3,840.11	3,938.06	4,038.50	4,141.51	4,247.14	4,355.47	4,466.56	4,580.48	4,697.31	4,817.12	4,939.99	5,065.99	5,195.20
	Annual	99,842.86	102,389.46	105,001.00	107,679.16	110,425.62	113,242.14	116,130.49	119,092.51	122,130.09	125,245.14	128,439.64	131,715.62	135,075.16
D90	Hourly	49,2015	50,4564	51,7433	53,0631	54,4165	55,8045	57,2278	58,6875	60,1844	61,7194	63,2936	64,9080	66,5635
	Biweekly	3,936.12	4,036.51	4,139.47	4,245.05	4,353.32	4,464.36	4,578.23	4,695.00	4,814.75	4,937.55	5,063.49	5,192.64	5,325.08
	Annual	102,339.04	104,949.30	107,626.13	110,371.25	113,186.38	116,073.31	119,033.87	122,069.95	125,183.47	128,376.40	131,650.76	135,008.65	138,452.18
D91	Hourly	50,4313	51,7176	53,0367	54,3894	55,7767	57,1993	58,6582	60,1544	61,6887	63,2621	64,8757	66,5304	68,2273
	Biweekly	4,034.50	4,137.40	4,242.93	4,351.15	4,462.13	4,575.95	4,692.66	4,812.35	4,935.09	5,060.97	5,190.05	5,322.43	5,458.19
	Annual	104,897.02	107,572.53	110,316.27	113,130.00	116,015.49	118,974.58	122,009.15	125,121.12	128,312.45	131,585.19	134,941.40	138,383.22	141,912.82
D92	Hourly	51,6923	53,0107	54,3628	55,7494	57,1713	58,6296	60,1250	61,6585	63,2312	64,8439	66,4979	68,1939	69,9333
	Biweekly	4,135.38	4,240.86	4,349.03	4,459.95	4,573.71	4,690.36	4,810.00	4,932.68	5,058.49	5,187.52	5,319.83	5,455.52	5,594.66
	Annual	107,519.91	110,262.32	113,074.67	115,958.75	118,916.39	121,949.48	125,059.92	128,249.70	131,520.83	134,875.40	138,315.54	141,843.41	145,461.27
D93	Hourly	52,9845	54,3359	55,7218	57,1430	58,6005	60,0952	61,6280	63,1999	64,8118	66,4649	68,1602	69,8987	71,6815
	Biweekly	4,238.76	4,346.87	4,457.74	4,571.44	4,688.04	4,807.61	4,930.24	5,055.99	5,184.95	5,317.19	5,452.81	5,591.89	5,734.52
	Annual	110,207.71	113,018.66	115,901.32	118,857.50	121,889.08	124,997.98	128,186.18	131,455.69	134,808.60	138,247.03	141,773.16	145,389.23	149,097.52

CITY OF BANNING
Grade Step Table - DIRECTORS
EXECUTIVE UNIT

Resolution: 2.5506% Between Steps Effective: 7/1/2018
 COLA 0%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
D94	Hourly	54,3094	55,6946	57,1151	58,5719	60,0658	61,5979	63,1690	64,7802	66,4325	68,1269	69,8645	71,6465	73,4739
	Biweekly	4,344.75	4,455.57	4,569.21	4,685.75	4,805.27	4,927.83	5,053.52	5,182.42	5,314.60	5,450.15	5,589.16	5,731.72	5,877.91
	Annual	112,963.49	115,844.74	118,799.47	121,829.57	124,936.96	128,123.60	131,391.52	134,742.79	138,179.54	141,703.95	145,318.25	149,024.74	152,825.76
D95	Hourly	55,6670	57,0868	58,5429	60,0360	61,5673	63,1377	64,7481	66,3995	68,0931	69,8299	71,6110	73,4375	75,3106
	Biweekly	4,453.36	4,566.94	4,683.43	4,802.88	4,925.39	5,051.01	5,179.84	5,311.96	5,447.45	5,586.39	5,728.88	5,875.00	6,024.85
	Annual	115,787.27	118,740.54	121,769.13	124,874.98	128,060.04	131,326.34	134,675.95	138,110.99	141,633.65	145,246.16	148,950.81	152,749.95	156,645.99
D96	Hourly	57,0587	58,5141	60,0065	61,5370	63,1066	64,7162	66,3669	68,0596	69,7955	71,5757	73,4014	75,2735	77,1935
	Biweekly	4,564.70	4,681.12	4,800.52	4,922.96	5,048.53	5,177.30	5,309.35	5,444.77	5,583.64	5,726.06	5,872.11	6,021.88	6,175.48
	Annual	118,682.13	121,709.24	124,813.55	127,997.05	131,261.74	134,609.70	138,043.06	141,563.98	145,174.71	148,877.54	152,674.81	156,568.93	160,562.38
D97	Hourly	58,4851	59,9769	61,5066	63,0754	64,6842	66,3341	68,0260	69,7611	71,5404	73,3651	75,2363	77,1553	79,1232
	Biweekly	4,678.81	4,798.15	4,920.53	5,046.03	5,174.74	5,306.73	5,442.08	5,580.88	5,723.23	5,869.21	6,018.91	6,172.43	6,329.86
	Annual	121,649.11	124,751.89	127,933.81	131,196.89	134,543.20	137,974.86	141,494.04	145,102.99	148,803.99	152,599.38	156,491.58	160,483.06	164,576.34
D98	Hourly	59,9472	61,4763	63,0443	64,6523	66,3013	67,9924	69,7266	71,5050	73,3288	75,1992	77,1172	79,0841	81,1013
	Biweekly	4,795.78	4,918.10	5,043.54	5,172.18	5,304.10	5,439.39	5,578.13	5,720.40	5,866.31	6,015.93	6,169.38	6,326.73	6,488.10
	Annual	124,690.26	127,870.61	131,132.07	134,476.73	137,906.69	141,424.14	145,031.30	148,730.47	152,523.99	156,414.27	160,403.77	164,495.03	168,690.64
D99	Hourly	61,4460	63,0132	64,6204	66,2686	67,9589	69,6923	71,4698	73,2927	75,1621	77,0792	79,0452	81,0613	83,1289
	Biweekly	4,915.68	5,041.06	5,169.64	5,301.49	5,436.71	5,575.38	5,717.59	5,863.42	6,012.97	6,166.34	6,323.62	6,484.91	6,650.31
	Annual	127,807.64	131,067.50	134,410.51	137,838.79	141,354.50	144,959.89	148,657.24	152,448.89	156,337.25	160,324.79	164,414.03	168,607.58	172,908.08
D00	Hourly	62,9819	64,5883	66,2357	67,9251	69,6576	71,4343	73,2563	75,1247	77,0409	79,0059	81,0210	83,0875	85,2068
	Biweekly	5,038.55	5,167.06	5,298.85	5,434.01	5,572.61	5,714.74	5,860.50	6,009.98	6,163.27	6,320.47	6,481.68	6,647.00	6,816.54
	Annual	131,002.29	134,343.64	137,770.21	141,284.17	144,887.77	148,583.27	152,373.04	156,259.47	160,245.02	164,332.23	168,523.69	172,822.05	177,230.05
D01	Hourly	64,5564	66,2030	67,8915	69,6232	71,3990	73,2201	75,0876	77,0028	78,9669	80,9810	83,0465	85,1647	87,3369
	Biweekly	5,164.51	5,296.24	5,431.32	5,569.85	5,711.92	5,857.61	6,007.01	6,160.23	6,317.35	6,478.48	6,643.72	6,813.17	6,986.95
	Annual	134,277.30	137,702.17	141,214.41	144,816.22	148,509.90	152,297.80	156,182.31	160,165.89	164,251.08	168,440.47	172,736.71	177,142.54	181,660.73
D02	Hourly	66,1705	67,8583	69,5891	71,3640	73,1842	75,0509	76,9651	78,9282	80,9413	83,0058	85,1230	87,2941	89,5206
	Biweekly	5,293.64	5,428.66	5,567.13	5,709.12	5,854.74	6,004.07	6,157.21	6,314.25	6,475.31	6,640.47	6,809.84	6,983.53	7,161.65
	Annual	137,634.72	141,145.23	144,745.28	148,437.15	152,223.19	156,105.80	160,087.43	164,170.62	168,357.96	172,652.10	177,055.76	181,571.74	186,202.91

CITY OF BANNING
Grade Step Table - DIRECTORS
EXECUTIVE UNIT

Resolution: 2.5506% Between Steps Effective: 7/1/2018
 COLA 0%

Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
D03	Hourly	67,8248	69,5547	71,3288	73,1481	75,0138	76,9271	78,8892	80,9014	82,9649	85,0810	87,2510	89,4765	91,7586
	Biweekly	5,425.98	5,564.38	5,706.30	5,851.85	6,001.11	6,154.17	6,311.14	6,472.11	6,637.19	6,806.48	6,980.08	7,158.12	7,340.69
	Annual	141,075.59	144,673.86	148,363.91	152,148.08	156,028.77	160,008.44	164,089.62	168,274.89	172,566.91	176,968.40	181,482.15	186,111.04	190,857.99
D04	Hourly	69,5202	71,2934	73,1118	74,9766	76,8889	78,8500	80,8612	82,9236	85,0387	87,2077	89,4320	91,7130	94,0523
	Biweekly	5,561.61	5,703.47	5,848.94	5,998.12	6,151.11	6,308.00	6,468.89	6,633.89	6,803.09	6,976.61	7,154.56	7,337.04	7,524.18
	Annual	144,601.96	148,290.18	152,072.47	155,951.23	159,928.92	164,008.07	168,191.26	172,481.15	176,880.45	181,391.96	186,018.55	190,763.13	195,628.74
D05	Hourly	71,2581	73,0757	74,9395	76,8509	78,8111	80,8212	82,8827	84,9967	87,1646	89,3878	91,6677	94,0058	96,4035
	Biweekly	5,700.65	5,846.05	5,995.16	6,148.07	6,304.89	6,465.70	6,630.61	6,799.73	6,973.17	7,151.03	7,333.42	7,520.47	7,712.28
	Annual	148,216.93	151,997.36	155,874.20	159,849.93	163,927.06	168,108.18	172,395.95	176,793.08	181,302.37	185,926.66	190,668.91	195,532.11	200,519.35
D06	Hourly	73,0397	74,9026	76,8131	78,7723	80,7815	82,8419	84,9549	87,1217	89,3438	91,6226	93,9596	96,3561	98,8138
	Biweekly	5,843.18	5,992.21	6,145.05	6,301.78	6,462.52	6,627.35	6,796.39	6,969.74	7,147.51	7,329.81	7,516.77	7,708.49	7,905.10
	Annual	151,922.56	155,797.50	159,771.27	163,846.40	168,025.46	172,311.12	176,706.09	181,213.15	185,835.18	190,575.09	195,435.90	200,420.69	205,532.62
D07	Hourly	74,8658	76,7754	78,7336	80,7418	82,8012	84,9131	87,0789	89,2999	91,5776	93,9134	96,3087	98,7652	101,2843
	Biweekly	5,989.27	6,142.03	6,298.69	6,459.34	6,624.09	6,793.05	6,966.31	7,143.99	7,326.21	7,513.07	7,704.70	7,901.21	8,102.74
	Annual	155,720.91	159,692.73	163,765.85	167,942.86	172,226.41	176,619.22	181,124.07	185,743.82	190,481.40	195,339.82	200,322.16	205,431.58	210,671.31
D08	Hourly	76,7375	78,6948	80,7020	82,7604	84,8712	87,0360	89,2559	91,5325	93,8671	96,2613	98,7165	101,2344	103,8165
	Biweekly	6,139.00	6,295.58	6,456.16	6,620.83	6,789.70	6,962.88	7,140.47	7,322.60	7,509.37	7,700.90	7,897.32	8,098.75	8,305.32
	Annual	159,614.04	163,685.15	167,860.11	172,141.55	176,532.19	181,034.82	185,652.29	190,387.54	195,243.56	200,223.45	205,330.35	210,567.50	215,938.24
D09	Hourly	78,6558	80,6620	82,7193	84,8292	86,9928	89,2117	91,4871	93,8206	96,2135	98,6676	101,1842	103,7650	106,4116
	Biweekly	6,292.46	6,452.96	6,617.55	6,786.33	6,959.43	7,136.93	7,318.97	7,505.64	7,697.08	7,893.41	8,094.73	8,301.20	8,512.93
	Annual	163,604.00	167,776.89	172,056.20	176,444.67	180,945.07	185,560.25	190,293.15	195,146.77	200,124.18	205,228.55	210,463.11	215,831.18	221,336.17
D10	Hourly	80,6221	82,6785	84,7873	86,9498	89,1676	91,4419	93,7742	96,1660	98,6188	101,1342	103,7137	106,3590	109,0718
	Biweekly	6,449.77	6,614.28	6,782.98	6,955.99	7,133.41	7,315.35	7,501.94	7,693.28	7,889.51	8,090.74	8,297.10	8,508.72	8,725.75
	Annual	167,694.00	171,971.20	176,357.50	180,855.67	185,468.58	190,199.14	195,050.36	200,025.31	205,127.16	210,359.13	215,724.55	221,226.82	226,869.43
D11	Hourly	82,6379	84,7457	86,9072	89,1238	91,3970	93,7282	96,1188	98,5704	101,0846	103,6628	106,3069	109,0183	111,7989
	Biweekly	6,611.03	6,779.65	6,952.57	7,129.91	7,311.76	7,498.26	7,689.51	7,885.63	8,086.77	8,293.03	8,504.55	8,721.47	8,943.92
	Annual	171,886.81	176,270.95	180,766.92	185,377.56	190,105.80	194,954.64	199,927.15	205,026.50	210,255.90	215,618.69	221,118.26	226,758.10	232,541.79

CITY OF BANNING
Grade Step Table -DIRECTORS
EXECUTIVE UNIT

Resolution: 2.5506% Between Steps		Effective: 7/1/2018 COLA 0%												
Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
D12	Hourly	84,703.7	86,864.2	89,079.7	91,351.8	93,681.8	96,071.3	98,521.7	101,034.6	103,611.6	106,254.3	108,964.4	111,743.6	114,593.8
	Biweekly	6,776.30	6,949.14	7,126.38	7,308.15	7,494.55	7,685.70	7,881.73	8,082.77	8,288.92	8,500.34	8,717.15	8,939.49	9,167.50
	Annual	176,183.77	180,677.52	185,285.88	190,011.78	194,858.22	199,828.27	204,925.09	210,151.91	215,512.05	221,008.90	226,645.95	232,426.78	238,355.06
D13	Hourly	86,821.6	89,036.1	91,307.0	93,635.9	96,024.2	98,473.4	100,985.0	103,560.7	106,202.2	108,911.0	111,688.8	114,537.6	117,459.0
	Biweekly	6,945.73	7,122.88	7,304.56	7,490.87	7,681.93	7,877.87	8,078.80	8,284.86	8,496.17	8,712.88	8,935.11	9,163.01	9,396.72
	Annual	180,588.91	185,195.01	189,918.59	194,762.66	199,730.27	204,824.59	210,048.85	215,406.36	220,900.51	226,534.80	232,312.80	238,238.17	244,314.67
D14	Hourly	88,991.9	91,261.8	93,589.5	95,976.6	98,424.6	100,935.0	103,509.4	106,149.5	108,857.0	111,633.5	114,480.8	117,400.8	120,395.2
	Biweekly	7,119.36	7,300.94	7,487.16	7,678.13	7,873.97	8,074.80	8,280.75	8,491.96	8,708.56	8,930.68	9,158.47	9,392.06	9,631.62
	Annual	185,103.25	189,824.49	194,666.15	199,631.31	204,723.10	209,944.77	215,299.62	220,791.05	226,422.55	232,197.68	238,120.12	244,193.61	250,422.01
D15	Hourly	91,216.8	93,543.4	95,929.3	98,376.0	100,885.2	103,458.4	106,097.2	108,803.3	111,578.5	114,424.4	117,342.9	120,335.8	123,405.1
	Biweekly	7,297.34	7,483.47	7,674.34	7,870.08	8,070.82	8,276.67	8,487.78	8,704.27	8,926.28	9,153.95	9,387.43	9,626.87	9,872.41
	Annual	189,730.90	194,570.18	199,532.89	204,622.17	209,841.27	215,193.48	220,682.20	226,310.92	232,083.21	238,002.72	244,073.22	250,298.55	256,682.67
D16	Hourly	93,497.1	95,881.8	98,327.4	100,835.3	103,407.2	106,044.7	108,749.5	111,523.3	114,367.8	117,284.9	120,276.3	123,344.1	126,490.1
	Biweekly	7,479.77	7,670.55	7,866.19	8,066.83	8,272.58	8,483.58	8,699.96	8,921.86	9,149.42	9,382.79	9,622.11	9,867.53	10,119.21
	Annual	194,473.94	199,434.20	204,520.97	209,737.48	215,087.04	220,573.05	226,198.99	231,968.42	237,885.01	243,952.50	250,174.75	256,555.71	263,099.42

CITY OF BANNING
Grade Step Table - BPOA
BANNING POLICE OFFICERS

MOU: Banning Police Officers Association
 2.5506% Between Steps

Effective: 3/28/2018 - 3/27/2019
 COLA 3%

Job Title	Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
Community Service Officer	P48	Hourly	18,135.6	18,598.1	19,072.5	19,558.9	20,057.8	20,569.4	21,094.1	21,632.1	22,183.8	22,749.6	23,329.9	23,925.0	24,535.2
		Biweekly	1,450.84	1,487.85	1,525.80	1,564.72	1,604.63	1,645.55	1,687.52	1,730.57	1,774.71	1,819.97	1,866.39	1,914.00	1,962.81
		Annual	37,721.96	38,684.09	39,670.77	40,682.61	41,720.26	42,784.38	43,875.63	44,994.73	46,142.36	47,319.27	48,526.19	49,763.90	51,033.18
Police Officer	P67	Hourly	28,991.7	29,731.2	30,489.5	31,267.2	32,064.7	32,882.5	33,721.2	34,581.3	35,463.4	36,367.9	37,295.5	38,246.8	39,222.3
		Biweekly	2,319.34	2,378.50	2,439.16	2,501.38	2,565.18	2,630.60	2,697.70	2,766.51	2,837.07	2,909.43	2,983.64	3,059.74	3,137.78
		Annual	60,302.83	61,840.91	63,418.22	65,035.78	66,694.57	68,395.69	70,140.19	71,929.18	73,763.81	75,645.23	77,574.64	79,553.26	81,582.33
Police Corporal	P71	Hourly	32,001.5	32,817.8	33,654.8	34,513.2	35,393.5	36,296.2	37,222.0	38,171.4	39,145.0	40,143.4	41,167.3	42,217.3	43,294.1
		Biweekly	2,560.12	2,625.42	2,692.38	2,761.06	2,831.48	2,903.70	2,977.76	3,053.71	3,131.60	3,211.47	3,293.39	3,377.39	3,463.53
		Annual	66,563.15	68,260.92	70,001.98	71,787.45	73,618.46	75,496.18	77,421.78	79,396.50	81,421.58	83,498.33	85,628.03	87,812.06	90,051.80
Police Sergeant	P78	Hourly	38,040.2	39,010.4	40,005.4	41,025.8	42,072.2	43,145.3	44,245.7	45,374.3	46,531.6	47,718.4	48,935.5	50,183.7	51,463.7
		Biweekly	3,043.21	3,120.83	3,200.43	3,282.06	3,365.78	3,451.62	3,539.66	3,629.94	3,722.53	3,817.47	3,914.84	4,014.70	4,117.09
		Annual	79,123.54	81,141.66	83,211.26	85,333.65	87,510.17	89,742.20	92,031.16	94,378.51	96,785.73	99,254.34	101,785.93	104,382.07	107,044.45

CITY OF BANNING
Grade Step Table - BPMA
BANNING POLICE MANAGEMENT

MOU: Banning Police Management Association
 2.5506% Between Steps

Effective: November 21, 2016
 No Change 7/1/18 COLA 0%

Job Title	Grade	Pay Frequency	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
Police Lieutenant	P87	Hourly	46,593.1	47,781.5	49,000.2	50,250.0	51,531.7	52,846.1	54,194.0	55,576.2	56,993.8	58,447.4	59,938.2	61,467.0	63,034.8
		Biweekly	3,727.45	3,822.52	3,920.02	4,020.00	4,122.54	4,227.69	4,335.52	4,446.10	4,559.50	4,675.79	4,795.06	4,917.36	5,042.78
		Annual	96,913.65	99,385.53	101,920.46	104,520.04	107,185.93	109,919.81	112,723.43	115,598.55	118,547.01	121,570.67	124,671.45	127,851.32	131,112.29
Police Captain	P92	Hourly	52,715.9	54,060.4	55,439.3	56,853.3	58,303.4	59,790.5	61,315.6	62,879.5	64,483.3	66,128.0	67,814.6	69,544.3	71,318.1
		Biweekly	4,217.27	4,324.84	4,435.14	4,548.27	4,664.28	4,783.24	4,905.24	5,030.36	5,158.66	5,290.24	5,425.17	5,563.55	5,705.45
		Annual	109,649.02	112,445.73	115,313.77	118,254.96	121,271.17	124,364.32	127,536.35	130,789.29	134,125.21	137,546.20	141,054.46	144,652.19	148,341.69

EXHIBIT “B”



CITY OF BANNING, CALIFORNIA

Electric Engineering Manager

Job Code: 5022

Grade: T85

FLSA ☒ **X**] Exempt ☐] Non-Exempt

JOB DEFINITION: Under general supervision of the Electric Utility Director, this position will be accountable for the overall electric system planning and design, system reliability, resilience, and power quality, system sectionalizing and coordination, and system automation including all communications infrastructure. Exercises general supervision over professional engineering staff, engineering support staff, and clerical and technical staff.

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.*

REPRESENTATIVE DUTIES:

- Advance the utility in automation and technical efficiencies.
- Develop and participate in the implementation of goals, objectives, policies, and procedures.
- Set project priorities and monitor progress.
- Supervise and participate in the preparation and administration of programs.
- Supervise and participate in the preparation of special engineering studies and reports.
- Coordinate related engineering activities with other City departments, divisions, and sections and with outside agencies.
- Participate, prepare and administer multi-year budgets.
- Manage the preparation and prioritization of multi-year Capital Improvement Programs.
- Manage the development of plans and estimates for construction and major repair of electrical systems, including underground and overhead transmission and distribution lines, street lights, substations, communications, generation and related facilities.
- Manage the development of professional contracts with consultants and other utilities agencies; monitor the implementation of such contracts.
- Manage various engineering and other professional disciplines and functions in accordance with good electric utility practices.
- Review and approve engineering drawings, work orders, and purchase orders.
- Serve as a representative to a variety of City commissions, boards and committees on electric utility matters.
- Direct and manage the automation and technology development and support as it relates to engineering projects.
- Represents Banning Electric Utility to other departments, elected officials, and outside agencies and organizations.
- Participates in the selection of, trains, motivates, supervises and evaluates assigned personnel; provides and/or coordinates staff training; works with employees on performance issues in coordination with Human Resources.
- Perform related duties as assigned.

CITY OF BANNING, CALIFORNIA

Electric Engineering Manager

Job Code: 5022
Grade: T85

KNOWLEDGE and SKILLS:

- Knowledge of retail electric distribution operations and practices.
- Knowledge of applicable City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives.
- Knowledge of personnel administration, preferably in a consumer-owned utility setting.
- Knowledge of management and/or supervision principles.
- Skill in reading, understanding, interpreting and applying relevant city, county, state and federal statutes, rules, regulations, ordinances, codes, administrative orders, policies and procedures and other operational guidelines and directives.
- Skill in assessing and prioritizing multiple tasks, projects and/or demands.
- Skill in working within deadlines to complete projects and assignments.
- Skill in assessing, analyzing, identifying and implementing solutions to complex problems.
- Skill in establishing and maintaining effective working relations with co-workers, staff, vendors, contractors, the general public and others having business with the City of Banning.
- Skill in operating a personal computer, utilizing a variety of software applications.

ABILITY TO:

- Communicate clearly and concisely, orally, and in writing with a diverse population and cultures.
- Plan, direct and coordinate projects within the energy delivery area.
- Manage the preparation of specifications, cost estimates, work schedules, plans, maps and reports.
- Understand and manage complex engineering computations.
- Check, design and supervise the construction of a wide variety of public and private facilities.

MINIMUM QUALIFICATIONS: Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for satisfactory job performance as an Electric Engineering Manager. Example combinations include: A Bachelor's degree from an accredited collegial institution in a related field and/or combination of an Associate's degree from an accredited collegial institution with trades journey level certification in medium or high voltage power electronics, power line, or power communications fields. An advanced level degree in electrical engineering, business, or licensed professional electrical engineer is preferred, with the ability to be registered in the State of California within one year of employment.

ADDITIONAL REQUIREMENTS: Must possess and maintain a valid California Driver License. May be required to work outside the traditional work schedule.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Work is primarily performed in an office environment requiring prolonged sitting or standing; walking, kneeling, crouching, squatting, stooping, and bending; inputting data into a computer terminal; exposure to computer glare, vibrations, and pitch; lifting, carrying, and regularly lift and/or move up to ten (10) pounds, frequently lift and/or move up to twenty-five (25) pounds in weight; use hands to finger, handle or feel; reach with hands and arms and have mobility, vision, hearing, and dexterity levels appropriate to the duties to be performed.



CITY OF BANNING, CALIFORNIA

Lead Customer Service Representative

Job Code: 1335

Grade G46

FLSA

☐ Exempt

☒ Non-Exempt

JOB DEFINITION: Under general supervision from the Customer Service and Billing Manager, performs advanced/lead level customer service related work involving customer contact by telephone and in person; also accepts utility payments from City customers; provides technical assistance to the Customer Service and Billing Manager; and performs related work as required.

DISTINGUISHING CHARACTERISTICS: This class is the advanced/lead level in the Customer Service Representative series and is differentiated from the Customer Service Representative in that incumbents are expected to work with greater independence. Incumbents will perform complex customer service related duties, generate reports, handle challenging customer related issues and will also provide support and technical assistance to the Customer Service and Billing 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.*

REPRESENTATIVE DUTIES:

Serves as back-up counter representative and as front line telephone representative. Accepts and completes applications for utility service. Completes and files work orders and delivers to appropriate representative as necessary. Processes HEAP pledges in a timely manner. Provides a professional image to customers, co-workers, and other agencies. Responds to customer email and voice mail daily. Collects and processes night drop payments and other utility payments as required. Interprets customers' accounts and applies applicable City rules and regulations to assist customers in resolving more complex account related issues. Accurately files account records. Works directly with Customer Service and Billing Manager to resolve issues and improve communication within departments. Assists the Customer Service and Billing Manager with special projects and assignments. Researches and resolves the difficult customer related issues. Performs all duties of the Customer Service Representative as required for support. Cross trains to assist in billing and accounting functions.

Performs other duties as assigned or required.

(continued on reverse side)

CITY OF BANNING, CALIFORNIA

Lead Customer Service Representative

Job Code: 1335

Grade G46

KNOWLEDGE and ABILITIES:

- Knowledge of applicable City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives.
- Knowledge of effective customer service methods, practices and procedures.
- Knowledge of the City's and the Department's policies and regulations.
- Knowledge of basic communicative ability; including writing, grammar, spelling, and punctuation.
- Knowledge of general office practices.
- Knowledge of the principles of bookkeeping and/or accounting.
- Knowledge of the principles of file and records management.
- Knowledge of safe work practices.
- Ability to use independent judgement in maintaining and adjusting financial and statistical records pertaining to customer accounts.
- Ability to perform arithmetical calculations quickly and accurately
- Ability to interpret customer accounts and explain City policies, rate structure and services.
- Ability to handle challenging and complex customer service issues.
- Ability to enter and verify data and utilize computer system with advanced proficiency.
- Ability to assemble data and prepare accurate reports.
- Ability to establish and maintain cooperative working relationships with peers.
- Ability to communicate clearly and concisely.
- Ability to proficiently use Microsoft Office, Word and Excel.
- Ability to observe City guided safety precautions.
- Ability to assess and prioritize multiple tasks, projects and/or demands.
- Ability to work within deadlines to complete projects and assignments.
- Ability to assess, analyze, identify and implement solutions to complex problems.

MINIMUM QUALIFICATIONS: 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:

A high school diploma or GED **AND** a minimum of three (3) years of responsible experience in customer service, cashiering, cash handling and data entry.

ADDITIONAL REQUIREMENTS: Must possess and maintain a valid California Driver License. May be required to occasionally work outside the traditional work schedule.

PHYSICAL TASKS AND ENVIRONMENTAL CONDITIONS: The physical demands are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this classification, an incumbent is regularly required to use hands and fingers to handle and/or feel. The employee is frequently required to talk, hear, and to sit and reach with hands and arms. The employee is occasionally required to walk, climb or balance and stoop, kneel or crouch. The employee must regularly lift and or move up to twenty (20) pounds. Specific vision abilities required by this position include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.



CITY OF BANNING, CALIFORNIA

Senior Human Resources Technician

Job Code: 1235

Grade: G58

FLSA

☐ Exempt

☒ Non-Exempt

JOB DEFINITION: Under limited supervision, provides highly skilled, advanced level administrative support for human resources and risk management activities and functions, including recruitment, classification, compensation, benefits administration, employee and labor relations and training, and employees' safety and workers' compensation services; a variety of technical duties in support of the City's Human Resources management; recommends and implements changes to enhance effectiveness; performs special projects as assigned.

DISTINGUISHING CHARACTERISTICS:

This is a lead/advanced journey level class expected to exercise independent judgment and initiative and perform the more difficult, complex human resources functions, including research and data analysis, while also providing risk management support. This class is distinguished from the next lower classification of Human Resources Technician by assuming an advanced level of responsibility and performing professional level human resources work.

SUPERVISION RECEIVED AND EXERCISED:

Receives general supervision from the Deputy Human Resources Director. Exercises procedural guidance to the Human Resources Technician.

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.*

- Plan, organize, and coordinate recruitment plans and programs for the City; prepare announcements, advertisements, application packets; screen applications; coordinate and proctor tests; oversee interview process; develop eligibility lists; notify applicants of status during the various phases of the recruitment/selection process; coordinate new hire process, including pre-employment physical, background check, and fingerprinting; conduct new employee orientations; process employee separations from City service.
- Arrange for random drug testing of employees in accordance with City policies.
- Prepare employee evaluation notifications for routing to department. Maintain a log of outstanding evaluations, and notify departments of any outstanding evaluations as needed.
- Assist in the development and implementation of personnel policies; interpret and explain the City's municipal code, policies and procedures, rules and regulations, ordinances, resolutions, and labor agreements; respond to requests for information and assistance from employees, management, outside agencies, and the public; respond to inquiries and advise management employees on employee relations issues and other human resources issues and laws, stay current on labor laws and regulations.
- Assist in the development and administer, monitor, and maintain all benefit program, including health, dental life disability and vision insurance plans, deferred compensation plans and CalPERS retirement program. Oversee annual open enrollment benefits fair; respond to benefit questions; act as liaison to employees to resolve claim issues with providers; prepare documents for enrollment, changes, and terminations; explain benefit programs and keep employees apprised of benefit additions, changes and other updates; prepare short and long-term disability claims and guide employees through the disability process; process death benefit claims.

(continued on reverse side)

CITY OF BANNING, CALIFORNIA

City of Banning

CC Approved June 26, 2018
REV:

Senior Human Resources Technician

Job Code: 1235

Grade: G58

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- Set up and maintain workers' compensation and liability claim files; assemble and review pertinent information to assist in evaluation of claims; communicate with third-party administrators regarding claims activities;
 - Arrange recovery and defense actions related to small claims subrogation efforts.
 - Process physical damage claims filed by City departments for reimbursement.
 - Update and maintain Human Resources Department web site.
 - Administer, monitor, and maintain programs to ensure compliance with State and Federal regulations, including the Health Insurance Portability and Accountability Act (HIPAA), Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), Pregnancy Disability Leave (PDL), the Affordable Care Act (ACA), and the Consolidated Omnibus Budget Reconciliation Act (COBRA).
 - Recommend and implement departmental improvements; train new Human Resources Technician staff.
 - Develop class specifications and maintain the City's classification plan; conduct salary, benefit and classification surveys; compile and analyze data; prepare results in report format; oversee and maintain confidential personnel files; attend and participate in meetings representing the department; stay abreast of new trends and innovations in human resource management; participate in special projects as assigned; perform research and assist in developing and implementing programs and procedures.
 - Perform other related duties as assigned or required.

KNOWLEDGE and SKILLS:

Knowledge of public sector human resources administration practices and terminology, particularly as related to recruitment, selection and compensation and benefits administration; Federal and State regulations, including HIPAA, FMLA, CFRA, PDL, ACA, ADA, CPD and COBRA; basic claims administration practices and terminology, particularly as related to public agency liability claims and workers compensation claims; data gathering and basic analysis technologies; the basic functions and structure of a municipal government and records management & retention policies, including document imaging software

Skill in understanding, analyzing, interpreting, applying and explaining complex policies, procedures, laws and regulations; preparing clear, concise and effective written materials; maintaining accurate records and files; researching and compiling information and preparing reports and recommendations; exercising sound independent judgment within established guidelines; establishing and maintaining effective working relationships with those contacted in the course of the work, including maintaining a high degree of confidentiality and coordinating multiple concurrent projects

MINIMUM QUALIFICATIONS: Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for satisfactory job performance as a Senior Human Resources Technician. Example combinations include: an Associate's Degree with course work in human resources, business administration, public administration or a related field **AND** four (4) years of progressively responsible public sector human resources experience, or an equivalent combination of education and experience.

ADDITIONAL REQUIREMENTS: Must possess and maintain a valid California Driver License. May be required to work outside the traditional work schedule.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping. Regular grasping, repetitive hand movement and fine coordination in preparing reports using a computer keyboard. Additionally, constant near and far vision in reading written reports and work related documents. Frequent acute hearing when providing phone and personal service. Occasional lifting, dragging and pushing files, paper and documents weighing up to 25 pounds.



CITY OF BANNING, CALIFORNIA

Community Services Director

Job Code: 3310
Grade D92

FLSA ☒ **Exempt** ☐ **Non-Exempt**

JOB DEFINITION: Under policy direction, directs, oversees, plans, organizes and administers the transit, park development, parks division operations, senior services, recreation, aquatics, and special event functions for the City.

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.*

REPRESENTATIVE DUTIES: Under executive direction of the City Manager, plans, develops, coordinates and oversees the provisions of a comprehensive recreation program and the maintenance of all parks, recreation areas and related facilities and buildings; Facilities and programs include the Banning Community Center, Laura May Stewart Playhouse Bowl Building, Roosevelt Williams Park Community Room, Repplier Park Aquatic Center, Banning Senior Center and A.C. Dysart Park. Comprehensive recreational programs is full-service, year-round recreational programming, including sports, instructional programs, senior activities and social service programs, summer day camp, seasonal aquatics programming, and special events such as the City's 4th of July Celebration; Develop partnerships and collaborations with other agencies and community based organizations to provide additional programs and activities for the community.

Oversees the Transit Operations for both the Fixed Route and Dial-A-Ride is responsible for planning, directing and managing the daily operations of fixed-route and demand response transit operations. Develops, implements, monitors and evaluates systems, policies, and procedures to ensure the highest quality of transportation services are provided to passengers.

Oversees, monitors and directs operations of assigned staff. Prioritizes and assigns special projects. Interviews prospective employees. Hires and/or recommends hiring. Develops, identifies and implements new employee and on-going staff training. Assigns, tracks and reviews work assignments and progress. Reviews and approves the formal performance evaluation of assigned department staff. Develops and implements disciplinary actions for assigned staff. Develops budgets for assigned divisions and monitors revenues and expenditures.

Performs other duties as assigned or required.

CITY OF BANNING, CALIFORNIA

Community Services Director

Job Code: 3310
Grade D92

KNOWLEDGE and SKILLS:

- Knowledge of applicable City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives.
- Knowledge of the City's and the Department's policies and procedures.
- Knowledge of management and/or supervision principles.
- Knowledge of modern methods, techniques, principles, and procedures used in the development, maintenance and administration of Park and Recreation programs and facilities.
- Knowledge of park development principles.
- Knowledge of turf, grounds, and landscape design and maintenance.
- Knowledge of principles and procedures for implementing and directing a wide variety of recreation activities and the development of programs through community participation.
- Knowledge of principles and practices of administration, budget and personnel management.
- Knowledge of City government and advisory boards.
- Knowledge of all aspects of public transit, to include measuring efficiency, assessing effectiveness, developing performance measures, and budgeting.
- Knowledge of ADA requirements for public transportation.

- Skill in reading, understanding, interpreting and applying relevant City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders, policies and procedures and other operational guidelines and directives.
- Skill in assessing and prioritizing multiple tasks, projects and/or demands and working within deadlines to complete assignments.
- Skill in assessing, analyzing, identifying and implementing solutions to complex problems.
- Skill in establishing and maintaining effective working relations with co-workers, staff, vendors, contractors, visitors, the general public and others having business with the City of Banning.
- Skill in operating a personal computer, utilizing a variety of software applications.

MINIMUM QUALIFICATIONS: 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:

A Bachelor's degree in Recreation, Social Services or related field **AND** ten (10) years of community services experience that includes three (3) years of management and/or supervision.

ADDITIONAL REQUIREMENTS: Must have at the time of application and must maintain certification as a Certified Pool Operator (CPO) and Certified Playground Safety Inspector. Must have at the time of application and must maintain a California Driver License. May be required to work outside the traditional work schedule.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping. Regular grasping, repetitive hand movement and fine coordination in preparing reports using a computer keyboard. Additionally, Constant near and far vision in reading written reports and work related documents. Frequent acute hearing when providing phone and personal service. Occasional lifting, dragging and pushing files, paper and documents weighing up to 25 pounds.

OLD DESCRIPTION

CITY OF BANNING, CALIFORNIA



Community Services Director

Job Code: 3310

FLSA ☒ Exempt ☐ Non-Exempt

JOB DEFINITION: Under policy direction, directs, oversees, plans, organizes and administers the transit, park development and recreation community services functions for the City.

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.*

REPRESENTATIVE DUTIES: Directs and manages transit, park development and recreation and the senior citizen community center services. Ensures the City offers a wide variety of activities to citizens. Develops budget and monitors expenditures. Administers City park bond funds. Works with contractors to develop parks and facilities for community services.

Manages the transit operations including Dial-A-Ride services. Coordinates necessary service plans for City buses and vans used for public transit. Responsible for City-wide special event application process. Works with other community organizations to offer special events.

Oversees, monitors and directs office operations of assigned staff. Priorities and assigns special projects. Interviews prospective employees. Hires and/or recommends hiring. Develops, identifies and implements new employee and on-going staff training. Assigns, tracks and reviews work assignments and progress. Reviews and approves the formal performance evaluation of assigned department staff. Develops and implements disciplinary actions for assigned staff.

Performs other duties as assigned or required.

KNOWLEDGE and SKILLS:

- Knowledge of applicable city, county, state and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives.
- Knowledge of the City's and the Department's policies and procedures.
- Knowledge of management and/or supervision principles.
- Knowledge of special needs and social issues related to senior populations.
- Knowledge of park development principles.
- Knowledge of recreation planning concepts.

- Skill in reading, understanding, interpreting and applying relevant city, county, state and Federal statutes, rules, regulations, ordinances, codes, administrative orders, policies and procedures and other operational guidelines and directives.
- Skill in assessing and prioritizing multiple tasks, projects and/or demands.
- Skill in working within deadlines to complete projects and assignments.
- Skill in assessing, analyzing, identifying and implementing solutions to complex problems.
- Skill in establishing and maintaining effective working relations with co-workers, staff, vendors, contractors, visitors, the general public and others having business with the City of Banning.
- Skill in operating a personal computer utilizing a variety of software applications.

(continued on reverse side)

CITY OF BANNING, CALIFORNIA

Community Services Director

Job Code: 3310

MINIMUM QUALIFICATIONS: A Bachelor's degree in Recreation, Social Services or related field **AND** ten (10) years of community services experience that includes three (3) years of management and/or supervision.

ADDITIONAL REQUIREMENTS: Must have at the time of application and must maintain certification as a Certified Pool Operator (CPO) and Certified Playground Safety Inspector. Must have at the time of application and must maintain a California driver license. May be required to work outside the traditional work schedule.



CITY OF BANNING, CALIFORNIA

Public Works Director/City Engineer

Job Code: 4400
Grade D100

FLSA ☒ **Exempt** ☐ **Non-Exempt**

JOB DEFINITION: Under policy direction, directs, oversees, plans, organizes and administers water, wastewater, engineering, streets, fleet, building maintenance and airport division operations.

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.*

REPRESENTATIVE DUTIES: Establishes and maintains direction and regulation over Public Works Divisions, including the water, wastewater, engineering, streets, fleet, building maintenance and airport divisions and services in accordance with operational and environmental protection measures and Federal, State and regional regulatory requirements. Provides professional assistance and information to the City Council and City management staff on City operations associated with Public Works. Develops and implements the Capital Improvement Program (CIP). Interprets and enforces Public Works Department policies and procedures. Acts as liaison with other City departments and other government agencies, such as Department of Transportation, Riverside County Transportation Commission and Riverside County Economic Development Agency. Manages Banning Municipal Airport operation. Manages the waste management franchise contract and address solid waste related issues.

Develops financial plans including loans and grants to pay for infrastructures. Reviews and/or approves assigned staff plans, specifications and cost estimates for each public works operation. Monitors the acquisition, allocation or use of resources needed for successful service delivery or project completion. Researches, reviews, investigates and reports services, problems or conditions affecting the safe and convenient use of City water and wastewater systems, streets, vehicles and equipment and airport. Prepares reports of conditions and results of Public Works operations for the City. Oversees budgetary and expenditures for the Public Works Departments and Divisions.

Manages the buying, selling and trading operations within the Public Works Department. Provides short term and long term utilities and public works capital improvement planning for the City. Attends meetings and presentations. Oversees, monitors and directs office operations of assigned staff. Prioritizes and assigns special projects. Interviews prospective employees. Hires and/or recommends hiring. Develops, identifies and implements new employee and on-going staff training. Assigns, tracks and reviews work assignments and progress. Reviews and approves the formal performance evaluation of assigned department staff. Develops and implements disciplinary actions for assigned staff. Prepares reports, memos and correspondence.

Performs other duties as assigned or required.

(continued on reverse side)

CITY OF BANNING, CALIFORNIA

Public Works Director/City Engineer

Job Code: 4400
Grade D100

KNOWLEDGE and SKILLS:

- Knowledge of applicable City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives.
- Knowledge of the City's and the Department's policies and procedures.
- Knowledge of water, wastewater, street, engineering, fleet, building maintenance and airport management and operations practices and principles.
- Knowledge of management and/or supervision principles.
- Knowledge of finance and budget principles.
- Knowledge of file and report management techniques.
- Knowledge of research methods and procedures.
- Knowledge of engineering principles and methods.
- Knowledge of trends and practices in public improvement projects.

- Skill in reading, understanding, interpreting and applying relevant City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders, policies and procedures and other operational guidelines and directives.
- Skill in assessing and prioritizing multiple tasks, projects and/or demands.
- Skill in working within deadlines to complete projects and assignments.
- Skill in assessing, analyzing, identifying and implementing solutions to complex problems.
- Skill in establishing and maintaining effective working relations with co-workers, staff, vendors, contractors, visitors, the general public and others having business with the City of Banning.
- Skill in operating a personal computer utilizing a variety of software applications.

MINIMUM QUALIFICATIONS: 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:

A Bachelor's degree in Civil Engineering or related field **AND** ten (10) years of public works, water, wastewater or engineering experience that includes five (5) years of management and/or supervision. Must possess registration in California as a Professional Civil Engineer at time of appointment.

ADDITIONAL REQUIREMENTS: Must have at the time of application and must maintain a California Driver License. Depending on the needs of the City, the incumbent in this classification may be required to obtain and maintain additional licenses or certifications. May be required to work outside the traditional work schedule.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping. Regular grasping, repetitive hand movement and fine coordination in preparing reports using a computer keyboard. Additionally, Constant near and far vision in reading written reports and work related documents. Frequent acute hearing when providing phone and personal service. Occasional lifting, dragging and pushing files, paper and documents weighing up to 25 pounds.



CITY OF BANNING, CALIFORNIA

Public Works Director/City Engineer

Job Code: 4400

FLSA ☒ **Exempt** ☐ **Non-Exempt**

JOB DEFINITION: Under policy direction, directs, oversees, plans, organizes and administers water, wastewater, engineering, streets, parks, fleet and airport division operations.

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.*

REPRESENTATIVE DUTIES: Establishes and maintains direction and regulation over Public Works Divisions including the water, wastewater, engineering, streets, parks, fleet and airport divisions and services in accordance with operational and environmental protection measures and Federal, state and regional regulatory requirements. Provides professional assistance and information to the City Council and City management staff on City operations associated with Public Works. Develops and implements the Capital Improvement Program (CIP). Interprets and enforces Public Works Department policies and procedures. Acts as liaison with other City departments and other government agencies such as Department of Transportation, Riverside County Transportation Commission and Riverside County Economic Development Agency. Manages Banning Municipal Airport operation. Manages the waste management franchise contract and address solid waste related issues.

Develops financial plans including loans and grants to pay for infrastructures. Reviews and/or approves assigned staff plans, specifications and cost estimates for each public works operation. Monitors the acquisition, allocation or use of resources needed for successful service delivery or project completion. Researches, reviews, investigates and reports services, problems or conditions affecting the safe and convenient use of City water systems, streets, parks, vehicles and equipment and airport. Prepares reports of conditions and results of Public Works operations for the City. Oversees budgetary and expenditures for the Public Works Departments and Divisions.

Manages the buying, selling and trading operations within the Public Works Department. Provides short term and long term utilities and public works capital improvement planning for the City. Attends meetings and presentations. Oversees, monitors and directs office operations of assigned staff. Prioritizes and assigns special projects. Interviews prospective employees. Hires and/or recommends hiring. Develops, identifies and implements new employee and on-going staff training. Assigns, tracks and reviews work assignments and progress. Reviews and approves the formal performance evaluation of assigned department staff. Develops and implements disciplinary actions for assigned staff. Prepares reports, memos and correspondence.

Performs other duties as assigned or required.

CITY OF BANNING, CALIFORNIA

Public Works Director/City Engineer

Job Code: 4400

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